

The lists



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BETWEEN IMPOTENCE, COWARDICE AND DUPLICITY

Journalists have a tough time earning a living. Their defenders seem less effective than ever. It may seem odd for Reporters Without Borders to say that, but without wringing our hands (we've long known our strengths and weaknesses) we have to recognise that journalists are not adequately and sufficiently defended around the world.

The most repressive regimes can easily dispose of freedom of expression and its supporters. NGOs are banned from or else thrown out of the very countries where they can be most useful. Major international institutions can protest, threaten sanctions, denounce the situation at the highest level, all to no avail. The predators of press freedom are not listening. Our impotence is their strength.

The European Union (EU) often echoes human rights activists and yet... In October 2007 the European Parliament firmly condemned basic rights violations in Iran, including the death sentence passed on journalist Adnan Hassanpour. But a few days later, Hassanpour's lawyer learned that the supreme court had confirmed the death sentence, making the journalist liable to be executed at any moment. It was clear defiance of the international community. And then the sentence was cancelled in late January 2008. Was it because of international pressure? We would like to think so. But let's say his lawyer's energy was a major factor in getting the case turned around.

How many resolutions, statements and protest letters have no effect? Does that mean we should stop voting them or writing them? Of course not. But new means of pressure and forms of action can be devised to destabilise the enemies of press freedom, expose their weaknesses and defeat them.

Whenever it feels powerless, the EU threatens to crack down. But dictators aren't naughty schoolchildren who can be brought back into line with a few sharp words. Uzbekistan's all-powerful president, Islam Karimov, hardly flinches in the face of European sanctions. Any more than Zimbabwe's Robert Mugabe fears the action taken against him. Freezing assets abroad, refusing visas and banning travel in Europe, inspection of exports and downgrading diplomatic ties have not budged either of these two rulers. Freedom of expression is in very bad shape in both countries. The few independent journalists there know they are alone and have long stopped counting on outside help. An international arms sales embargo on China has been in force since 1989 but this has not reduced the number of rights violations.

The spinelessness of some Western countries and big international institutions is damaging freedom of expression. They are all quick to condemn developing countries that have little strategic value, but things are different when it comes to Russian President Vladimir Putin or Chinese President Hu Jintao. Western heads of state put away their lawyer's robes and become salesmen. Trade with China and Russia is so important that human rights are rarely on the agenda. Or else they are talked about informally in very general terms. The real or false indignation of the Chinese and Russian leaders has been enough to scare even those who make the strongest protests. Who still dares to talk about the Dalai Lama or praise Taiwanese democracy to President Hu's face? German chancellor Angela Merkel. Just her. Who can withstand the icy look of President Putin in a discussion of rights in Chechnya or about the score of journalists murdered since he came to power?

The leaders of democratic countries also don't want to clash with big companies for whom time spent on talking about human rights only delays the signing of new contracts. Merkel was strongly criticised by German business for receiving the Dalai Lama in Berlin in September but she had the courage to defend her beliefs and end what she called "business diplomacy."

Realpolitik plays into the hands of dictators. French President Nicolas Sarkozy laudably acted directly to get journalists and cyber-dissidents out of prison in Tunisia, Chad and Vietnam. But their colleagues in Russia and China – who really need help just a few months away from the Beijing Olympics – have not had such support. If the French NGO Arche de Zoé had failed in Chechnya rather than Chad, what would Sarkozy have done to win the release of the three journalists mixed up in the humanitarian bungle?

The duplicity of some "official defenders" of human rights has also greatly harmed the victims of violations. The United Nations is easily best at doing this. While the UN Security Council passed a strong resolution in New York calling for the grim violence against journalists to stop, the UN Human Rights Council in Geneva was equally energetic in letting off those responsible for such violence. The council

yielded in 2007 to pressure from Iran and Uzbekistan, major rights offenders whose actions were not even discussed by the Council. A few months later, the Council did not renew the mandates of the special rapporteurs for Belarus and Cuba – independent experts examining rights violations there. In 2008, it will be the turn of Sudan, Somalia and Democratic Congo to dismiss these embarrassing inspectors with a wave of the hand.

The lack of determination by democratic countries in defending the values they supposedly stand for is alarming. The abandonment or dishonesty of those who claim to protect our freedom is even more worrying. In 2007, journalists were more than ever targets of violence (86 killed) and repression (at least two arrested each day).

NGOs must persuade all countries to change their attitude. Pressure must be maintained on dictatorships to stop freely abusing the rights of their citizens. But we also increasingly need to get democratic countries and major international institutions to defend these rights around the world. Our new goal is to find defenders of free expression who are more aware of their responsibilities and thus more effective.

Robert Ménard
Secretary-General

Jean-François Julliard
Head of Research

PRESS FREEDOM FACES DANGEROUS ELECTIONS AND AN OLYMPIC SUMMER IN 2008

Reporters Without Borders is very concerned about press freedom worldwide after a year of violence towards the media in 2007. More and more journalists are being killed and last year's figure was the highest since 1994. Harsh punishment was also meted out by some regimes, with several journalists sentenced to death or facing the possibility. Two journalists died in prison for lack of medical treatment and others were given heavy prison sentences without even being able to defend themselves.

But repressive governments were far from being the only enemies of press freedom. Extremist religious groups, drug traffickers, organised crime, gangs, independence movements, armed rebels, corrupt politicians and aggressive secret police all behaved brutally towards journalists who showed too much interest in their activities.

It looks like 2008 will be an even tougher year for the media and without being at all complacent, we have to say it is very unlikely the job of journalists will get any easier in the months ahead.

Our main concern is about the elections scheduled during the year. Key votes will be held in countries whose leaders distrust independent journalists. Only a few countries still dare to rig elections openly and shamelessly. Rigging is less obvious these days and prepared well in advance, often astutely combining fraudulent electoral lists, pressure on election supervisors and controlling the media. During the election campaigns, the media is the focus of attention and a scapegoat for supporters of candidates claiming they have been unfairly treated.

Journalists are likely to be physically attacked and arrested in the course of the imminent 18 February elections in Pakistan. The country's privately-owned TV stations will have to stick together to preserve the shaky freedom to comment. President Pervez Musharraf is doing all he can to ensure he wins and has still not accepted the spring 2007 revolt of the country's lawyers which was followed in November by major protests by journalists.

Russia will elect a new president in early March. Nominally outgoing President Vladimir Putin feels invulnerable to outside critics because of the European Union's dependence on Russian oil and natural gas and knows he can run the country without accounting to foreigners. His critics are encouraged to be silent and if they are not, bribes and threats will see that they are. Journalists are murdered in Russia every year and physical attacks on them are frequent. All the principal media outlets have fallen under the control of Putin's allies. Even the *Echo of Moscow* radio station, a beacon of independent journalism, was unable to resist the economic might of its new owners, the giant energy conglomerate Gazprom. The strong character of its managing editor ensures it is still outspoken. But for how long ?

The Russian trend has infected the region and the entire former Soviet empire, except for the Baltic states and to a much lesser extent Ukraine, treat the media with hostility as soon as it fails to bend to their will. Journalists in Azerbaijan who will cover the almost-certain re-election of President Ilham Aliiev in October expect a rough time, with violence by security forces and unjustified prosecutions rubber-stamped by tame courts.

Repression continues in Iran, where President Mahmoud Ahmadinejad is under increasing pressure, including from fellow hardliners, and is trying to reduce the influence of the media before parliamentary elections in mid-March. Journalists not already in prison are summoned by judges who remind them they are only free conditionally. The most outspoken and critical Internet websites are closing one after another because of official censorship. The same thing is happening in Zimbabwe, where President Robert Mugabe, in power for nearly 30 years, now faces a divided ruling party. The party leadership vote at the end of March is likely to see protest marches during which demonstrators, photographers and cameramen will fall foul of the regime's various forces of "law and order" in the streets of Harare.

KILLERS OF JOURNALISTS NOT PUNISHED

The failure to prosecute those who murder journalists is another big concern. Investigation of physical attacks on media workers very rarely results in prosecution and when it does, those who ordered the crime escape punishment because they are protected by their jobs or powerful friends. Two important

trials will be held in 2008 however – those of the killers of editor Hrant Dink in Turkey and investigative reporter Anna Politkovskaya in Russia. These crimes, committed at the gates of Europe, must receive exemplary punishment and both the gunmen and the masterminds must be severely sanctioned. The results of the two trials will influence the future of journalists not just in Turkey and Russia but in all dangerous countries where sensitive investigations are made.

More and more countries are becoming dangerous for media workers. Iraq continues to bury journalists five years after the US invasion began the fighting there. Almost every week Iraqi journalists are murdered or an attempt made to kill them. Foreign reporters, who are fewer these days and have better protection, are less affected. Iraqi journalists do not expect their working conditions to substantially improve over the next few years.

Civilians continue to be major victims of unrest in the Palestinian Territories and Somalia and local and foreign journalists there are seen as spies for opposing sides. Sri Lanka has just marked the 60th anniversary of its independence amid bombings and in 2008 journalists will have to dodge the violence of the Tamil Tiger rebels and the army and its allied militias. Journalists working in the chaos of Afghanistan and Pakistan's tribal areas are in constant danger.

Rebels in Chad and Niger may take reprisals against journalists covering their activities. The governments of both countries get tougher as their enemies close in on the capital cities and the tolerance of their rulers towards media outlets giving a voice to the rebels reached its limit at the end of 2007.

PROMISES AND TRICKERY

The evasion of the law by those supposed to uphold it is becoming routine. Governments are increasingly trying to give themselves a good name by promising to abolish prison sentences for press offences and only the most repressive ones jail journalists for “defamation” or “insults.” The authorities in countries the international community euphemistically calls “transitional democracies” have craftily altered the charges while methods are still the same. Journalists there are sent to prison for supposedly “disturbing the peace” or “subversion.” Next it will be for “complicity with terrorists.” Cuba is a leader in this kind of legal trickery and has invented a crime of “pre-criminal danger to society.” Journalists are arrested before writing a single word because of the “potential risk” they represent – a new kind of prior censorship.

And censorship is increasing everywhere, with new media and ways of conveying news under attack. Mobile phones are a growing target because they can now take photos and film events. Police seized them in Burma during the crackdown on protests in September 2007 when the regime found they were being used to send images to media around the world. The new video-sharing and social networking Internet websites are also victims of the censors, especially in Syria, Egypt and even Brazil. China is the leader in this field and has energetically passed laws to curb their influence.

All eyes will be on China when the Olympic Games open in Beijing on 8 August, while 100 or so journalists, Internet users and bloggers remain in the country's prisons. Nobody apart from the International Olympic Committee seems to believe any longer that the government will make a significant human rights concession before the Games start. Every time a journalist or blogger is released, another goes into prison. The police have been told to crack down on anyone – such as blogger Hu Jia, arrested at the end of 2007 – who suggests that the Games should not be held in China. Other arrests are expected to follow and China's dissidents will probably be having a hard time this summer.

But some good news may lighten the gloom of 2008. At least three journalists are expected to be released in Ethiopia after completing their sentences and negotiations are under way to free Sudanese *Al-Jazeera* cameraman Sami al-Haj from the US prison at Guantanamo in coming months. Veteran journalist Win Tin, imprisoned in Burma since 1989 and due to be released in July 2009, may be freed before through remission he has earned in recent years. 2008 will end with commemoration of the 60th anniversary of the Universal Declaration of Human Rights, whose article 19 guarantees “the right to freedom of opinion and expression.” Let's hope the ceremonies will mark the beginning of an expansion of press freedom.

Jean-François Julliard
Head of Research



© AFP PHOTO / MONJUC

Funeral of Congolese journalist Serge Maheshe of Radio Okapi, murdered on 13 June 2007 in Bukavu.

2008 Annual Report

AFRICA

CRACKING DOWN WITHOUT ANY COMPLEXES

African governments in 2007 began doing what they had not dared to do before. Boundaries they would not previously have crossed, to crack down on journalists who annoyed them, were all removed. Free of hang-ups, several information ministers spent the year defending a certain idea of Africa – one with the face of repression. The press is disrespectful; it must be punished. Journalists are making demands; they must be gagged. Even in Mali and Benin, countries hitherto viewed as models of respect for press freedom, presidents Amadou Toumani Touré and Yayi Boni have at least once in 2007 picked up the phone to send displeasing journalists to prison. In both these cases, the heads of state have acknowledged their decisions. The year was thus one of bare-faced repression, in which they openly freed themselves from promises made. Government by effrontery.

HABITUAL PREDATORS

For some it's a habit. President of the young republic of Eritrea, Issaias Afewerki, guilty of imprisoning his former companions in arms and journalists who did not have the good fortune to escape the police, dismissed press questions about human rights in his country with utter contempt while on a visit to Europe in May. He could do so without fear, because apart from the United States, very few go in for much criticism of him. Democratic governments say they are impotent in the face of his brutality. During this time, Eritrea, which over the years has become an open air prison, has seen the country emptied of its people. Those who have not died in the inhuman conditions in prison camps have fled, on foot, to seek refuge anywhere, including in poverty and death. His rival, Meles Zenawi, prime minister of the Federal Democratic Republic of Ethiopia, has continued to treat the press in Addis Ababa with huge disdain. Even if, under pressure from his US allies, he agreed to release journalists arrested in the roundups of November 2005 during opposition demonstrations in protest at a stolen election a few months earlier.

In Zimbabwe and Gambia, presidents Robert Mugabe and Yahya Jammeh have not released the stranglehold of their intelligence services on an independent press which has been left injured and humiliated. President Joseph Kabila, in the Democratic Republic of Congo, has never had much time for unwanted witnesses or the thorns in the foot which journalists represent to him. This year, the authorities reacted with disdainful indifference even to those murdered by unidentified killers, like Serge Maheshe, of *Radio Okapi*. Abdullahi Yusuf Ahmed, the head of the transitional government in Somalia, which has been atomised by 17 years of anarchy, has let the military off the leash and they have set about arresting journalists who get in their way. At the same time, others have been murdered by hired killers, in the pay of the leaders of the Islamic Courts from their comfortable exile in the Eritrean capital Asmara.

In Rwanda, President Paul Kagame keeps a nervous eye on the few newspapers which his government and his allies do not yet control, to ensure they are subjected to sufficient intimidation to keep silent. For their part, the despots Teodoro Obiang Nguéma in Equatorial Guinea and Ismael Omar Guelleh in Djibouti do not need to worry about disobedient editors. They make do with the sycophancy of the public media. All those who fail to publicly fawn on them will end up with their personal file on the desks of the chief of police or the chief prosecutor.

DISGRACE AND PRISON

If African “predators” of press freedom have not yet given it up, men in power who were believed to be above all suspicion have demonstrated that journalists are not always free on the continent. This includes leaders who were thought to have been convinced of the benefits that can accrue to a poor country from a diversity of news, from harnessing public debate, public transparency and the vigilance of demanding citizens. Confronted with a revolt which he refuses to recognise as a political movement, the President of Niger, Mamadou Tandja, has imprisoned and tried several Niger and foreign journalists, who took too close an interest in the “drug traffickers” who have humiliated the army in the Air mountains. His determination not to see the Tuareg question referred to - a crisis which is undermining his fragile democracy - has ended by prompting huge international interest in the subject.

From presidents like José Eduardo dos Santos in Angola, Abdoulaye Wade in Senegal, Idriss Deby Itno in Chad, Omar al-Beshir in Sudan and Omar Bongo in Gabon, for example, one expected no more than that they stop treating the state as their personal possession and the country's journalists like their servants. But even there, argument has failed to convince the powerful, because in all these countries, jour-

nalists have been arrested, often brutally, faced frequently absurd charges and imprisonment, which is always unpleasant. These heads of state are not despots or comic opera kings, but they have violated their constitutions that guarantee freedom of the press, promises to funders and democratic standards promoted by the United Nations, with modernity, refinement and supported by administrative sophistication – with the light heart of an official, who always has to give some justification.

African journalists — perpetually facing charges of “defamation”, “publication of false new”, “damaging imputations”, “insulting the head of state”, harming national security, “sedition”, “incitement to disturb the public order” or who knows what — have to manage their own cases alone. Innocent or guilty, they have experienced the filth of a prison cell. Their families, whose chief characteristic is not to be rich, have to manage on their own resources while their breadwinner is unable to earn money.

Yes, across the continent, chiefly in the French-speaking part, there are numerous scandal sheets, which feed on ordinary corruption, chasing spectacular headlines and “little envelopes”. But the politicians, from Madagascar to Mauritania, from Guinea to Cameroun, via Cote d'Ivoire and the Central African Republic, are the main beneficiaries, making use of badly or unpaid journalists to settle their scores with opponents through bogus “revelations”. They do it because they have the means to do so and they can get way with it. Disgrace and prison are for others. Absurd logic, unjust justice.

FINANCIAL IMPUNITY

Freedom of the press in Africa was badly damaged in 2007. On at least 12 occasions during the year, men received orders to kill journalists. Police received orders on almost 150 occasions to make an arrest, not of a corrupt minister or a notorious killer but of a journalist. Even governments of countries in which Reporters Without Borders had invested some hope in previous years, have brought instruments of repression to bear against the press. Outside certain countries, like Ghana or Namibia, among others, the year was marked by a general setback. What exactly happened?

The ever greater penetration of China, oppressive superpower if ever there was one, allowed some African governments to marginalise their western support. Encumbered by vociferous NGOs and virtuous political demands, democratic countries stand no chance against Beijing's free-flowing dollars and multinationals, which send Chinese workers to supervise the building sites of African infrastructure without demanding anything in return. And then when it comes to repression, China has become an expert in it. It is Chinese technicians who scramble the signals of opposition radios in Zimbabwe. In addition, the difficulty in shedding the criminal past of the former colonial powers has been given a fresh impetus in the African nationalist revival. How many French ambassadors have been sent away with a flea in their ear, in the name of rejection of “French-Africa”, when they have attempted to negotiate the release of a journalist? Chinese ambassadors do not have this problem. How many African journalists or foreign reporters have been accused of being British spies in Zimbabwe? We would be wrong not to take these insinuations seriously. At the start of 2008, a fanatical newspaper in Abidjan tarnished the memory of Jean Hélène, a correspondent for *RFI* who was killed in a cowardly attack by a gendarme in October 2003, in claiming that he was working for French intelligence at the time.

African media, like a crumbling dam, have taken in water. Taboos have been proudly broken. A host of questions which are vital for the future of press freedom on the continent remain unanswered after this very testing year.

Léonard Vincent
Head of Africa desk

CHAD

Area: 1,284,200 sq. km.
Population: 10,468,000.
Language: French.
Head of state: Idriss Deby Itno.

The “Zoé’s Ark” case of alleged child abduction, led to the imprisonment of three journalists covering the secret operation as well as the French managers of the organisation. Elsewhere, Chadian police did not hesitate to arrest journalists considered by the government to be too unruly.

The year began with a bad omen for the newspapers in the capital N’Djamena. The zeal of government censors had left the few publications in the capital struggling with financial problems as they had been forced to appear with parts of pages blacked out since 14 November 2006. An advance censorship committee was re-established under a state of emergency declared the previous day, following a wave of bloody clashes between Arab and non-Arab communities in the east of the country. Emergency rule also banned radio and television from raising issues “which could damage public order, national unity, territorial integrity and respect for republican institutions”.

With the exception of the privately-owned pro-government daily *Le Progrès*, newspapers in the capital therefore appeared with many articles deleted. Taking advantage of the emergency, authorities in Moissala in the south of the country, on 31 January carried out their first and last act of coercion towards a privately-owned radio. Police arrested Marcel Ngargoto, a journalist on community *Radio Brakoss* and secretary general of Human Rights Without Borders (DHSF) after he broadcast a hard-hitting exposé about the city police chief whom he accused of extorting money from residents. The journalist was accused of “ruthless handling of sensitive news which could harm national cohesion”. He was released on 19 May after he went on hunger strike for several days.

The state of emergency expired at midnight on 25 May after the government, aware that peace cannot be restored through a censor’s scissors, did not ask the National Assembly for its renewal. The special cell within the communications ministry set up to censor newspapers ceased to operate on that day and Chadian newspapers were once again free to appear as normal.

INCONVENIENT PRISONERS

But the most extraordinary episode came at the end of October, as a result of the “Zoé’s Ark” scandal in which the French organisation planned to illegally evacuate to France around 100 children, supposedly orphans from Darfur. Covering the operation for the media were journalist/cameraman for the *Capa* photo agency, Marc Garmirian, photographer with the *Synchro X*, agency, Jean-Daniel Guillou, and journalist on *France 3 Méditerranée* Marie-Agnès Pelera (who was in Chad to make a documentary on her own experience hosting one of the “orphans”). They were all arrested along with members of “Zoé’s Ark” and faced the same charges. Several foreign journalists who arrived to cover the case were themselves threatened or assaulted by Chadian demonstrators, outraged by the case and its exploitation by the N’Djamena government. The three journalists were released and then acquitted under international pressure and the personal involvement of French President, Nicholas Sarkozy.

The Chadian authorities and an often fractious low-circulation private press – which hardly sells outside the capital - have in the past few years lived in a state of permanent mutual distrust. Threats and harassment are frequent, as exemplified by an incident at the start of October in which a car owned by, managing editor of the privately owned weekly *Le Temps*, Michael Didama, was machine-gunned and torched while he was on a trip abroad.

The year ended with another arrest on 14 December, of Nadjikimo Benoudjita, managing editor of private weekly *Notre Temps* who was charged three days later with “incitement to tribal and religious hatred” then released on bail awaiting trial. While he was in custody, judicial police

CHAD

in his presence searched his home, which doubled as an office for *Notre Temps* during which police told Nguémadki Dkimasngar, the editor of the very low circulation newspaper that the minister of information and public security had ordered

that the paper be “purely and simply shut down”. Nadjikimo Benoudjita has since left Chad, thus satisfying the desire of the government to get rid of an acerbic critic without having to lumber itself with a highly political prisoner.

DEMOCRATIC REPUBLIC OF CONGO

Area: 2,344,860 sq. km.
Population: 60,644,000.
Language: French.
Head of state: Joseph Kabila.

The vast territory of the Democratic Republic of Congo boasts hundreds of newspapers and scores of privately-owned radio and television stations. Political tensions run high and the media, often dependent on parties competing for power and unscrupulous businessmen, are frequently targets of sometimes deadly score-settling.

The Congolese media is highly politicised and consequently suffers as a result of highly-charged political tensions across the country. Following the 2006 presidential election, media owned by Jean-Pierre Bemba, former vice-president and unsuccessful election rival to Joseph Kabila, were particularly targeted. The broadcast signal of TV and radio stations owned by Bemba was interrupted on 21 March 2007, after he said in an interview in the Lingala language, that the army command was embezzling 500 million Congolese francs a month from the army payroll. Over the next two days bloody clashes erupted in the streets of Kinshasa pitting the DR Congo Armed Forces (FARDC) against the personal guard of Senator Bemba, who had refused to allow his men to be integrated into the regular army, for lack of sufficient guarantees of their safety. During the clashes, uniformed men raided the studios of *Canal Kin Télévision* (CKTV), *Canal Congo Television* (CCTV), and *Radio Liberté Kinshasa* (*Ralik*). Repeated death threats forced numbers of staff on Jean-Pierre Bemba-owned media into hiding.

In another sign of the close surveillance imposed on the Congolese private media, a botched decision by the information minister silenced four community radios in Kinshasa and put at risk the continued existence of 200 more throughout the country. The ministry took the view that the targeted media did not have licences for regular broadcasts, receipts or proof of payment of taxes owed to the government. Some of them subsequently produced documents proving they were complying with the law, including a payment schedule agreed with the General Directorate for Administrative and State Revenue Collection (DGRD). Broadcasts resumed on 24 October. Community radios operating in a legal vacuum,

without any state aid, played a crucial role in providing the public with news about the transition process and the various election dates in the Democratic Republic of Congo in recent years. A solution was finally found at the end of the year.

FREQUENT IMPRISONMENT

Journalists are imprisoned frequently both in Kinshasa and in the provinces. Press freedom organisations often face Kafkaesque situations because of absurd laws, a high level of corruption in all sectors of the administration and the authorities' aggressive policies. In one such case, Bosange Mbaka, known as "Che Guevara", editor of the periodical *Mambenga*, spent ten months in custody because of a ridiculous event. He was covering a public hearing at Kinshasa's Supreme Court on 21 November 2006, when clashes broke out between soldiers and militants of Jean-Pierre Bemba's party during which demonstrators torched the building. During the clashes, the journalist recovered a soldier's mobile phone which he was about to hand in to the guardroom. He was arrested minutes later and charged with "theft of military property". He was only acquitted on 7 September 2007. A total of ten Congolese journalists saw the inside of prison during the year and 54 were stopped and questioned by security forces, according to Reporters Without Borders' partner organisation, Journalist in Danger (JED).

VILE MURDER

Beyond the usual minor scandals, the Congolese press was badly shaken by a vile murder followed by an outrageous legal error. Journalist and editor on local *Radio Okapi*, Serge Maheshe, 31, was shot dead by two men in plainclothes as he left a

DEMOCRATIC REPUBLIC OF CONGO

friend's home in a residential neighbourhood of Bukavu, capital of South Kivu in eastern Congo in the evening of 13 June. The gunmen waylaid Maheshe and two friends as they were about to get into a "UN" marked vehicle used by the radio journalists and ordered them to lie on the ground. One of them fired two bullets into the journalists' legs and three into his chest. Maheshe had worked for *Radio Okapi* since 2002 and was a leading media figure in the region.

To general incredulity, the trial of two soldiers arrested some 50 metres from the murder scene in possession of weapons that had just been fired, opened before the Bukavu military court on the evening of the following day. Around 20 people had been arrested in a round-up within hours of the murder. The travesty of a trial ended on 28 August with a new and astonishing turnaround in which four men were sentenced to death: Freddy Bisimwa and Masasile Rwezangabo, two small-time crooks; and two of the journalist's close friends, Serge Mohima and Alain Shamavu. The verdict was based solely on the contradictory accusations of the two criminals without any proof and complete absence of motive. No other leads were followed. The court itself recognised that there were gaps in the case in which the prosecution scenario did not stand up to examination. The verdict was based on the "confessions"

of the two main suspects, which had accused the journalists' friends of instigating the murder but without producing any motive or evidence. In a further development a few weeks later, the two men wrote a letter from prison clearing the two friends and accusing military judges of having bribed them and provided them with compromising material to support their story. Serge Mohima and Alain Shamavu remain in prison and under death sentence while awaiting their appeal.

A few weeks after the murder of Serge Maheshe, Patrick Kikuku Wilungula, a freelance photographer working for the *Agence congolaise de presse (ACP)* and privately-owned weekly Kinshasa-based weekly *L'Hebdo de l'est*, died from a single shot to the head fired by a gunman in Goma, North Kivu, eastern Congo. The motive and identify of killer were unknown

UNDER PERMANENT THREAT

Reporters Without Borders has voiced its exasperation and anxiety about constant threats against the JED, whose leadership is forced to live with unrelenting risk. Even though they have received frequent anonymous death threats and insults for the past two years, the JED leaders received at least two serious warnings in 2007, prompting them to temporarily leave the country.



ERITREA

Area: 117,600 sq. km.
Population: 4,400,000.
Languages: Tigrinya, Arabic.
Head of state: Issaias Afeworki.

For the first time, this small country in the Horn of Africa led since independence by Issaias Afeworki, figures in last place in Reporters Without Borders' worldwide press freedom index, for the simple reason that the situation has gone from bad to worse. The country has been cut off from the rest of the world since major police round-ups in September 2001 and at least four journalists have died in prison.

The high hopes that Eritreans had for their country at independence, won on 25 May 1993 after a valiant 30-year guerrilla war, have completely collapsed. President Issaias Afeworki and his close allies sent the political police in against the reformist wing of the ruling party on 18 September 2001. The war with Ethiopia had just ended and growing numbers were calling for their freedom. The capital became a hunting ground to track down opponents or those accused of opposition. Former companions in arms, ministers and their advisers as well as influential generals were thrown in prison. The handful of independent newspapers appearing in the capital, Asmara, were banned and their publishers and editors arrested. All criticism of the regime was henceforth condemned as "harming national security". Along with hundreds of political and military figures, 13 journalists were caught up in the crackdown or gave themselves up to the authorities. They were all imprisoned in Asmara's number one prison before being transferred to secret detention centres, in April 2002, after having had the temerity to ask to be put on trial. Since then they have disappeared.

DEATHS IN PRISON

News that does filter out of Eritrea is as rare as it is terrifying. Prison guards, who fled abroad in 2006, revealed that at least three of the journalists who were arrested in 2001, died in prison between 2005 and 2006. And on 11 January, Fessehaye Yohannes, known as "Joshua" one of the most important figures in the country's intellectual life, died from the effects of appalling prison conditions in Eiraeiro in the north-east of the country where the highest profile prisoners are held. The family were not informed about the death of the co-founder of the weekly *Setit*, poet, playwright, and theatre troupe director and his body was not

returned to them. This horrifying state of affairs led to Eritrea being ranked last on Reporters Without Borders' world press freedom index for the first time, just after North Korea.

The very few foreign correspondents based in Asmara are directly accountable to the information minister, Ali Abdu, who has no hesitation in suspending their work permits at the slightest deviation. Those they interview are at risk of immediate imprisonment. Journalists wishing to travel to Eritrea have to wait for months, during which time they have to convince the Eritrean ambassadors in their home countries that the reporting they plan will be favourable to the government. Any who refer in their articles to the lamentable state of civil and political liberties in the country are expelled.

AN OPEN-AIR PRISON

Eritreans are forced to live isolated lives in an open-air prison in which the state-run media have become Soviet-style instruments of propaganda. Under the close surveillance of Ali Abdu, staff on public *Eri-TV*, the radio *Dimtsi Hafash* (*Voice of the Broad Masses*) and the government dailies have been turned into the government's foot soldiers. The president, his chief advisers and the military all use the media to cultivate a permanent fear of Ethiopian aggression to maintain themselves in power. This fear of imminent war is thus fuelled on a daily basis and transmitted to the diaspora, which provides the government's main financial support.

It is no surprise therefore that in the face of this catastrophe, the country is gradually emptying of its people. Every week, around 120 Eritrean asylum-seekers are added to the 130,000 refugees already living in UNHCR tents in Sudan. Deserting



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soldiers, youths fleeing constant conscription, ex-prisoners, academics, artists, peasants, sports stars, every social category is piling up in the refugee camps of neighbouring states, while waiting to be accepted by a third country. Many journalists working for the public media who can no longer stand being gagged by the government have also gone into exile. Some leave on foot following a route opened up by people smugglers to Sudan or Ethiopia at the risk of being shot dead by border guards who have orders to shoot on sight. Some have been arrested while trying to flee, like Eyob Kesseste, a journalist with the Amharic service of *Dimtsi Hafash*, and Johnny Hisabu, an editor on *Eri-TV*, both imprisoned somewhere in the country since their capture during the year. This secret escape route cost the life of one journalist in June, Paulos Kidane, who worked for *Eri-TV*'s Amharic service. After walking for six days, exhausted and suffering from epilepsy, he parted company with his group a few kilometres short of the border and waited near a village, hoping to recover sufficiently to continue his journey. No information filtered out about his fate for several weeks, until the Eritrean information ministry informed his family and staff on public media at the end of June that he had "died accidentally".

Paulos Kidane was one of the most popular journalists in Asmara but he chose to leave the country after he was arrested along with eight other state media staff from 12 November 2006 onwards after public defections by several other renowned journalists. The authorities arrested them because they were suspected of still being in touch with the fugitives or of planning to leave themselves. After

his release he told Reporters Without Borders that he and his colleagues had been "beaten and tortured in prison after refusing to give the passwords for our emails". "We finally cracked because the pain was too much," he added. After their release on bail the "November prisoners" were followed and their phones tapped. They were forced to go back to work and were banned from leaving Asmara. Out of the nine journalists arrested, only seven were later freed. A young woman presenter on the Arabic service of *Eri-TV*, Fethia Khaled, was reportedly conscripted into the army, while Daniel Mussie, of the Oromo service of *Dimtsi Hafash* never left prison.

EUROPEAN FAILURE

This tragedy is revealing of the blatant failure of the "stealth diplomacy" adopted by the European Union. Development programmes worth 122 million Euros over five years, were agreed in May by European Commissioner Louis Michel. In exchange the EU called on the Eritrean government to "adopt a constructive approach to the resolution of regional crises as well as to progress in human rights and press freedom". But on the day of the signing of the agreement on 4 May, the Eritrean president scornfully brushed aside critical questions from European journalists about human rights in Eritrea at a joint press conference with Louis Michel in Brussels. The EU official nevertheless said he was "very, very honoured" to welcome Issaias Afeworki to the Commission. As a result, Reporters Without Borders is campaigning for the Eritrean president and his ministers to be declared *persona non grata* in Europe.



ETHIOPIA

Area: 1,104,300 sq. km.
Population: 81,021,000.
Language: Amharic.
Head of government: Meles Zenawi.

The crisis which began in November 2005 with the arrest of around 20 newspaper bosses ended honourably, in 2007, thanks to international pressure. But the climate remains bad and self-censorship frequent. Two Eritrea journalists are still being used as hostages, after their capture in Somalia.

The Ethiopia of Meles Zenawi is not the dictatorship of former president Mengistu, who was overthrown in 1991 and who held the country in a Stalinist grip. Privately-owned newspapers do their best to enliven the intellectual life of the capital, Addis Ababa but the climate is hostile. Heavy prison sentences are always inflicted on those who an easily influenced court system considers guilty of “defamation” or “publishing false news”. Self-censorship is constant. Foreign correspondents based in Ethiopia have to take care not to embarrass the government, which is facing a raft of military problems in the provinces and the region, and which reacts with extreme harshness towards journalists it views as dangerous.

RELATIVE RELAXATION

The year 2007 experienced a relative relaxation with the acquittal of detainees facing heavy jail sentences. The international community had been watching for two years as the leadership of the main opposition coalition and newspaper bosses who supported them awaited trial in jail on charges which could mean the death penalty. But while they were being held in atrocious conditions and treated with contempt by the government, the federal high court in April acquitted 25 of the accused in a major political trial being held in Addis Ababa for a year. They had been charged with “genocide”, “high treason” and “attempted overthrow of the constitutional order” and had been held in prison since November 2005, after being arrested in the round-ups by Ethiopian police cracking down after protest rallies organised by the chief opposition grouping, the Coalition for Unity and Democracy (CUD, Kinijit in Amharic). Eight of the 25 people who were freed were journalists. The court ruled that the prosecutor had not presented sufficiently convincing evidence of their guilt. A first step appeared to have been taken to resolve a crisis that had been poisoning Ethiopian political life.

But there was a spectacular reversal on 16 July when it was learned with astonishment that six journalists were among 43 opposition figures sentenced, in an identical case, to prison terms ranging from 18 months to life imprisonment. Most of them were found guilty of “attempting to overturn the constitutional order”. Four of them were however released on the 20 July after benefiting from an amnesty, the last two, who were in exile abroad, having been tried in their absence. One month later the last three journalists detained since November 2005 were freed as a result of a presidential pardon. The crisis, which had lasted for 22 months, thus came to a final conclusion.

However even for ordinary press cases, the Ethiopian government has a harsh legislative arsenal at its disposal and is prepared to use it to get rid of awkward journalists and it has become commonplace for it to dig up old cases. The Supreme Court in January rejected an appeal from Abraham Reta, journalist on the privately-owned weekly *Addis Admas*, against his one-year sentence imposed for “defamation” in May 2006 for an article published in 2002, when he was editor of the weekly *Ruh*, in which he named without proof three top officials allegedly implicated in a corruption case. He was first arrested in April 2006 and served a three-month jail sentence before being released on bail while awaiting the outcome of his appeal. After several hearings at which Abraham Reta pleaded not guilty and was forced to reveal the source of his article, he was sent back to prison to serve the last nine months of his sentence. Between December 2005 and December 2006, Reporters Without Borders recorded four cases of journalists being sent to prison for long periods (between eight and 18 month) for four year old cases. All have since been released, but they do not look like being able to resume their work as journalists.



ETHIOPIA

HOSTAGES TAKEN IN SOMALIA

A cautious relaxation by the Ethiopian government at the end of the year, with the creation of a private independent radio and reform of the press law, cannot mask the fact that Ethiopia is a country in which the free exercise of journalism rapidly comes up against the jumpiness of the part of the authorities.

Any deterioration in the political climate systematically works through to the press. The sending of the Ethiopian army into Somalia in support of transitional government forces at the end of December 2006 was a source of additional tension. And the political and military support by neighbouring Eritrea for Somalia's Union of the Islamic Courts exacerbated the situation to the extent that two journalists working for public media in Asmara were taken hostage by Ethiopian forces as they tried to flee the combat zone.

Saleh Idris Gama, journalist on Eritrean state-run *Eri-TV*, and cameraman Tesfalidet Kidane Tesfazghi disappeared in Mogadishu at the end of 2006. Reporters Without Borders, supplied their names to the Somali government at the end of February 2007 in a bid to find out if they were being detained or had been identified as casualties of the fighting. No reply had yet been given to this request when, at the start of April, the Eritrean foreign minister publicly announced the arrest of several of its nationals in Somalia, confirming that the team from *Eri-TV* were still alive. Several days previously, having obtained similar information, Reporters Without Borders had contacted Somali intelligence seeking news of the Eritrean journa-

lists, providing their identity and asking for the right to make telephone contact with them. This request had been rejected.

A few days later, video footage of Saleh Idris Gama and Tesfalidet Kidane Tesfazghi were placed on a pro-governmental Ethiopian website, subtitles to the interview called them "*shabia* soldiers" (*shabia* meaning "popular", the nickname for the Eritrean regime). Since then the two men have been held by the intelligence services somewhere in Ethiopia and the Addis Ababa government refuses to provide any information about them.

They are not the only journalists imprisoned in Ethiopia about whom very little information is available. Shiferraw Insermu, a journalist on the Oromo service of state-run *ETV* suspected of being an informer for the separatist Oromo Liberation Front (OLF), is still languishing in prison after he and his colleague Dhabassa Wakjira were arrested for the first time at their homes in Addis Ababa, on 22 April 2004. The federal high court ordered their release on bail on the following 9 August, but only Shiferraw Insermu was set free. The journalist was rearrested on 17 August and released on order of the federal high court in mid-October. *ETV* refused to allow him to resume his job and he was trying to find other work when he was arrested for a third time, on 11 January 2005. He has remained in custody since that date, most likely at the central prison known as "Kerchiele". Dhabassa Wakjira was held without interruption until 2006, as the prison authorities failed to comply with various court orders to release him on bail. He was finally released and has since fled Ethiopia and sought asylum abroad.



GAMBIA

Area: 11,300 sq. km.
Population: 1,663,000.
Language: English.
Head of state: Yahya Jammeh.

The Gambian press does its best to survive in a climate in which an authoritarian president believes Aids can be cured with ointments and by reading the Koran, where intelligence services are dreaded for the brutality of their methods, the murder of the doyen of the journalists remains unpunished and there is an absolute intolerance of any form of criticism.

Swaying palms, immaculate beaches, a refreshing sea breeze and clear nights... Gambia, a former British colony surrounded by Senegal, is a tourist paradise whose sea coast is dotted with luxury hotels and holiday villages. But the country headed by the young president Yahya Jammeh is also the realm of an often irrational military regime, that tortures and terrorises those who dare to stand up to the head of state or his friends. The murder of the country's most renowned journalist, Deyda Hydara, on the night of 16 December 2004, brought to an end the era in which a well-organised, rigorous, privately-run press could still stand its ground against a government which did not conceal its hostility towards it. Since that date, almost all those who were an annoyance to the president have fallen into line through force or free will, or have left the country.

MURDER WITH IMPUNITY

Deyda Hydara, editor of the privately-owned daily *The Point*, correspondent for *Agence France-Presse* (AFP) and Reporters Without Borders, was shot dead as he drove staff on his paper home. He had previously received regular threats from the National Intelligence Agency (NIA) which was watching him minutes before his murder, in a street housing a police barracks. Two Reporters Without Borders' investigations in Gambia have highlighted aspects casting strong suspicion on the NIA and a small militia group answering to President Yahya Jammeh. But no serious investigation has been carried out to identify the killers or those who instigated the killing. The only official statement made by the Gambian investigators, six months after the murder, suggested in a clearly trumped up accusation that Deyda Hydara, whom they termed a "provocateur", was killed in a sexual case. At an interview marking the New Year in January 2007, Yahya Jammeh said Hydara's murder

had been carried out by "enemies of Gambia". He added that those responsible wanted to prevent him from being elected president of the Economic Community of West Africa States (ECOWAS) but he did not elaborate.

Very disturbing reports come out of Gambia, although it is often difficult to check them because of bad faith and obstruction on the part of the authorities. This was the case, on 12 January, when the opposition weekly *Foroyaa* revealed that "Chief" Ebrima Manneh, journalist on the privately-owned *Daily Observer*, had been held for three months and three weeks at a police station in Fatoto, a small town 400 km east of the capital after being taken to various police stations since his arrest by the intelligence services, on 7 July 2006. The authorities have always denied holding the journalist, who has no charges pending against him. He was arrested for unknown reasons shortly after the closure of the African Union (AU) summit held in Banjul when there were a number of arrests within the independent press, accused of having disrupted the event. In autumn 2007, several international press freedom organisations, including Reporters Without Borders, obtained an account from a former political prisoner who said he had been held with "Chief" Ebrima Manneh and that he had "definitively disappeared" after being taken away at night for interrogation by the NIA.

POLICE ON THE PROWL

Having used unfairness and brutality to gag the country's journalists, the authorities now take on anyone else who comes within range. Gambian journalist, Fatou Jaw Manneh, a US resident for around ten years, was arrested on 28 March as she got off the plane on a visit to Gambia for the funeral of her father. She was arrested by NIA agents after she was denounced by another passenger



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and taken to the HQ of the intelligence services on the sea front at Banjul. A former journalist on the privately-owned *Daily Observer*, Fatou Jaw Manneh is a pro-democracy activist and contributor to several websites and the opposition movement, "Save The Gambia Democracy Project". She published an article in 2003 in a daily which has since been illegally closed, *The Independent*, which prompted the arrest and unfair detention for three days of its editor, Abdoulie Sey. From then on she contributed to the website *AllGambian.net*, and was prosecuted for an article, in October 2005, in which she accused President Yahya Jammeh of "tearing our beloved country to shreds" and describing the head of state as "a bundle of terror". She was charged with "intention to commit sedition", "publication of seditious words" and "publication of false news intended to create public fear and alarm" and faces three years in prison. Throughout 2007, her trial lurched from one adjournment to another leaving her with a constant threat hanging over her.

Never ending trials are one of the specialities of the government to force awkward journalists to live in permanent insecurity. In this way, a young journalist on *The Independent*, Lamin Fatty, endured a process lasting more than a year before being sentenced to one year in prison or the option of a fine of 1,850 dollars (about 1,375 Euros). He had already spent two months in prison in 2006, along with the publication director and the editor, Madi Ceesay and Musa Saidu Khan, for publishing a false report, which had been corrected in the next edition alongside an apology. Thanks to the solidarity

of his colleagues, who contributed to a collection to pay the fine, the journalist was able to avoid going back to prison.

But it is not always opposition figures or critical investigators who fall victim to the intolerance of the president. Crackdowns are also inflicted on the ranks of the faithful. Malick Jones, chief producer on the state-run *Gambia Radio and Television Services (GRTS)* and Mam Sait Ceesay, communications director of the Gambian presidency, were arrested on 9 September for having informed the pro-government *Daily Observer* of the supposed sacking of the president's press and public relations director, which turned out to be false. The two were also accused of sending information to the US-based opposition website, *Freedom Newspaper*, which goes in for virulent criticism of the Gambian government and claims to have sources within the presidency. Mam Sait Ceesay was released from Mile Two prison, in Banjul, on 19 September, after paying bail of 200,000 Dalasis (about 6,730 Euros). Malick Jones was only released on 22 September 2007, after finding the same amount of bail.

Hydara's newspaper *The Point* continues to appear against this background of permanent surveillance, paranoia and brutality. It is headed by Pap Saine, who is also correspondent for *Reuters* in Gambia. The editorial staff knows that each edition is examined, taken apart and discussed high up and that the least pretext can serve to send the dreaded NIA against the journalists or to ransack the premises of the country's last independent daily.

MAURITANIA

Area: 1,025,520 sq. km.
Population: 3,044,000.
Languages: Arabic, French.
Head of state: Sidi Mohamed Ould Cheikh Abdallahi.

Freedom of press is alive and well in Mauritania, even if journalists in the capital Nouakchott face many complex challenges. The year 2007 was distinguished by a rare experience in Africa: balanced coverage of all political players during the presidential election campaign.

Mauritania has been through testing times since the 2005 coup, going through an agreed democratic transition, a constitutional referendum, municipal elections and fair and open legislative and presidential elections... and a return to civil liberties, including press freedom. Even though much work remains to be done for journalists in Nouakchott the situation is much better than it was.

BALANCED COVERAGE

Reporters Without Borders carried out monitoring in February and March 2007 of news coverage of the presidential campaign by Mauritania's public media, as part of its role in supporting the transition which began in October 2005. The presidential poll was chosen because it is regulated by electoral law, guaranteeing equal media access to all competing political forces. In addition, as a public service financed by the state, it has a duty to act in an exemplary manner in election periods. At the end of the monitoring, the organisation hailed the sustained efforts of the public media to respect the complex rules of fairness and balance in covering news from the different presidential candidates. It was a challenge met thanks to the work of the regulatory body, the management and journalists working for radio, television, the written press and news agencies.

Leaving to one side any imbalance in the figures, which was slight, Reporters Without Borders was quick to praise the commitment and effort of public media management in such a sensitive historic period and hailed the pragmatism and constructive spirit of the new media regulatory body, the High Authority for Press and Broadcasting (HAPA).

GUTTER PRESS

Since the fall of the dictator Maaouiya Ould Taya, in August 2005, Mauritania's press problems became less serious but more complicated. The former

regime, which sought to undermine the independent press, which proved a thorn in its side, favoured newspapers whose management had few scruples about corruption and blackmail and whose journalists were more in search of bribes than news. Reporters Without Borders has always told the Mauritanian authorities that prison was not the correct response and that it should help the "serious" press to survive in a tough market.

The brief imprisonment of Abdel Fettah Ould Ebeidna, managing editor of the Arabic-language *al-Aqsa*, sent a negative signal to the Mauritanian press, when the country was facing a far-reaching political-criminal scandal. The journalist, head of a publication with often doubtful ethical practices, spent four days in prison, on the basis of a defamation suit brought against the newspaper by businessman Mohamed Ould Bouammatou. He had been named in the daily's 16 May edition in connection with a massive cocaine trafficking case uncovered overnight on 1-2 May by police in Nouadhibou, northern Mauritania and implicating the son of a former president, a businessman and several sons of influential figures. The article, which mixed up barely supported claims and news in the conditional tense, said that Mohamed Ould Bouammatou had been charged in the case. Some Mauritanian journalists told Reporters Without Borders that the articles attacking Mohamed Ould Bouammatou had been ordered and paid for by a clan rival in order to discredit him. Ould Ebeidna was sentenced on 7 November to one year in prison, a 50,000-Ouguiya fine (170 Euros) and 300 million Ouguiyas (one million Euros) in damages. The journalist who was currently out of the country, in a Gulf state, did not serve his sentence.

TRIBAL INFLUENCES

Another problem in Mauritania is that the security forces have little enthusiasm for according any

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respect to the press. And family or tribal influences sometimes protect those responsible for press freedom violations from being punished. This was the case, on 16 August when Mohamed Mahmoud Ould Moghdad, journalist on public *Radio Mauritania*, was at the health ministry covering a visit by Prime Minister Zein Ould Zeidane. He left the room for a few moments and as he tried to return to the conference room was intercepted by the head of the prime minister's guard, Zein Ould Soueydatt. Even though the journalist had his press card with him, Zein Ould Soueydatt ordered his men to beat him. The assault was condemned by the HAPA which said "no circumstances can justify resorting to physical force against a journalist doing their job". A few days later, the journalist's lawyer revealed that on the day after the assault, the prosecutor of the republic had refused to record a complaint on behalf of his client, on the

grounds that his file was incomplete. The lawyer on 21 August collected the requested documents, including medical certificates, and attempted to lodge a complaint for a second time. The prosecutor's office still refused to accept it.

However, clan loyalties can also help in reaching a compromise. Sidi Mohamed Ould Ebbe, editor of the privately-owned daily *El Bedil Athalith*, was on 18 August charged with "defamation" following a complaint from the president's wife, which had been made four days earlier. Her complaint related to two articles which said she had used her position to seek funding for a humanitarian organisation she chaired. The editor told the press that he was "prepared to co-operate", while deploring the interpretation put on the two articles, which he said "were not intended to harm the first lady". In fact an understanding was arrived at and the case was closed.

NIGER

Area: 1,267,000 sq. km.
Population: 13,737,000.
Language: French.
Head of state: Mamadou Tandja.

Five journalists, three of them foreigners, were imprisoned in 2007 for reporting on or interviewing Touareg rebels, who, from February onwards began attacking military posts in the north of the country. The government cannot bear to be contradicted by the press over a rebellion which it views as nothing more than a case of people “cutting off the roads”.

A hitherto unknown armed Touareg group, The Niger Justice Movement (MNJ), on 3 February 2007 attacked an army barracks in Iférouane, in the Air mountains, killing three soldiers. A few days later, the rebel group claimed responsibility for the bloody assault in the name of the MNJ, demanding greater rights for the Touareg and a larger share of the wealth. This murderous episode had a lasting effect on the fragile edifice on which President Mamadou Tandja had sought to lead his country to general elections scheduled for 2010. But it also considerably angered the Niger authorities who were stunned to see increased attacks in this uranium-mining region, and who sealed off the area militarily to silence journalists, foreign or Nigerian, who took too close an interest in the crisis.

EMBARRASSING WITNESSES

Five journalists, three of them French, were sent to prison in 2007 for contradicting the government's version of events that the MNJ was a group of “armed bandits” and “drug-traffickers”. The first to be arrested, at the end of August, was François Bergeron, an independent documentary-maker, who entered Niger secretly to make film on Touareg culture. He was held for 45 days and released on 6 October after lengthy and laborious negotiations between the French and Niger authorities.

While the French journalist was still being held, on 20 September, Moussa Kaka, director of privately-owned *Radio Saraounia*, and correspondent in Niger for *Radio France Internationale (RFI)* and Reporters Without Borders, was arrested at the radio studios. A few days later, after the prosecutor general had publicly accused him of “conniving” with the rebels, Kaka, one of the country's best known and experienced journalists, was charged with “complicity in a plot against the authority

of the state”. The authorities provided the courts with phone recordings to back up the accusation, which they described as overwhelming, of conversations between Kaka and one of the rebel chiefs, Alagi Alambo. It was not the first time the journalist, who has covered the Touareg issue for 15 years, had been arrested for similar reasons. He received a public death threat on 14 July, from the head of army staff, General Boureima. *RFI* broadcasts were suspended for one month by the media regulatory body, the Superior Communication Council (CSC), for allegedly “putting out false news” about events linked to the MNJ. Since his arrest, Moussa Kaka is awaiting his trial, confidently and proclaiming his innocence. Reporters Without Borders, who was able to visit him at the civilian prison in Niamey in November, pleaded his case with the authorities and reaffirmed after investigating the case, that it was convinced of his innocence.

Two weeks after the arrest of Kaka, the editor of a privately-owned weekly appearing in Agadez, Ibrahim Manzo Diallo, was arrested by Niger border police at the airport in Niamey as he was about to board a flight for France, where he was going to attend a training course. He was charged with “membership of a criminal gang” - a similar but less serious charge than that against his Niamey colleague, Moussa Kaka - and is awaiting trial in Agadez prison. It was not the first run-in with the authorities either for the small, low-circulation paper, founded by the former professor of literature in 2002. In June, *Air-Info* was shut down for three months for having allegedly “incited violence” in the conflict in the region between the army and the MNJ. He was arrested in July by police in Agadez after launching a new weekly. His deputy, the journalist, Daouda Yacouba, spent a week in a cell at his side, before being released without charge. His charge sheet is based on the

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same elements: phone tap recordings, carried out in unclear circumstances, showing the journalist's alleged complicity with the rebels.

In the midst of this run of bad news, Reporters Without Borders was pleased to note that in September, independent judges, following a major judicial reform, re-examined these cases and managed not to give way to any political pressure. On 17 November, the examining magistrate in the Moussa Kaka case ruled that telephone tap recordings produced by the authorities were inadmissible. The judge said they violated the private nature of communications guaranteed under the constitution and had been done without a judicial order. The public ministry appealed against the decision, which could lead, if the appeal court confirms the judge's conclusions, to the *RFI* correspondent's release and, by extension that of Ibrahim Manzo Diallo.

This was the situation when two French journalists, Thomas Dandois and Pierre Creisson,

were arrested in their turn in Niamey, after filming a report without permission for the French-German channel Arte on the MNJ in the Air mountains. They were charged on 21 December with "harming state security" and are due to appear in court at the start of 2008.

PROMISE OF REFORM

It should be noted that against this background, the Niger government has postponed planned reform of the press law, which would abolish prison terms for "defamation" and "publication of false news". According to the Communications Minister, the new draft law is ready, but will have to wait for a return to peace before it is put before parliament. The press in Niger has accepted this. In the past, the government has promised on several occasions to.. keep its promise of reform, made in 2003 during the presidential election campaign.



NIGERIA

Area: 923,770 sq. km.
Population: 144,720,000.
Language: English.
Head of state: Umaru Musa Yar'Adua.

The West African giant rejoices in a privately-owned, plentiful and irreverent press, eager to expose the intrigues of an often corrupt political class. But the authorities have a number of means of slapping down journalists who are too curious or too annoying, among them the dreaded internal intelligence services which pose a constant threat.

A complex jigsaw on the scale of a continent, the federal state of Nigeria is often a violent place for the press. They suffer frequent beatings, unfair arrests, police raids and seizures both in the provinces and in Abuja. But, paradoxically, the 36 states and its federal district are also a boom area for scores of privately-owned newspapers, radio and television stations, which take delight in revealing the immorality of a corrupt and capricious political class. And as a result run the risks of Nigerians the government considers to be too disrespectful.

THE ARMED WING OF GOVERNMENT

During this electoral year in which Nigeria was due to choose a new head of state, the federal government again relied on the feared internal intelligence, the State Security Service (SSS). Provider of the government's brutal shock tactics, the SSS was once again this year condemned by Reporters Without Borders as a "press freedom predator", a designation which it has held since 2005.

Police raids resumed from the start of 2007. Around a dozen SSS agents burst into the offices of the private daily, *Leadership*, in Abuja on the morning of 9 January leaving again a few minutes later having arrested the managing director, Abraham Nda-Isaiah, the editor, Bashir Bello Akko, and a journalist, Abdulazeez Sanni. The SSS had been looking for journalist Danladi Ndayebo, as well as a copy of an article which appeared on 6 January condemning political machinations within the ruling party that led to the choice of Umaru Musa Yar'Adua as candidate for the forthcoming presidential elections. The SSS agents returned in the afternoon to seal the premises, seize the mobile phones of everyone present and to search the offices. After finding what they were looking for, they left the ransacked premises along with the

managing director. The three journalists were finally released in the middle of the night, but they were forced to reveal the whereabouts of Danladi Ndayebo. He was arrested the following day and held for ten hours, during which he apparently revealed the source of his information.

On the same day, around 15 SSS agents carried out a similar operation against the privately-owned weekly *The Abuja Inquirer* after it carried an article headlined, "Obasanjo-Atiku Face-Off : Coup Fear Grips Nigeria". They spent three hours searching the offices and arrested the editor, Dan Akpovwa, as well as the publication director, Sonde Abbah. They left with 81 CDs, a computer, a list of the entire staff of the newspaper and copies of its latest edition.

The privately-owned *African Independent Television (AIT)* was brutally treated by the SSS for a second successive year when on 17 April a commando stormed its Abuja offices days before the presidential poll and 48 hours after a suspicious fire damaged its Lagos offices. In the Abuja raid, the armed SSS agents ordered all the staff to lie on the ground. Before leaving, they took several tapes which were about to be broadcast, along with one which was currently being shown, about the eight-year history of civilian government under the outgoing president, Olusegun Obasanjo. The same SSS on 11 April forcibly closed the studios of private radio *Link FM* and the television station *GTV*, in Lagos, saying that it was acting on "an order from above".

When not carrying out this kind of operation, the SSS is also the force used by the authorities to make brutal arrests of journalists. This was the case for Jerome Imeime, editor of the privately-owned weekly *Events*, circulating in Uyo, state capital of Akwa Ibom in the south-east, whom the SSS



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arrested while he was at a religious ceremony on 10 October. An eye witness reported that he was beaten up before being taken to an unknown location. He was charged, tried and imprisoned for “sedition” in connection with an article which asserted that the governor, Godswill Akpadio, used public funds to pay personal debts contracted during the election campaign.

EVERYDAY BRUTALITY

The SSS which preys on the media is not the only group perpetrating almost daily brutality against Nigerian journalists. Over-excited groups of political militants, the many uniformed corps in the country and governors’ private militias also represent a threat to the world of the press, from publication directors down to news vendors, particularly in the provinces.

In one example of this, on 23 May, around 100 supporters of a local politician, some of them armed with machetes, stormed and ransacked the premises of *Broadcasting Corporation of Oyo State (BCOS)* in Ibadan in the south-west. Many of the staff fled the brutal onslaught but others found themselves trapped in the offices and at least a dozen employees suffered machete injuries. Most of them were also robbed of their money and mobile phones. Several vehicles in the radio car park were

vandalised and the radio had to stop broadcasting. The attack came after *BCOS* put out an announcement that the state electoral commission had decided to maintain the provincial election date as 24 May, although the date had been contested by the former deputy governor Christopher Alao Akala, a candidate of the ruling People’s Democratic Party (PDP), which had been engaged for several years in a fratricidal struggle against the outgoing governor, Rasheed Ladoja. In the same town on 11 September, Tope Abiola, editor of the privately-owned daily *Nigeria Tribune* was beaten unconscious by prison guards and police after he arrived to investigate the putting down of a prison uprising at Agadi jail which left nearly 40 inmates dead. These incidents are just a few illustrations of 23 cases of physical assault and 13 arrests of journalists recorded by Reporters Without Borders during 2007.

POOR RECORD

The record of the outgoing president Olusegun Obansajo is a poor one for press freedom with countless beatings of journalists or news vendors at the slightest pretext, newspapers seized from printers, and media bosses regularly imprisoned and charged with “sedition”. The year 2007 was no exception and the clumsily rigged election of his designated successor, does not augur any improvement.



RWANDA

Area: 26,340 sq. km.
Population: 9,464,000.
Languages: Kinyarwanda, French, English, Swahili.
Head of state: Paul Kagame.

Appalling relations persisted between the government and a section of the independent press, especially the more highly critical publications. The strength of government hostility pushed some newspapers into closure. Meanwhile journalist Tatiana Mukakibibi was finally released ... after 11 years in custody.

Even though the government denies it, Rwanda's independent press is forced to live under relentless harassment from the highest levels of the state. President Paul Kagame turned on Emmanuel Niyonteze, a journalist on the bi-monthly *Umuseso*, who questioned him at a press conference at the start of the year about his rapprochement with Ivorian president, Laurent Gbagbo. The state-run press also displayed antagonism towards some media, including the US-run public *Voice of America* (VOA). One journalist on state-owned weekly *Imvaho Nshya*, even called at a 2 February press conference for the closure of VOA, accused of favouring the Rwandan opposition. The government in June 2006 expelled without explanation the correspondent for French public *Radio France Internationale* (RFI), Sonia Rolley, then in November ordered the closure of its transmitter after breaking off diplomatic relations with Paris.

A REVILED NEWSPAPER

A few months later, pressure on the government's *bête noire* *Umuseso*, was ratcheted up to such an extent – repeated threats of prosecution against the press group which owns the paper and government smears against its journalists – that it closed all its publications. Several minister and the army and police spokesmen made very aggressive statements against the privately-owned press in a programme broadcast on 9 September 2007 by state-run *Radio Rwanda* and public *Télévision rwandaise* (TVR). The interior minister announced that the authorities were going to take “steps” against journalists who were trying to “overthrow” the government. He said it was the duty of the police to arrest and detain any journalist who published an official document until they divulged its source, who would in their turn be punished. It was an obvious allusion to *Umuseso*, which had recently carried a classified defence ministry document.

An example of this dreadful climate was the arrest and accusation of rape against the newspaper's editor Gérard Manzi in what appeared to be a frame-up. Manzi was arrested at a bus station in the evening of 22 August, while on his way home after a drink with friends, in the company of a young girl, whom to his concern, he had found alone there just a few moments beforehand. At the police station he was accused of rape, which he denied and asked for the alleged victim to be produced, which police refused to do, saying they no longer knew where she was. He was released one week later, after his lawyer produced witnesses backing up his alibi.

As well as *Umuseso*, all the small-scale newspapers appearing in Kigali also suffered harassment. Jean-Bosco Gasasira, publisher of the independent bi-weekly *Umuugizi*, was beaten up by thugs at his home on 9 February and was admitted to King Faisal hospital in a critical condition and lay in a coma until 13 February. Gasasira had been subjected to intimidating phone calls since August 2006 and was followed by military intelligence officers. “I received calls from private numbers threatening to beat me to death,” he told Reporters Without Borders. He had refused to provide the authorities with information about the whereabouts of Bonaventure Bizumuremyi, editor of the privately-owned weekly *Umuco*, in hiding after coming in for repeated threats himself. In the face of these accusations, the intelligence services accused *Umuco* and other similar papers of looking for “cheap publicity”. The authorities also criticised the newspaper *Umuugizi* for condemning, along with *Umuco* and *Umuseso*, cronyism on the part of the economy and finance minister, James Musoni.

THE AFTER-EFFECTS OF THE GENOCIDE

The 1994 genocide against the Tutsis left such a mark on Rwandan society that any criticism of the government is swiftly repressed, sometimes brutally.



RWANDA

Such was the case when Agnès Nkusi Uwimana, editor of the privately-owned bi-monthly *Umurabyo*, one of the few critical publications in Kigali, was arrested on 12 January and accused of “creating division”, “sectarianism” and “defamation” after publishing an article in which she wrote, “Anyone who kills a Tutsi has problems, but if you kill a Hutu you go free”. She pleaded guilty to all charges at her trial, acknowledged the “enormity of what she had written” and promised to “publish an apology”. The Press High Council, media regulatory body controlled by the government, called for the paper to be closed for three months. The information ministry had not yet confirmed the decision as required by law, when Uwimana Nkusi was arrested. She was released one year later, on 19 January 2008.

Similarly, Congolese academic, Idesbald Byabuze Kataruka was arrested while lecturing at the Kigali Lay Adventist University (UNILAK) on 16 February in connection with a report critical of the president and the ruling party. The prosecutor told him that he was being charged with “endangering state security”, “segregation” and “sectarianism”. A court in Kagarama on 23 February ordered him to be held in custody for 30 days while awaiting trial. Also professor at the Catholic University of Bukavu in South Kivu, eastern DRC, had just launched *Mashariki News*, a newspaper which had only appeared twice at that point. He was editor for several years of alarming reports on the humanitarian crisis on the Rwanda-Congo border and was co-signatory, on 8 June 2005, of an

article “Rwanda Alert” for the *Missionary Service News Agency (MISNA)* which was fiercely critical of the governance of Rwanda by President Paul Kagame and his ruling Rwandan Patriotic Front (FPR) since coming to power in 1994. The two other signatories were an Italian nun and a Congolese nun of the Catholic Missions in eastern DRC. Idesbald Byabuze Kataruka was released on 21 March, expelled from the country and then declared “persona non grata”.

ACQUITTED AFTER 11 YEARS

The year however ended with some good news. A gacaca (people’s) court after three hours deliberation, acquitted a former journalist on *Radio Rwanda* Tatiana Mukakibibi, on 6 November of “genocide”, “planning and participating in genocide” and “distributing arms” in the Kimegeri area between April and July 1994. She had been officially accused of killing Eugène Bwanamudogo, who made programmes for the agriculture ministry, but she denied it and maintained she had been framed. She was released a few days later ... after 11 years in custody. Tatiana Mukakibibi was a presenter and producer on *Radio Rwanda*. After the genocide, in August 1994, she worked with the priest André Sibomana (former director of *Kinyamateka* and laureate of the 1994 Reporters Without Borders prize, who died in March 1998). She was arrested on 2 October 1996, taken to a collective cell, where she was held in extremely harsh conditions until December 2006.

SOMALIA

Area: 637, 660 sq. km.

Population: 8,445,000.

Language: Somali.

Head of state: Abdullahi Yusuf Ahmed.

Africa's deadliest country for journalists, which has been without a stable government since 1991, has had a bleak year. Journalists in Somalia, a country which despite everything has a diverse and robust press, have been targeted by hired killers as well as facing the intolerance of the transitional government.

The litany of murdered journalists punctuated a desolate year for the Somali press. Ali Mohammed Omar, a young presenter on privately-owned *Radio Warsan*, one of the most listened to in the central-western Baidoa region, died after being shot in the head as he returned home on the evening of 16 February 2007. Mohammed Abdullahi Khalif, of *Radio Voice of Peace*, in Galkayo, Puntland, was reporting on arms trafficking in the town on 5 May when he was gunned down by soldiers who had come to recover a weapon which had been stolen from them. Abshir Ali Gabre and Ahmed Hassan Mahad, de *Radio Jowhar*, were killed in an ambush on 15 May against a convoy in which they were travelling of the governor of Moyen-Shabelle, central-south Somalia. They were seized by the assailants, stabbed several times before being finished off with bursts from an assault rifle. Head of the Mogadishu radio station *Capital Voice*, Mahad Ahmed Elmi, was on his way to work on 11 August when he was gunned down with several bullets to the head. Co-founder of *HornAfrik* radio, Ali Iman Sharmarke, was killed in a roadside bomb explosion as he returned from the funeral of a colleague also on 11 August. A journalist on *Radio Banadir*, Abdulkadir Mahad Moallim Kaskey, was killed on 24 August when the minibus in which he was travelling in the countryside in the south-west was raked with gunfire. Finally, the head of another popular Mogadishu radio, Bashir Nur Gedi, of *Radio Shabelle*, was murdered by a commando outside his home in front of his wife and children on 19 October.

In the majority of cases, suspicion falls on Islamist insurgents fighting Ethiopian-backed government forces. Leaders of the Islamic Courts, exiled in Eritrea where they receive government aid and an international platform, mount attacks in Mogadishu against government and Ethiopian interests. Their "military wing", a group of radical militiamen known as the "Shabaab" (Youth), gives ins-

tructions to young irregular hired killers to shoot down "traitors", trade unionists, academics, soldiers and journalists.

A GRUESOME TOLL

The heavy toll for the Somali press reads as follows: Eight dead, four injured, some 50 journalists in exile, and others holed up at home after abandoning their work in fear. To this terrible toll, must be added 53 journalists arrested while doing their job, either in southern Somalia, where the capital Mogadishu is sited, in semi-autonomous Puntland in the north or in the self-proclaimed state of Somaliland in the north-west.

Because not only are Somali journalists victims of political violence into which their country has sunk with the years, but they are also favourite targets for the transitional authorities, who see them as inconvenient witnesses of the chaos which they are unable to control. The culprits are mostly the Somali security forces, who act at will, shrugging off the thin line of law that the federal transitional government is supposed to get respected. Unfair imprisonment is also commonplace. Perhaps the most pertinent illustration is the case of Abdulkadir Mohammed Ashir "Nadara" and Bashir Dirie Nalei, journalists on privately-owned *Universal TV*, and cameraman Hamud Mohamed Osman, arrested on 21 March after a press conference given by President Abdullahi Yusuf Ahmed because the head of state's entourage considered they had asked an impertinent question. They were only released, on 22 May, thanks to intense international pressure.

In addition to targeted assassinations and arbitrary arrest, one incident was particularly telling. A unit of the Somali security forces attempted to enter the premises of *Radio Shabelle* on the morning of 18 September, after a grenade had been thrown at

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a patrol in the area. Soldiers raked the building with gunfire, particularly the floor housing the radio studios, breaking all the windows. They then besieged the building for several hours before authorising the evacuation of the staff. *The Radio Shabelle* studios are located in the centre of Mogadishu, not far from Bakara market which has become the insurgents' stronghold. The area is particularly prone to clashes and attacks. The owner of the building is also a member of the Ayr clan which is notoriously hostile to the transitional government.

IRRITABLE LOCAL AUTHORITIES

Journalists' freedoms were also targeted by the authorities in the semi-autonomous Puntland region, former stronghold of the president of the transitional government, Abdullahi Yusuf Ahmed. The region's sea coast is used for trade in arms and refugees to the Gulf states. Small criminal gangs, formed on a clan basis and backed by their own militia, share this very lucrative business between them. As a result, the north of Puntland has become the hunting ground of bands of kidnapers, who have turned abduction and piracy into a business. Two aid workers were kidnapped in May before being released after negotiations with their captors and traditional chiefs. French freelance cameraman Gwenlaouen Le Gouil was kidnapped on 16 December while reporting for the French-German channel Arte. He was released on Christmas Eve. The demands of the kidnapers, a gang which organises the smuggling of people into Saudi Arabia via Yemen, were purely criminal.

Elsewhere, relying on police pressure, local authorities attempted to protect the apparent stability of the region, spared Islamist agitation but shaken by territorial rivalries with Somaliland. Against this background, unwanted witnesses have been ruthlessly treated. Independent journalists Mohamed Gahnug and Faysal Jaama were detained for several days at the end of September in the disputed town of Las Anod, after taking photos of the Puntland security forces during clashes with the Somaliland army. Abdifatah Dahir Jeyte, producer and presenter on privately-owned *Radio Voice of Peace* in Bossaso, was placed under arrest on 16 July by around 30 agents of Puntland intelligence services, who raided his office. He was freed two days later only because of a determined international campaign and the fact that around 20 colleagues and the deputy interior minister, demonstrated in front of the headquarters of the intelligence services to protest at his imprisonment.

Also anxious to preserve its reputation as "haven of peace" on the edge of Somali anarchy, Somaliland is at loggerheads with the private press, particularly the newspaper *Haatuf*. Its publication director, Yusuf Abdi Gabobe, its editor, Ali Abdi Dini, and Mohamed Omar Sheikh Ibrahim, correspondent in the north-western region of Awdal served three months in prison between January and March. The government took proceedings against them for a series of articles exposing favouritism in government appointments and the use of official vehicles for private purposes. They were originally sentenced to two years in prison and were released after extensive campaigns by colleagues and international organisations.

SUDAN

Area: 2,505,810 sq. km.
Population: 37,707,000.
Languages: Arabic, English.
Head of state: Omar Hassan al-Bashir.

The Sudanese press appearing in Khartoum was once again in 2007 a regular target for the security services who will not allow journalists to get in the way of government action. Several arrests and a generally bad atmosphere do not however detract from the fact that newspapers and civil society play an active part in ongoing debates, including on the crisis in Darfur.

With around 30 independent daily papers across the range of political tendencies, and an active and critical civil society, Sudan is a paradox. Its poor reputation on the international scene, mainly because of its intransigence and complicity in the killings in Darfur, has tended to mask the robustness of the media in Khartoum.

As in many armed conflicts worldwide, the crisis in Darfur sets both the national and international media complex difficulties in trying to cover it effectively. The intrinsic problems – the multiplicity of armed factions, absence of a “front line” and the lack of distinction between combatants and civilians, the inhospitable terrain and so on – are exacerbated by a “bureaucratic corral” thrown around it by the authorities in Khartoum in a bid to “regulate” the work of journalists. A whole raft of administrative and security obstacles hamper everything from obtaining a visa, to getting a special “travel permit” for Darfur, and also ban access to camps for the internally displaced. Reporters Without Borders, following an on-the-spot investigation, released a report on the difficult situation faced by Sudanese and foreigners journalists, highlighting these obstacles but also the pluralism, robustness and rigour of the newspapers in the capital.

The Sudanese written press, which boasts a genuine pluralism, reflects the voices of Sudanese human rights activists, university researchers and community life in general – voices which struggle to get a hearing outside of Sudan. This no easy thing to do; in a country which is so divided and in which so much is at stake. Faisal el-Bagir, of the privately-owned weekly *al-Midan* and correspondent in Sudan for Reporters Without Borders, along with Abdel Moneim Suleiman, al-Haj Warraq, al-Tahir Satti and Rabbah al-Sadiq al-Mahdi, all four of the privately-owned Arabic-language daily *al-*

Sahafa, all received death threats on 4 December apparently in connection with their reports on Darfur. Abdel Moneim Suleiman said he received threats by telephone from Chad from man who told him that someone if Sudan had offered 222,000 dollars for him to kill all five journalists. The caller told him they were targets because of their opposition to the government and their support for the deployment of an international force in Darfur.

NEWSPAPERS IN THE FIRING LINE

The privately-owned daily *al-Sudani*, an independent publication which is highly critical of the Khartoum government has been a target for the authorities. After it carried allegations against the justice minister, officials went to the printers on 16 May and seized plates of the edition which was about to appear and handed the paper’s management a letter from the prosecutor’s office ordering its closure. A leader article written by the editor that day had accused the minister, Mohamed Ali al-Mardhi, of “lying in a money-laundering case” which had been brought before the courts. Both the publisher Mahgub Urwa and the editor Osman Mirghani were held in custody for two and three days respectively, from 17-20 May, before being released without charge.

The closure of *al-Sudani* typifies one of those most blatant obstacles to press freedom in Sudan. It was a step taken unilaterally by the government despite the fact that there is regulatory body for the press, which it completely by-passed. The government yet again used one of its favourite weapons, Article 130 of the criminal law, the validity of which is contested by the entire profession as well as the National Press Council, which regulates the media. This ambiguous piece of legislation designed to prevent “influence on ongoing legal proceedings”, had also

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been used against the paper on 1st February was when it was closed “indefinitely” by the justice ministry for referring to the 2006 murder of the editor of the daily *al-Wifaq*, Mohamed Taha, breaching a government-imposed blackout on the case on the pretext of “maintaining public order”. The government bowed to pressure from professional organisations and climbed down 48 hours later. Mahgub Urwa and Nureddin Medani, deputy editor of *al-Sudani*, were imprisoned in November, for 11 days, after being sentenced for “defamation” of the intelligence services on 18 November and refusing to pay a fine of 10,000 Sudanese pounds (3,500 Euros), “to get the government to understand the injustice of imprisonment for an expression of opinion” Mahgub Urwa said as he left prison.

Other newspapers have also found themselves at loggerheads with often bad-tempered authorities. Security services, using the old tactics of Sudan’s political police, raided the printers of *al-Midan* on 28 August and seized all 15,000 copies of the freshly-printed edition. No official reason was given for the raid. But Reporters Without Borders’

correspondent, Faisal el-Bagir, believed it could be linked to publication of articles condemning the seizure a week early of the privately-owned Arabic-language *al-Rai al-Chaab*. He thought the seizure could also be intended to put the newspaper under financial pressure by depriving it of income. Six independent dailies had articles censored by the security services on 20-21 August about the arrest of people suspected of fomenting attacks against Western embassies.

EMBARRASSING WITNESSES

Sudanese security services have no hesitation in arresting journalists who might witness abuse. Alfatih Abdullah, of *al-Sudani*, Qazafi Abdulmotalab, of *al-Ayam*, Abuobaida Awad, of *Rai-Alshaab*, and Abulgasim Farahna, of *Alwan*, spent a week in custody after they were arrested on 13 June, while they were on their way to cover a demonstration against the construction of a dam at Kijbar, in the Dongola region in the north of the country, during which police opened fire, leaving four dead and at least ten wounded.



ZIMBABWE

Area: 390,760 sq. km.
Population: 13,228,000.
Languages: English, Shona, Ndebele.
Head of state: Robert Mugabe.

For the past five years southern Africa's former "bread basket" has been plunged into a deep economic and political crisis, dragging down one of Africa's most robust media in its repressive wake. Since 2002, the daily lot of Zimbabwean journalists has consisted of permanent surveillance, police brutality and injustice.

Zimbabwe's press today lies in ruins. If, in 2007, Reporters Without Borders has recorded fewer press freedom violations than in previous years, it is because there are very few journalists left to arrest, newspapers to close or foreign correspondents to expel. A handful of privately-owned publications do still appear, but under tight surveillance, forced to come to terms with the presidential party. The journalists who can still work in the country protect their accreditation, renewed each year by the all-powerful Media and Information Commission (MIC). They face two years in prison if caught working without this precious document. The management of the few remaining private titles to still appear are under heavy pressure to adopt the political line of the ruling party and to prevent the more critical journalists from working. No foreign reporter can legally work in Zimbabwe, without fear of arrest, being paraded like a trophy and expelled after high-speed sentencing.

However when in 2002, President Robert Mugabe oversaw the passing of the Access to Information and Protection of Privacy Act (AIPPA), southern Africa's former "breadbasket" saw an unprecedented flowering of the media. People fell on the newspapers every morning, in particular the privately-owned *The Daily News* which was headed by experienced journalists, carried reliable news and was irreverent towards the government. After being closed at the end of a run of perverse legal shenanigans, it has been fighting to reappear ever since. Despite several legal rulings in its favour, the authorities have always found bureaucratic methods to block it.

In any event, the life of independent journalists has become impossible. Two episodes reveal interference in the media by Central Intelligence Organisation (CIO) with disastrous results. The independent-minded editor of the privately-

owned weekly the *Financial Gazette* (*FinGaz*), Sunsley Chamunorwa, was blocked from entering his office on 13 March and told that he had been dismissed without notice. The newspaper has belonged to the CIO since 2001, after a financial operation using the governor of the Central Bank, Gideon Gono, as cover. "The editor managed to hang on until now because Gono refused to bend to pressure from the ruling party and the CIO, which complained about the party's editorial line, which supposedly harmed the party and favoured the MDC", [Movement for Democratic Change, the main opposition party], a source at the paper who requested anonymity, told Reporters Without Borders. In another similar incident on 7 March, Tichaona Chifamba, CEO of the publishers of the *Daily Mirror*, announced to staff that the paper was being forced to stop appearing because of a financial crisis. The CIO had taken control of the paper in 2004, after driving out its founder Ibbo Mandaza. Since then, sales had fallen to a circulation of only 2,000 copies a day and debts amounted to 500 million Zimbabwe dollars (about 1.5 million Euros).

DEMONSTRATION ON 11 MARCH

From the political point of view, the year's most significant event occurred on 11 March when police brutally put down a "prayer meeting" which was organised by the Save Zimbabwe Campaign (SZC), comprising churches, opposition parties, non-governmental organisations, trade unions and student bodies opposed to the Mugabe government. A number of opposition activists and leading figures including Morgan Tsvangirai and Arthur Mutambara, leaders of the two MDC factions, were arrested and beaten. Tsvangirai Mukwazhi, a freelance photographer working for the US news agency *Associated Press* (AP), and a freelance journalist also working for AP, Tendai Musiyu, were arrested and then released after two days in custody.



ZIMBABWE

Two weeks later on 31 March a shock went through the profession after the body was found of freelance cameraman Edward Chikomba, former contributor to state-run *Zimbabwe Broadcasting Corporation (ZBC)* two days after he was snatched by unknown abductors, suspected of being intelligence agents. A former colleague said that Chikomba had been accused of selling footage of Morgan Tsvangirai to foreign media, which showed the head injuries he had suffered as a result of being beaten up in custody. Since leaving the production team of the programme *Vision 30*, put out by ZBC until 2001, Chikomba had continued to make independent films for individuals or media, particularly abroad. There was no proper investigation of his murder.

The following day police arrested Gift Phiri, contributor to the privately-owned London-based weekly *The Zimbabwean*, whom they been looking for since his paper published the names of police officers and politicians implicated in a round-up of opposition figures, human rights activists and journalists. The journalist found it difficult to sit down, walk or stand upright at his trial six days later, because of blows inflicted while in custody.

Even if, at the end of the year, amendments to the AIPPA made it more liberal, the authorities continued to crack down hard on those it considered to be “agents of the West”. The intelligence services drew up a black list of at least 15 journalists working in the independent press ahead of 2008

presidential and legislative elections. On 26 September, Zimbabwe’s independent press published a fax of a page with an official government letterhead and dated June 2007 which under the heading “targeted journalists” gave the names of 15 media figures that “are to be placed under strict surveillance and taken in on the various dates set. They’re working hand in hand with hostile anti-Zimbabwean western governments.”

If democratic reforms are to be undertaken in Zimbabwe, they would have to dismantle a system of repression, which has been constantly honed by technological advances. One such example came on 6 August when President Mugabe promulgated the “Interception of Communications Bill”, allowing the government and the police to intercept, read or listen into emails and mobile phone communications, without any obligation to open legal proceedings. This law strengthens the paranoia of the political and police apparatus and demonstrates how far government intolerance can lead. This was illustrated when a group of plain-clothes police turned up in the wings of the “Theatre in the Park” during a performance on 28 September of *The Final Push* by playwright Daniel Maphosa, taking a satirical look at eight years of political crisis in Zimbabwe. During an interval, police bundled actors Sylvanos Mudzvova and Anthony Tongani into a waiting truck. Independent journalist James Jemwa, who was filming the play, was arrested in his turn when he challenged police about the arrest of the two actors.



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Demonstration by Venezuelan journalists against attacks on the press.

2008 Annual Report

AMERICAS

POLARISATION OF THE MEDIA

The threat of death still looms over journalists in countries most exposed to drug-trafficking. The United States also recorded a journalist killed. The media is a major political and ideological player in Latin America and is both a vehicle and an instrument of a dangerous polarisation that has turned into a “media war” in Venezuela. Cuba remains a regional exception despite the partial change in its leadership.

Seven journalists were killed in the Americas in 2007 for doing their job, compared with 16 the previous year. Crimes against the media continue to plague countries where the media, sophisticated or not, is exposed to reprisals from organised crime and drug-traffickers. Mexico remains the deadliest country for journalists, with two murders in less than a month and three disappearances. The killings coincided with a large-scale federal police and army drive against drug-trafficking in the first half of the year. But state-level courts barely cooperated with the special legal unit to combat attacks on the media (the *Fiscalía Especial de Atención a los Delitos Cometidos contra Periodistas - FEADP*) set up in February 2006 but with few resources.

AN EXAMPLE FROM HAITI

A journalist was killed in each of Peru (which broke its own record with about 200 physical attacks on the media), Paraguay and Brazil. In all three cases, the victims had been investigating the sensitive matters of drug-trafficking or police corruption. Justice was finally done (even if only partly) in Haiti, where the killers in 2001 of radio journalist Brignol Lindor and in 2005 of Jacques Roche were punished. Gang activity decreased, except in some suburbs of Port-au-Prince, such as Martissant, where photographer Jean-Rémy Badiou, who had witnessed gang score-settling, was murdered in January.

Only one of the six murders of journalists in Colombia could be attributed to their journalistic work. This was the killing of Elacio Murillo Mosquera, shot dead on 10 January in the Pacific coast province of Chocó while investigating armed groups in the region and after covering the demobilisation of a unit of the United Self-Defence Groups of Colombia (AUC).

But demobilisation did not mean disarming and the AUC remained influential among politicians. Like their sworn enemies, the Revolutionary Armed Forces of Colombia (FARC), who resumed sabotage and physical attacks on media premises in 2007, the AUC paramilitaries were formidable predators of the media, especially those critical of President Alvaro Uribe’s government, such as the Latin American TV station *Telesur*. Outbursts by Uribe against some journalists, such as the correspondent of *El Nuevo Herald*, Gonzálo Guillén, were sometimes followed by death threats as a prelude to enforced exile. Six journalists had to flee the country in 2007.

One journalist was killed in the United States, a rare event, when Chauncey Bailey, editor of the weekly *Oakland Post*, was shot dead on 2 August apparently because he had criticised the running of a local black community bakery. A suspect, arrested a week after the murder, confessed to carrying out the murder and then retracted.

Job-related motives were not certain in the four killings of journalists in Guatemala, El Salvador and Honduras, but seemed likely in the case of Carlos Salgado, of the Honduran *Radio Cadena Voces (RCV)*, murdered in Tegucigalpa on 18 October in a very bad atmosphere between the media and the government. President Manuel Zelaya said that “if I was (Venezuelan President) Hugo Chavez, I would’ve shut down this station long ago.”

PUBLIC/PRIVATE DIVISION

Zelaya was alluding to Chavez’ move against Venezuela’s oldest and most popular privately-owned TV station, *Radio Caracas Televisión (RCTV)*, which was forced to stop terrestrial broadcasting on 27 May, heightening the “media war” between the government and the hardline opposition since the failed attempt to oust Chávez in 2002. It marked the almost complete takeover of national broadcasting by a president with a permanent and compulsive need to communicate.

Chávez’ media obsession led to a proposed constitutional reform that would allow him to declare an indefinite state of emergency, including suspension of press freedom. But the proposal was even criticised by some of his supporters (as they had criticised the move against *RCTV*) and was defeated in a referendum

on 2 December, but this probably will not end the “media war.” *RCTV*, now broadcasting by cable and satellite, has an uncertain future. The very violent referendum campaign highlighted the national division that the media has come to symbolise.

Will the Venezuelan situation spread to Bolivia and Ecuador? The closeness between Chávez and the presidents of Bolivia (Evo Morales) and to a lesser extent Ecuador (Rafael Correa) is deceptive. Both Andean leaders, with help from Chávez, promoted new public or community media outlets in 2007 to counter the influence of the traditional media that are mostly owned by big business and opposed to their policies. Both also began a constitutional reform (better handled in Ecuador) that has led to great polarisation of which the media is a part. But the Bolivian media, state or privately-owned, have often been unfairly accused of being on one side or other and physically attacked during many street demonstrations. Violence in Ecuador was limited to a few exchanges between Correa and certain media outlets, apart from threats against *Telesur*.

Government hostility towards the media was shown in Argentina, where President Néstor Kirchner completed his term of office without holding a single press conference. The media, which is not excessively polarised, is the target of brutality and abuses of power at provincial level.

Legislative progress

Press freedom is fragile in the Americas but managed to score some victories in 2007. Mexico decriminalised press offences at federal level on 12 April. A similar draft law presented in Brazil in December by pro-government federal deputy Miro Teixeira could put an end to the 1967 press law inherited from the old military dictatorship. In Uruguay, parliament approved a measure, drafted by civil society groups, to encourage and support community media. A similar bill is going through parliament in Chile.

In the United States, the last journalist held in prison was released in April after being jailed for refused to disclose his sources to a federal judge. The House of Representatives passed a “shield law” on 16 October giving journalists the right not to reveal their sources at federal level. Important exceptions are included however (as in Canada), especially concerning national security. President Bush, who dislikes transparency, signed into law on 31 December a new freedom of information act expanding public access to government documents, but this came two weeks after the CIA destroyed videotapes of prisoner interrogations in secret locations and at the Guantanamo detention centre.

25 JOURNALISTS IN PRISON ON AN ISLAND

The US military base at Guantanamo in eastern Cuba still holds about 275 prisoners, including *Al-Jazeera* cameraman Sami al-Haj, who went on hunger-strike on 13 June as he began his sixth year in prison without being charged with any crime. He is very ill, including psychologically, and may be released shortly.

There is less hope for the 24 journalists in prison in Cuba, the only country in the region that does not guarantee basic freedoms. The handover of power to President Castro’s brother has not seen any improvement in human rights. The form of repression has changed from political trials to daily brutality. Twenty journalists held since the “black spring” crackdown of March 2003 continue to serve sentences of between 14 and 27 years in prison. Three others have been jailed since Raúl Castro took over.

Benoit Hervieu
Head of Americas desk

ARGENTINA

Area: 2,780,400 sq.km.

Population: 39,134,000.

Language: Spanish.

Head of state: Néstor Kirchner (succeeded by his wife Cristina Fernández on 10 December 2007).

President Néstor Kirchner, who handed over to his wife in December 2007, never gave a single press conference at the presidential palace and relations between the government and the media remain tense.

Cristina Fernández, the clear winner of the October 2007 presidential election, took over on 10 December from her husband Néstor Kirchner, who had shown great hostility to the media during his four years in office, especially towards the right-wing daily *La Nación*, and never given a single press conference at the presidential palace. The more personable Fernández is more at ease than her husband before microphones and cameras and may be able to reduce tension between government and media, as her Uruguayan and Brazilian colleagues have done. But she publicly called the media “stupid” and “ignorant” in July 2006.

Direct attacks on the media and obstacles to press freedom were fewer in 2007 but remained high (more than 20) in a country with a solid journalistic tradition. Tomás Eliaschev, editor of the website *perfil.com* (part of the Perfil group), was badly beaten up in Buenos Aires on 13 September 2007 during a dispute between the Buenos Aires press workers union UTPBA and the Perfil group after the dismissal of one of *perfil.com*'s editors, Alejandro Wall.

Claudia Acuña, founder of an online news agency, *La Vaca*, and an associated daily, *MU*, was harassed by police after she wrote a book on prostitution in Buenos Aires and revealed involvement of government officials. Police checked the identity of everyone visiting her apartment in July but refused to provide legal justification for the operation.

PROVINCIAL CENSORSHIP AND BAD MEMORIES

The provincial media was most exposed to pressure from touchy officials. The town authorities in

San Lorenzo (Santa Fe province) shut down the printing works of the daily *El Observador* without notice on 25 July after a dispute. Presenter Marta Savorido was dismissed in March from the station *LUI4 Radio Provincia*, in Santa Cruz province, on suspicion of sympathy for striking teachers. Sergio Poma, owner-manager of radio station *FM Noticias* in the northwestern province of Salta, was given a one-year suspended prison sentence and a year-long ban on working on 4 September for “insulting” the state governor by accusing him of financial fraud.

Darío Illanes, of the regional Salta daily *El Tribuno*, was arrested when he went to a juvenile detention centre on 1 August. He was thrown into an unmarked vehicle by three plainclothes police who beat him up. He was freed later at the insistence of colleagues and the three police were suspended. Carlos Furman, programme chief at the radio station *FM 2 de Octubre* in the eastern province of Entre Ríos, was beaten up at a police station on 13 September after accusing police of playing down the desecration of a cemetery. He was released on 14 September. As an anti-corruption campaigner, he is regularly harassed.

Néstor Pasquini, owner of radio station *FM Show* and correspondent for the radio network *Red Panorama*, and Hugo Francischelli, of radio station *FM 97.3*, were imprisoned in Cordoba province between December 2006 and March 2007 for supposedly “inciting violence,” “arson” and “causing injury” after a demonstration against a child-killing. They were freed for lack of evidence and the case was dropped.

BOLIVIA

Area: 1,098,580 sq.km.
Population: 9,354,000.
Language: Spanish.
Head of state: Evo Morales Ayma.

The media seemed to be heading towards polarisation in 2007 along with the country itself and about 60 physical attacks on journalists and a dozen on media premises were recorded during the year. President Evo Morales' constitutional reform plan sparked fierce reaction from the opposition, especially in the provinces controlled by his opponents. Both the publicly and privately-owned media become targets in the political crisis.

Bolivia is chronically unstable, with more than 150 coups d'état since the independence, and no president in recent years has managed to complete his term. President Evo Morales, the country's first indigenous head of state, hemmed in by an intransigent opposition, said in December 2007 he would hold a referendum in 2008 to determine whether he should step down. The condition is that the nine provincial governors (including the six from the opposition) will do the same.

But no easy solution is in view because of the secessionist intentions of the country's four richest provinces - Santa Cruz, Tarija, Pando and Beni. The adoption by the constituent assembly of a new constitution (which must also be approved in a 2008 referendum) in the southern city of Sucre on 24 November in the absence of the opposition increased tension further. The media is a special target in the conflict and many journalists have been physically attacked and threatened by supporters of one side or the other.

THE MEDIA ON THE FRONTLINE

Violence began on 8 January when coca producers in Morales' native region of Cochabamba demonstrated against the secessionist intentions of local governor Manfred Reyes Villa. Eight journalists were injured. Jorge Abregó, photographer for the *Fides* news agency, Efraín Muñoz, of the Bolivian news agency ABI, and Efraín Gutiérrez, of the radio station *La Chinawa*, were injured in police charges while others, such as the crew of the privately-owned TV station *Univalle Visión*, were set upon by the demonstrators.

The attacks on the media increased as the November constituent assembly vote approached, especially in Santa Cruz province, the biggest opposition stronghold. Two journalists from the

regional daily *El Mundo* were beaten on 28 August in Santa Cruz by demonstrators protesting against an opposition-called strike in the six opposition provinces. Journalists from TV stations *Canal 7 TVB* and *Red Uno* and an *EFE* news agency photographer were also threatened in Santa Cruz by an extreme secessionist group, the *Unión Juvenil Cruceñista*, which had earlier attacked pro-government media offices. Six journalists were injured in a large-scale police and army operation to end the occupation of Santa Cruz airport on 18 and 19 October. Regional media workers demonstrated on 19 October for the right to do their job freely and in safety. Meanwhile in Sucre, constitutional reform opponents physically attacked two journalists from the pro-government stations *Televisión Bolivia* and *Radio Red Patria Nueva*, along with a freelance photographer.

The adoption of the new constitution by the constituent assembly set off rioting in Sucre and La Paz. The Sucre-based Catholic Church's educational radio station *ACLO*, which is pro-government and broadcasts partly in the Indian language, Quechua, was forced to suspend broadcasting after threats from the *Unión Juvenil Cruceñista*. Three of the station's journalists - Grover Alejandro Pilco, Franz García and Johnnatan Condori - were forced to flee the city.

Two days after the vote, government supporters attacked the La Paz offices of the privately-owned TV stations *ATB* (owned by the Spanish media group Prisa), *PAT* and *UNITEL* (belonging to Santa Cruz businessmen) and those of *Radio Fides* and *Radio Panamericana*. Sacha Llorenti, deputy minister for social movements, tried to calm the rioters. Tension eased at the end of the year and the media-owners' association ANP made a new offer of dialogue to the government and other parties in the conflict.

BRAZIL

Area: 8,547,400 sq.km.
Population: 189,323,000.
Language: Portuguese.
Head of state: Luiz Inácio Lula da Silva.

Two journalists were killed in 2007 but only one died because of his job. The media is still the target of violence and death threats and has to cope with preventive censorship. Plans are afoot to abolish the 1967 press law passed under the military dictatorship.

Journalist Luiz Barbon Filho was killed by two motorcycle gunmen in Porto Ferreira (São Paulo state) on 5 May 2007 after criticising local officials. As a columnist on the weekly *Jornal do Porto* and the daily *JC Regional*, he had accused the heads of four firms and five local officials of being involved in the sexual abuse of teenagers in 2003. The daily *A Folha de São Paulo* reported that several military police had been questioned as suspects in the journalist's murder.

The shooting death of freelance photographer Robson Barbosa Bezerra in Rio de Janeiro on 8 February was not thought to be linked to his work. He had been threatened and attacked and complaints had been filed against him for "spousal violence" and for a row with a colleague. Police did not establish a motive.

TARGETS OF ORGANISED CRIME

A motorcyclist shot and wounded João Alckmin, presenter of "ShowTime" on *Rádio Piratininga*, in the street in São José dos Campos (São Paulo state) on 22 November. The journalist, a cousin of Geraldo Alckmin, who stood against Pr sident Lula at the last presidential election, had been investigating criminal control of the gaming industry. He was also the intended target of a shooting attack on 5 July when the gunman mistook someone else for him. He was given police protection after the November attack.

Four gangsters, including two minors, were arrested for the apparently non-political shooting in Brasilia on 27 September of Amaury Ribeiro J nior, of the daily *Correio Braziliense*. In January, five armed men burst into the home of Domingues J nior, presenter for the local station *Rede TV Rond nia* in the western city of Porto Velho, and threatened and robbed him. He said the attack was because of his exposure of vote-buying and corruption by federal police which had already brought him death threats. The offices of the fortnightly *Tribuna do Povo* in

V rzea da Palma, in the eastern state of Minas Gerais, were seriously damaged in a deliberately-set fire on 9 April. The paper had reported on embezzlement by local officials.

COURT-ORDERED CENSORSHIP

The media also has to face court-ordered "preventive" censorship, such as when the regional elections court in the southwestern state of Mato Grosso do Sul banned the regional daily *O Correio do Estado* on 26 January from mentioning Andr  Puccinelli Jr, son of the state governor, who had been charged with electoral fraud. The ban, also applicable to other media outlets, carried a fine of €18,500 for every time his name was mentioned.

A court in the southern state of Santa Catarina banned the daily *Gazeta de Joinville* on 9 February from mentioning the name of Joinville mayor Marco Tebaldi, his wife and a former Miss Brazil, Taiza Thomsen, who the paper had reported the governor was having an affair with. The ban carried a €775 fine for each mention.

A court in S o Paulo state banned the weekly *Folha de Vinhedo* on 15 June from printing an interview with the former legal secretary of the town of Vinhedo, Paulo Cabral, who accused local officials of corruption. The ban carried a fine of €200 for each copy of the paper printed. An appeals court cancelled it in January 2008.

Mayor Jo o Henrique of the northeastern city of Salvador de Bahia obtained a court ban on 21 June on the *Metr pole* group (a radio station, a magazine, a website and a blog) from mentioning his name after the first (free) issue of the magazine appeared with a cartoon of him on the front page. Violations carried a fine of €77,000. The court also ordered seizure of 30,000 copies of the magazine. An appeal courts struck down the sentence, citing freedom of expression.

BRAZIL

END OF THE 1967 PRESS LAW?

Poor relations between the federal government and some of the media who were hostile to President Lula improved in 2007, but some of the president's supporters hit out at the media. His former communications secretary, Luiz Gushiken, suspected of embezzlement, gave federal police on 25 January a list of journalists "likely to harm (his) reputation." The list included Leonardo Attuch, of the weekly *IstoÉ*, Lauro Jardim and Diogo Mainardi, of the weekly *Veja*, and journalists on the weekly *Carta Capital*. The national commission of President Lula's Workers Party called on party supporters on 31 July to campaign against some media outlets suspected of "playing the opposition's game," including the TV *Globo* network and the daily papers *Correio Braziliense*, *O Estado de São Paulo*, *O Globo* and *A Folha de São Paulo*.

Despite this, pro-government federal deputy Miro Teixeira presented a bill in December to amend the 1967 press law (passed under the 1964-87

military dictatorship) to end prison sentences for "insults" and "defamation."

ONLINE EXCESSES

Brazil has one of the world's largest communities of Internet users and the government regulates online traffic, with often disproportionate measures. A São Paulo court ordered an Internet service provider (ISP) to block access to the video-sharing website YouTube for a week to allow it to remove a video of two well-known people. Orkut, the Brazilian version of the social networking site *Facebook*, faced court action for allegedly carrying racist, paedophile and homophobic material. Orkut is owned by Google and a São Paulo court wants to shut it down.

Brazil hosted the UN-sponsored worldwide Internet Governance Forum in 2007, at which delegates from many countries said they did not want ICANN, an American society, to control the Internet.

CANADA

Area: 9,970,610 sq.km.

Population: 33,091,200.

Languages: English, French.

Head of government: Prime Minister Stephen Harper.

The country remains a world beacon of civil liberties, but the media is threatened by the law on journalistic sources. A physical attack on a community newspaper editor also aroused alarm.

The 2004 law forcing journalists to hand over files and reveal the names of sources if police require them in criminal cases on journalistic sources again posed a threat to the media in 2007. Lawyers in June demanded that Karine Gagnon, of the *Journal de Québec*, hand over notes and tapes she made for a 24 November 2006 article about asbestos in government buildings. One of those quoted, Denis Petitclerc, was immediately dismissed by his employer, the Société immobilière du Québec. The demand was made by his lawyers before a labour court, but since the case was not a criminal one, Gagnon was not obliged to comply.

It was the third time the law had been used to target journalists. Ken Peters, of the *Hamilton*

Spectator, was fined C\$30,000 in 2004 for refusing to reveal the name of a source. The law provides for a fine of up to C\$250,000 or a six-month prison sentence.

The few cases of violence against journalists in Canada concern mainly foreign journalists or those who belong to minorities. Jawaad Faizi was beaten with a cricket bat near Toronto on 17 April after being accused of "writing against Islam" and harming the reputation of a Muslim welfare organisation in an Urdu-language community weekly, the *Pakistan Post*. The wife and children of the paper's editor, Amir Arain, had earlier been threatened. The two journalists had filed a legal complaint about the threats the day before the attack.

CENTRAL AMERICA

EL SALVADOR

Area: 21,040 sq.km
Population: 6,762,000
Language: Spanish.
Head of state: *Eliás Antonio Saca*

HONDURAS

Area: 112,090 sq.km
Population: 6,969,000
Language: Spanish
Head of state: *Manuel Zelaya*

PANAMA

Area: 75520 sq.km
Population: 3,288,000
Language: Spanish
Head of state: *Martín Torrijos*

GUATEMALA

Area: 108,890 sq.km
Population: 13,029,000
Language: Spanish
Head of state: *President Oscar*
(succeeded by *Alvaro Colom* on 14 January 2008)

Two journalists were killed in Guatemala and one each in Honduras and Salvador, but direct links to their work were not proven in any of the cases. A new anti-terrorist law in El Salvador led to the unjustified imprisonment of a journalist there. A reform of Panama's criminal law in March caused a media outcry.

Only a few years after recovering from its years of civil war, Central America now faces a plague of "maras," extremely violent gangs of youths operating especially in Guatemala, Honduras and Salvador and which have also taken root in Mexico and the United States. A "marero," José Alfredo Hernández, was arrested on 16 October 2007 near San Salvador for shooting dead Salvador Sánchez, who worked for Salvadoran radio stations *Maya Visión*, *Radio Cadena Mi Gente* and *YSUCA*, on 20 September. Hernández was a member of the notorious "mara salvatrucha" and two of his presumed accomplices are on the run. The motive was not known but Sánchez' family said he had received threats. He was a trade unionist and community activist.

MEDIA IN THE FIRING LINE

Carlos Salgado, of *Radio Cadena Voces (RCV)*, which was being closely watched by the Honduras government, was killed in Tegucigalpa on 18 October. A month earlier, President Manuel Zelaya had said that "if I was (Venezuelan President) Hugo Chavez, I would've shut down this station long ago." A suspect, Germán David Almendárez Amador, was arrested, freed for lack of evidence then rearrested on 28 October, though not charged.

The media accuses the president of "trying to control the media" and criticises his frequent travelling. Relations between the two sides are very bad. The head of RCV, Dagoberto Rodríguez, fled

abroad in November after being followed by strangers and getting death threats. Geovanny García, of the TV station *Canal 13* (which also has poor relations with the authorities), was almost killed by two motorcycle gunmen on 7 September. His programme, with its regular exposure of corruption, was immediately taken off the air. Several attempts at censorship were made in September, including a complaint that five journalists who had exposed embezzlement at the communications firm Hondutel had "damaged reputations." The case was thrown out by a court.

RISKY INVESTIGATIONS

In Guatemala, freelance photographer Jorge Alejandro Castañeda was shot dead in the capital on 5 July and Miguel Angel Amaya Pérez, a presenter on radio station *Sabana*, was found dead on 10 December in the northern province of Petén, a haven for drug-traffickers. Nothing so far indicates they were killed because of their work. But even a trivial article can bring dire consequences. A few days after Winder Jordán, who worked for the local *Radio Sultana* and as a stringer for national daily *Nuestro Diario*, mentioned the name of a person involved in a road accident, motorcycle gunmen tried to kill him outside his home in the eastern town of Gualán on 2 February. The person's family also came to the house and threatened to kill him.

Journalists on the TV station *Cable Guatevisión* got anonymous phone threats after they investigated

CENTRAL AMERICA

the execution at the national prison of four policemen jailed for the 19 February assassination of three members of parliament, including Eduardo D'Aubuisson, son of former Salvadoran civil war death squad leader Roberto D'Aubuisson. The national Radio Nuevo Mundo was the target of two armed attacks on 4 and 11 September, and one of its journalists was briefly kidnapped, after it broadcast revelations about politicians during the election campaign.

IMPRISONED FOR "TERRORISM"

Freelance journalist María Haydee Chicas spent three weeks in prison in July under a new anti-terrorist law in El Salvador after covering a community meeting against privatisation of water supply in Suchitoto, in the northeast of San Salvador, on 2

July. She was arrested by riot police along with 13 other people. A campaign to release them caught the attention of President Elías Antonio Saca and they were freed, though only conditionally, on 23 July.

CRIMINAL LAW TOUGHENED

Panama's normally tranquil press freedom situation (as in neighbouring Costa Rica) was disturbed by a heated debate in the media after a reform of the criminal law approved by parliament on 6 March. The measure punishes leaks to the media and disclosure of personal information with fines, imprisonment or a weekend in jail. Appeals to the Inter-American Human Rights Commission had no effect and President Martín Torrijos signed the reform into law on 21 March.

CHILE

Area: 756,630 sq.km.

Population: 16,465,000.

Language: Spanish.

Head of state: Michelle Bachelet.

Physical attacks on journalists are rare but the authorities, especially the police, distrust the media, whose narrow ownership many journalists criticise. A supreme court ruling against the media in April was withdrawn after four days.

The police brutality towards journalists during student demonstrations in 2006 was not repeated in 2007, but the security forces still cling to some of the old habits of the 1973-90 military dictatorship. The period remains a sensitive subject, as shown by the arrest and beating on 18 August of Argentine freelance TV journalist Benjamín Avila and his Chilean assistant Mario Puerto and soundman Arturo Peraldi. They were covering a demonstration in front of the house of former military officer Héctor Hernán Bustamante Gómez, suspected of ordering the 1973 murder of journalist Leonardo Henrichsen. They were freed after two hours at the insistence of the CDP national journalists institute. Two days later, Avila received death-threats in hospital. Top CDP officials, including human rights expert Ernesto Carmona, received similar threats during the year.

The CDP and the Judicial Press Association protested at restrictions imposed by the supreme court on 26 March on journalists

moving around, approaching or disturbing officials on the premises of the country's courts. The restrictions, opposed by court president Enrique Tapia, was criticised beyond journalistic circles, but could only be removed by the constitutional court. The supreme court climbed down four days later and the measure was dropped. A trivial incident but it showed the great distrust of the judiciary towards the media. Access by journalists to hearings in appeal and other superior courts still depends on the whim of judges.

Chile gets good marks for press freedom in the Americas but suffers from narrow media ownership. "The media allowed under the dictatorship survived with the joint help of the government and the market," CDP vice-president Francisco Martorell told Reporters Without Borders. "The opposition media under the military regime got government help after the dictatorship ended but hardly benefited from the market at all."



COLOMBIA

Area: 1,138,910 sq.km.
Population: 45,558,000.
Language: Spanish.
Head of state: Alvaro Uribe Vélez.

Six journalists were murdered in 2007 but only one of the killings was thought to be job-related. Crimes against media workers have fallen under President Uribe but he is vindictive towards journalists, putting their lives in danger. The media remains the target of armed groups and six journalists were forced to flee the country during the year.

The murder of Elacio Murillo Mosquera, correspondent for the weekly *Chocó 7 Días* and programme chief for the radio station *Canalete Estéreo*, on 10 January 2007, was the only one of the six journalist deaths during the year that might have been job-related. Shot dead by a motorcyclist (later arrested), he had been investigating the activity of armed groups in the coastal province of Chocó and had reported the demobilisation of 150 paramilitaries of the “Bloque Pacífico” section of the right-wing United Self-Defence Groups of Colombia (AUC). If Murillo Mosquera’s murder turns out not to be related to his work, 2007 will be the first year since 1985 that no journalist has been killed in Colombia for doing his job. In the second half of the year, five other journalists were murdered but for reasons unrelated to their work.

The fewer crimes against media workers under the rule of President Alvaro Uribe (elected in 2002 and reelected in 2006 on a national security platform) is an achievement in a country at war with itself for the past 42 years and notorious for its extreme danger. But press freedom has not really improved at the same time. The AUC, officially demobilised between 2003 and 2006, has not disarmed and has kept its influence, even in the political background, where some of the media is poorly regarded. Two gunmen, suspected members of The Revolutionary Armed Forces of Colombia (FARC), went to the hotel of freelance photographer Afranio Franco in Planadas (Tolima province) in May 2007 and forced him to hand over his film. He had earlier had death threats. Ten employees of the radio station *Hj Doble K* in Neiva (in the southwestern province of Huila) were injured in the bombing of the station on 22 March just as the local mayor was due to visit it.

Threats attributed to the FARC also forced the head of *Caracol Radio*, Darío Arizmendi, to leave the country on 8 March. Germán Hernández Vera, editor of the daily *Diario del Huila*, in Neiva, also fled abroad later that month apparently after FARC threats. The journalist had recently exposed embezzlement.

EXILE OR DEATH

Killings of journalists have been replaced by flight into exile. Seven fled the country or their region in 2007, one more than in 2006. Hollman Morris, producer of a programme currently off the schedule of state-owned TV station *Canal Uno* for financial reasons, left with his family for the United States on 21 October after new e-mailed death threats. He had also been forced to flee in 2005 after being accused of being “a FARC spokesman” in a video distributed by a paramilitary group.

Drug-smuggling remained the most dangerous subject for the media to cover. The curiosity of Rubén Valencia, managing editor of the regional daily *Q’hubo*, in Cali, about Olmes Durán Iburgüen (“El Doctor”), head of the Pacific coast drug cartel arrested in Bogotá on 15 June, resulted in a contract being put out to kill him. Giovanni Alvarez, of the community radio station *La Nueva* in the northern city of Barranquilla, fled abroad in October following serious threats to him after he reported on corruption during the regional election campaign.

Journalists also risk their lives if they look too closely at the ties between the authorities and the paramilitaries since they officially disbanded, ties some call “para-politics”. Death threats from former or present AUC members sometimes come only hours after a journalist



COLOMBIA

has been criticised by a politician, a police officer or even the president.

AN IRRITABLE PRESIDENT

President Uribe does not like being criticised and often personally takes issue with journalists, which would not matter if the media was working in safe conditions. Uribe made at least three such attacks in 2007. He accused Carlos Lozano, editor of the communist weekly *Voz*, of being “in the pay of FARC” when speaking on *Caracol Radio* in February. Daniel Coronell, news editor of the publicly-owned TV station *Canal Uno* and columnist for the magazine *Semana*, had to argue live with the president on radio station *La FM* on 9 October. Uribe was enraged to hear Coronell recall the disclosure by the mistress of the late Medellín cartel boss Pablo Escobar that Uribe had dealings with the druglord when he was governor of Antioquia province, and called the station at once to respond. A few hours later, Coronell got an e-mail from the *Aguilas Negras* paramilitaries warning that “anyone who attacks the president signs his own death warrant.”

Gonzálo Guillén, correspondent for the US daily *El Nuevo Herald*, fled the country after he was attacked by Uribe in print for the same

reason six days earlier. His complaint against the president for “insults” is in abeyance and after he returned to Colombia in early December, he received countless threats.

TV STATION IN DANGER

A row over tapping the phones of opposition figures or sympathisers, such as Hollman Morris, by the intelligence services has kept up tension between the presidency and some of the media. The treatment in Colombia of the Latin American TV station *Telesur*, founded by Venezuelan President Hugo Chávez, did not make a rapprochement any easier between Uribe and Chávez, who mediated the release of FARC hostages. One of the station’s reporters, Freddy Muñoz, was freed on 9 January 2007 after being held for 50 days by paramilitaries, and his captors claimed (using an alleged doctored photo) that he was a member of their group, which led to Muñoz’ arrest for “terrorism” on 7 February. National police chief Gen Oscar Naranjo criticised *Telesur* journalist Wiliam Parra in November of misusing an interview he had with a policeman who had been kidnapped by the FARC. The tape of the interview was to be used by Chávez as proof the policeman was still alive in the negotiations for his release.



CUBA

Area: 110,860 sq.km.
Population: 11,267,000.
Language: Spanish.
(Acting) Head of state: Raúl Castro.

The human rights situation has not improved in the year and half Raúl Castro has been standing in as president for his ailing brother Fidel. However the form of repression has changed, to daily brutality and brief detention. Two journalists were freed in 2007 but two others were imprisoned. Three foreign journalists were forced to leave the country.

Uncertainty hangs over the Castro regime and the closely-watched foreign media has to tread carefully. The Havana correspondent of the US daily *Chicago Tribune*, Gary Marx, and his colleague from the Mexican daily *El Universal*, César González-Calero, had their press cards cancelled on 22 February 2007 and were told to leave the country because their articles were giving a “negative image” of Cuba. The next day, BBC correspondent Stephen Gibbs was not allowed to re-enter the country and eventually had to leave his post.

Fidel Castro, still in hospital a year and a half after stepping down temporarily, said at the end of 2007 he was ready to give up power. Civil liberties and human rights will wait, probably well after single-party elections expected in 2008. Raúl Castro, who took over from his elder brother on 26 July 2006, is reportedly planning a Chinese-style move towards economic liberalism.

On the repression front, only the methods changed. About 80 physical attacks, threats, arrests and unannounced searches involving journalists were recorded in 2007. The regime no longer stages major trials of dissidents but uses routine brutality. Six journalists - including Roberto de Jesús Guerra Pérez, correspondent for the websites *Payolibre* and *Nueva Prensa* and for *Radio Martí* - were among some 30 government opponents arrested at a peaceful demonstration in Havana on 27 September to support political prisoners. They were freed the next day. Guerra Pérez was jailed in July 2005 after an earlier dissident protest, and on 9 May 2007 he completed a 22-month prison sentence for “disturbing the peace.” His trial took place three months before he was freed. Armando Betancourt Reina, of *Nueva Prensa Cubana* and founder of the small underground paper *El Camagueyano*, was released on 20 August after 15 months in prison, also learned he had been convicted

of “disturbing the peace” just a few weeks before his release.

“PRE-CRIMINAL DANGER TO SOCIETY”

Two new imprisonments preceded these two releases, keeping the number of journalists in jail at 24 and ensuring the country remained the world’s second biggest prison for journalists after China. Raymundo Perdigón Brito, of the *Yayabo Press* agency, had already been imprisoned for four years on 5 December 2006 for being a “pre-criminal danger to society.” Ramón Velázquez Toranzo, of the *Libertad* agency, was sentenced on 23 January 2007 to three years in prison for the same offence. This accusation, often used against dissidents, allows them to be arrested and jailed as a “potential risk” to society. Oscar Sánchez Madán, a regular correspondent for the website *Cubanet*, was arrested by state security police and sentenced on 13 April in the absence of a lawyer to four years in prison for the same reason. He was the third journalist imprisoned since Raúl Castro took over and staged a hunger-strike in January 2008.

FIDEL’S LEGACY

Twenty of the 27 journalists arrested in the “black spring” crackdown of March 2003 continue to serve their sentences of between 14 and 27 years in prison, along with Alberto Gil Triay Casales, founder of the news centre *La Estrella Solitaria*, who has been in jail since 2005. They are still being ill-treated and deprived of healthcare and some have gone on hunger-strike, including Iván Hernández Carrillo, of the *Patria* agency, Pedro Argüelles Morán, head of the *Cooperativa Avileña de Periodistas Independientes (CAPI)*, and Normando Hernández González, head of the *Colegio de Periodistas Independientes de Camagüey (CPIIC)*, who is in very poor health. A member of the Costa



CUBA

Rican parliament, José Manuel Echandi, arranged for humanitarian exile in Costa Rica for Hernández González but the Cuban authorities have ignored the offer.

Three imprisoned journalists supported by media outlets through Reporters Without Borders are in poor condition. Fabio Prieto Llorente, in jail on his native Isle of Youth and kept in isolation for 23 hours a day, is not getting treatment for lung problems. Another, Miguel Galván Gutiérrez, is seriously ill and was transferred on 15 June 2007 from Agüica prison to one in Guanajay, near the capital. The Reporters Without Borders correspondent and founder of *De Cuba* magazine, Ricardo González Alfonso, was taken to hospital again on 13 September in the Combinado del Este prison in Havana for circulatory and digestive problems. The country's jails hold 246 political prisoners, according to the Cuban Commission for Human Rights and National Reconciliation (CCDHRN).

THE INTERNET "A TOOL OF GLOBAL EXTERMINATION"

The US embargo against Cuba that prevents the country connecting to the Internet through undersea cables has slowed Internet growth because the government has to use costly and less efficient satellite connections. But communications minister Ramiro Valdés spelled out the government's attitude in early 2007 by calling Internet technologies "a tool for global extermination" and a "wild colt" that "must be controlled." The regime ensures that the Internet is not used for "counter-revolutionary" purposes and private connections are practically banned. Cubans usually go to tourist hotels to read their e-mail or surf the Web, risking five years in prison for doing so. Internet cafés are very easily spied on by the authorities and the government relies on self-censorship.

DOMINICAN REPUBLIC

Area: 48,730 sq.km.
Population: 9,615,000.
Language: Spanish.
Head of state: Leonel Fernández.

2007 saw a substantial increase in violence towards the media, with about 30 physical attacks or threats. Investigation of corruption and drug-smuggling brings the risk of heavy reprisals and the government is often slow to react. But the courts are finally punishing the killers of journalists and a bill to decriminalise press offences has been sent to parliament.

The level of violence towards the media in 2007 reached a level rarely seen since the iron rule of President Joaquín Balaguer in the 1970s, with some 30 physical attacks or threats marring a hitherto quite good record in recent years. The country, a major tourist destination, is also very corrupt and its geographical position makes it a key transit point for drug smugglers. Journalists who look too closely into these matters tend to be the target of reprisals, often by local officials or police.

Manuel Vega, producer of a news programme (Atacando) on the privately-owned TV stations *Varo Visión* and *95.5 FM*, received many threats in January that he would “burned alive” if he continued to report on drug smuggling on his programme. Vega thought a man convicted of drug-trafficking in the US who had returned to the Dominican Republic after serving his term was behind the threats. But he and the national journalists union could not get protection from police in the eastern town of Hato Mayor who he said were infiltrated by drug-traffickers. Similar official lethargy followed the shooting-up of the home of Héctor Abreu, presenter at *Radio Azua* and correspondent for *Radio Enriquillo*, in the southwestern town of Tamayo on 6 July. Abreu said he thought the attack was in response to his broadcast comments about local corruption and crime.

Hostility towards the media also came from the street. Marino Baéz, correspondent of the daily *Listín Diario*, and Braddy Abréu, of the TV station *Yuna Visión*, narrowly escaped being lynched on 22 June by a crowd in the town of Maimón protesting against lack of drinking water supply. Again, local police stood by and government officials did not react.

Relations between the media and the government turned sour in September when the government withdrew the security escort that Milton Pineda, commentator and programme director with the pro-opposition radio station *Z101*, had had since attempts to kill him. But three weeks earlier, police protection had been given to Esteban Rosario, of the TV station *Canal 55*, after a knife attack on him in the northern town of Santiago de los Caballeros on 31 August.

SLIGHT PROGRESS IN PUNISHING KILLERS

Despite the discouraging situation, two killers of journalists were finally punished. Three former soldiers were sentenced on 17 April by a Santo Domingo appeal court to 30 years in prison for the 1975 murder of the editor of *Revista Ahora* magazine, Orlando Martínez, who was an opponent of then-President Balaguer. The supreme court ruled on 19 December that former Gen. Joaquín Pou Castro was directly responsible for the killing and sentenced him to 30 years also. Gang leader Vladimir Pujols received a 30-year prison sentence in May (confirmed in September) for the 2004 murder of Juan Andújar, correspondent for *Listín Diario* in the western town of Azua. His accomplice, Juan Ricardo Muñoz Herrera, was jailed for five years and fined €7,000 for “conspiracy.” A third suspected killer, who was a minor at the time, will be tried soon.

A deputy of the ruling Dominican Liberation Party, Juan Julio Campos Ventura, introduced a bill in parliament on 25 September to abolish imprisonment terms for press offences such as libel and insults and replace it with fines under civil law.

ECUADOR

Area: 283,580 sq.km.
Population: 13,202,000.
Language: Spanish.
Head of state: Rafael Correa.

The country sharply differs from its neighbours Colombia and Peru by the very few physical attacks on its media. However, tension rose in mid-2007 when President Correa publicly called the media “corrupt and mediocre” and said he would snub it. The media is bracing itself for a new national constitution and how it might affect the media.

President Rafael Correa called reporter Sandra Ochoa, of the daily *El Universo*, “an ugly cow” and “badly brought up” when he found her too insistent at a 30 June press conference. The left-wing Correa admitted a few days earlier however that he had “made mistakes” in his relations with the media since he took office in January. He has been sometimes fiercely attacked for the policies and the reform process that began with election of a constituent assembly in September. “Latin America’s media has always been against progressive governments,” he said in late June, announcing he would not hold any more press conferences at the presidential palace and would henceforth only communicate with the media in writing.

To counter the traditional dependence of Ecuador’s media’s on big business, Correa set up the country’s first-ever publicly-controlled TV station, *Ecuador TV*, in November. He also asked the constituent assembly to work on new regulations for the media which may be included in a new national constitution. But while saying he wants media diversity, he does not seem to want to decriminalise press offences. After four months in office, he sued the managing editor of the daily *La Hora*, Francisco Vivanco, for “insults” (punishable by a prison sentence) after an editorial appeared attacking “official vandalism.” Correa offered to

withdraw the suit if Vivanco publicly apologised. The journalist refused but the suit has not been pursued.

Provincial journalists were outraged in March at the handing down on appeal of a two-month prison sentence on Nelson Fualta, correspondent of the daily *La Gaceta* and the station *Radio Latacunga* in Cotopaxí, for supposedly insulting the town’s mayor in 2006. His lawyers have so far kept him out of jail by appealing to the supreme court.

TARGETED VIOLENCE

Despite these prickly areas, Ecuador’s media is doing fairly well. The few attacks on the media are nothing compared with those in neighbouring Colombia and Peru. The only violence (in mid-year) involved Helena Rodríguez, Quito bureau chief for the pan-American TV station *Telesur*. One of the station’s vehicles was sabotaged and Rodríguez received e-mailed death threats in May that accused her of being a “whore” of Venezuelan President Hugo Chávez. *Telesur* was founded by Chávez in 2005 and aims to counter the influence of the US networks. Personal and political ties (though hardly substantial) between Chávez and Correa may explain this hostility to the station.

HAITI

Area: 27,750 sq.km.
Population: 9,446,000.
Languages: Creole, French.
Head of state: René Prével.

Are the killers of journalists finally going to be punished? Verdicts were announced in 2007 in the murders of Brignol Lindor and Jacques Roche. President Prével set up a commission in August to help the investigation of murders of journalists. Lawlessness diminished but gangsters shot dead a photographer in January.

The case of the stoning and hacking to death of *Radio Echo 2000* journalist Brignol Lindor in December 2001 had seemed virtually closed and a trial looked impossible to organise, but four people accused of his murder went on trial from 10 to 12 December 2007 in the southern town of Petit-Goâve.

The killing became a symbol of the abuses of the 2001-04 rule of President Jean-Bertrand Aristide and disgusted Haitians by its savagery and by the failure to punish those responsible. A decision by President René Prével, who returned to power in 2006, was probably responsible for this unexpected push for justice.

Only three of the 10 members of the pro-Aristide *Domi Nan Bwa* (Sleep in the Woods) militia charged in 2002 have been arrested since the Petit-Goâve court issued warrants in 2007. The fourth man who appeared in court had been held since 2005. Two of the defendants - Joubert Saint-Juste and Jean-Rémy Démosthène - were given life sentences. Simon Cétoute (who had been mistaken for his late son of the same name) was acquitted and Fritzner Doudoute (arrested in 2005) will be retried because of confusion over his name, though he was formally recognised in court by witnesses. The new trial could also involve Dumay Bony, former deputy mayor of Petit-Goâve suspected of inciting townspeople to attack Lindor during a press conference the day before the murder. Bony gave evidence at the December trial. Some of the six suspects still to be arrested have been spotted in Petit-Goâve and Port-au-Prince.

The other major killing of a journalist in recent times, of Jean Dominique, head of *Radio Haïti Inter* and a good friend of then-President Prével, who was shot dead in front of the station with gatekeeper Jean-Claude Louissaint in April 2000, remains unsolved. The case received a new set-

back when a suspect, businessman Robert Lecorps, was murdered on 4 April. But the arrest on 10 December of police commissioner Daniel Ulysse, who headed the judicial police at the time of the killing, could provide new evidence.

A PHOTOGRAPHER KILLED

Progress has been made in other cases, albeit slowly. Two gang leaders, Chéry Beaubrun and Alby Joseph, were sentenced to life imprisonment on 30 August for the murder of journalist Jacques Roche, cultural editor of the daily *Le Matin* and former opponent of Aristide. He was kidnapped in July 2005 and his body found four days later in the capital. Another suspect, Wensley Boshomme, a gangster who escaped from the central prison in 2005, was arrested in October.

The unusually speedy police, helped by the UN peacekeeping mission MINUSTAH, in July and November arrested two members of the notorious Cannibal Army (an opposition militia under Aristide's rule) suspected of murdering Alix Joseph, manager and presenter of *Radio-Télé Provinciale* in the northwestern town of Gonaïves, on 16 May. A few days (22 May), François Latour, 60, a popular variety presenter on *Caribes FM*, was kidnapped and murdered in Port-au-Prince.

Kidnappings for ransom were fewer in 2007 but lawlessness and gang activity are still major obstacles to restoring the rule of law. A day after the announcement on 18 January of the arrest of about 40 gangsters in the capital, freelance photographer Jean-Rémy Badiou was shot dead at his home in Martissant, a Port-au-Prince suburb in the grip of rival armed gangs, Lamè Ti Machèt and Baz Gran Ravin. His family said he was suspected of handing over photos to the police.

HAITI

A COMMISSION AGAINST IMPUNITY

Préval inaugurated a new special commission to help the investigation of murders of journalists (CIAPEAJ) on 10 August, in the presence of Jean Dominique's widow, Michèle Montas (now official spokesperson for UN Secretary-General Ban Ki-Moon). Its chairman, Joseph Guylor C. Delva, correspondent in Haiti for several

foreign media and programme chief at radio station *Mélo die FM*, had to flee the country between 9 and 25 November after getting threats, though for reasons apparently unconnected with his new job. The trial of the Lindor killers would probably not have been possible without the CIAPEAJ, which helped to find parts of the case-file that had been lost at the supreme court.



MEXICO

Area: 1,958,200 sq.km.
Population: 105,342,000.
Language: Spanish.
Head of state: Felipe Calderón.

Freedom of expression moved forward on paper with the decriminalisation of press offences at federal level, but in practice, the country is still the most deadly in the Americas for journalists, with two killed and three vanished in 2007. Three media assistants were also killed and prospects are not good with some local authorities working with organised crime.

The murder of journalists Amado Ramírez in the southern city of Acapulco on 6 April 2007 and of Saúl Martínez Ortega, who went missing and whose body was found on 23 April in the northern state of Chihuahua, coincided with a vast federal-level police and military drive against drug-traffickers which killed nearly 400 people in three weeks. Ramírez, correspondent for the privately-owned national TV station *Televisa* in Acapulco, was shot dead as he left his office. The station suspended his news programme *Al Tanto* three days after his death. One suspect, Genaro Vázquez Durán, was arrested and charged but the investigation was set back in November when one of the five witnesses said Vázquez Durán was not involved.

Martínez Ortega was editor of the magazine *Interdiario* and also worked for the daily *Diario de Agua Prieta* in the town of the same name (in the northern state of Sonora). He was familiar with tricky topics, especially drug-smuggling, and was in close contact with Luis Angel Borboa Canchola, a former policeman in trouble with the authorities who was kidnapped on 13 March and found murdered soon afterwards. Martínez Ortega was murdered a month later just as federal officials had arrested about 100 local police involved in the drug trade. The murder came after accusations by a police lieutenant before the National Human Rights Commission (CNDH) that aides of Sonora state governor Eduardo Bours were involved in the disappearance in the state capital, Hermosillo, on 2 April 2005, of journalist Alfredo Jiménez Mota, of the daily paper *El Imparcial*.

HUMAN HEADS DELIVERED

No motive has yet been found for the shooting murder on 8 December 2007 of a third journalist, Gerardo Israel García Pimentel, of the regional daily *La Opinión*, in the western town of Uruapán,

in Michoacán state, one of the country's new centres of drug-trafficking where a terror campaign against the media in 2006 included sending human heads to media offices. Such "messages" from traffickers were common in May 2007 during the anti-drugs campaign in some southern and southeastern states, such as Veracruz and Tabasco. Rodolfo Rincón Taracena, of the daily *Tabasco Hoy*, vanished on 20 January after writing an article about drug-smuggling and another about a string of bank robberies. The paper received a parcel in May with a human head inside.

Gamaliel López, of the station *TV Azteca*, in the northeastern state of Monterrey, and his cameraman, Gerardo Paredes, vanished on 10 May and anti-kidnapping police have failed to find them, bringing to seven the number of journalists who have disappeared since 2003. López had reported for six months on the local presence of the army and had exposed corruption.

TOUGH CONDITIONS AT STATE LEVEL

Felipe Calderón, of the right-wing National Action Party (PAN) who was narrowly elected president on 2 July 2006, faces a parliament divided between the country's three main political forces and has to rely on the support of the Institutional Revolutionary Party (PRI), which ruled Mexico from 1929 to 2000. A similar situation between the federal government and the states (most of them still controlled by the PRI) has slowed efforts by the judiciary and federal authorities to fight impunity and local obstacles to free expression. Some regional officials showed contempt for the right to inform the public and in 2007 newspapers were seized, media outlets censored and attempts made to spy on journalists (in a town in Guanajuato state). The Chihuahua state government on 24 November dismissed a CNDH



MEXICO

recommendation about physical attacks by state police on three journalists.

The height of political cynicism was displayed when the federal supreme court cleared Puebla state governor Mario Marín on 29 November of any involvement in the arbitrary arrest of journalist Lydia Cacho in December 2005. Strong suspicion fell on Marín after *W Radio*, part of *Televisa Radio*, and the daily paper *La Jornada*, disclosed conversations between him and a businessman friend, José Camel Nacif, who was accused by Cacho of belonging to a paedophile network in a 2004 book called "The Demons of Eden." The governor and his friend joked about raping Cacho during her transfer from her home state of Quintana Roo state to Puebla. The supreme court ruled that the evidence was not strong enough. Carmen Aristegui, of *W Radio*, who had revealed the conversations, had her programme dropped on 3 January 2008, allegedly because it did not fit in with the station's "editorial model."

Hostility towards the media continued in the southern state of Oaxaca, where *Indymedia* camera-

man Brad Will was killed during unrest in late 2006. The culprits have not been punished and governor Ulises Ruiz Ortíz has never been held to account for his abuses of power. Misael Sánchez Sarmiento, of the daily *El Tiempo* who investigated Will's death, was shot and wounded by a gunman on 12 June 2007 and Alberto Fernández Portilla, editor of the weekly *Semanario del Istmo* and a programme on radio station XEKZ, was shot and wounded on 5 August. Also in Oaxaca, Agustín López, Mateo Cortés Martínez and Flor Vásquez López, distributors of the local daily *El Imparcial*, were shot dead on 8 October, sparking several resignations from the paper for fear of further reprisals.

DECRIMINALISATION

President Calderón signed a law on 12 April (passed by the federal parliament) decriminalising defamation and "insults" and obliging state governments to fall in line. Only three states had already done this - Baja California, Jalisco and the Federal District. In Chiapas, defamation is still punishable by up to nine years in prison and a fine equivalent to nine times the minimum wage.

PARAGUAY

Area: 406,750 sq.km.

Population: 6,016,000.

Languages: Spanish, Guaraní.

Head of state: Nicanor Duarte Frutos.

A provincial journalist, Enrique Galeano, who vanished in February 2006, was found unharmed in Brazil 17 months later. But the media is still having a hard time, especially in the run-up to the April 2008 general elections. A journalist was killed after reporting on the influence of drug-smugglers in political life.

Journalist Enrique “Kike” Galeano, of *Radio Azotey* in the central province of Concepción, was found unharmed in a suburb of São Paulo on 15 July 2007, a year and a half after he disappeared in February 2006 soon after reporting on the seizure of a cocaine and arms shipment in the presence of a police commissioner and a member of parliament for the ruling Colorado Party, both suspected of having contacts with Luiz Carlos da Rocha, the notorious head of Brazil’s Cabeza Branca cartel. The authorities had dredged rivers in an effort to find Galeano’s body. He was found by two colleagues from the Asunción daily *ABC Color*.

The night he vanished, he said he was picked up on the road by two Portuguese speakers who apparently belonged to the Cabeza Branca. He was beaten and tortured and warned that his wife and children would be harmed. He was then taken to the border town of Pedro Juan de Caballero, and then Campo Grande (in Brazil), where he was freed with a warning that if he returned to Paraguay he would be killed. Fearing for his family, he went into hiding in São Paulo. No serious investigation has been done into the case and who was behind his enforced exile. The Colorado MP involved, Magdaleno Silva, has said he will sue the national journalists union. Galeano and his family have gone to live abroad.

A MEDIA DENIGRATED AND UNDER THREAT

Another journalist investigating drug-trafficking and its influence in politics, Chilean Tito Palma, 48,

who worked for community radios *Radio Mayor Otaño* (in the southern town of the same name) and *Radio Chaco Boreal* (in Asunción), was shot dead on 22 August by two hooded gunmen as he ate in a restaurant with his wife and father-in-law in Mayor Otaño. He had been banned from broadcasting for a time and then deported, after which he managed to get a Paraguayan residence permit. He had received anonymous death threats and, just before he was killed, had managed to track down their origin with the help of a *Radio Chaco Boreal* colleague, Víctor Benítez. Benítez and another journalist at the station, Vladimir Jara, also got death threats and their phones were tapped by the national anti-narcotics service, SENAD, after reporting corruption inside the service.

Some politicians, especially in the provinces, openly target journalists for reprisals or death threats, like those received by two correspondents for *ABC Color* in October as the campaign began for the 20 April 2008 presidential and parliamentary elections. President Nicanor Duarte Frutos’s accusation, on 12 November in eastern Paraguay, that “the enemy is not the opposition but anti-Colorado journalists and media-owners who thrive by sucking the blood of the people” kept tension high, though he back-pedalled a little at a press conference later. Duarte Frutos cannot run for re-election but the Colorado Party, in power for 60 years, is expected to win yet again.

PERU

Area: 1,285,220 sq.km.
Population: 27,589,000.
Language: Spanish.
Head of state: Alan García Pérez.

The country still scored badly for press freedom, continent-wide, in 2007, with one murder, nearly 200 physical attacks and a dozen incidents of raids on media outlets or censorship. Threats attributed to the Shining Path guerrilla movement, today largely disbanded, added to the climate of hostility towards the media fed by local politicians and police.

Attacks on the media increased again in 2007, with 180 physical attacks, threats and attempted killings of journalists, and 13 raids on media outlets or incidents of censorship. Rosario Orihuela Laus, programme director at TV station *Canal 4*, received more than a dozen e-mailed announcements of her own death between August and December.

The authorities seemed to be encouraging the trend, despite a government announcement in June that crimes against journalists would be formally recognised in law. The media appears to be the scapegoat for a society still recovering from the “people’s war” of the Shining Path guerrillas (1980-2000) and the abuses of the rule of President Alberto Fujimori, now being tried for the unjustified imprisonment of a journalist in 1992. The authors of crimes against journalists - whether coca farmers, local officials, police, soldiers or ordinary citizens - are rarely punished. Despite clear evidence they ordered the April 2004 murder of journalist Alberto Rivera Fernández, of the radio station *Frecuencia Oriental*, the ex-mayor of Pucallpa, Luis Valdez Villacorta, and councillor Solio Ramírez Garay were both cleared by the Ucayali high court on 14 November 2007.

KILLED IN FRONT OF HIS FAMILY

Miguel Pérez Julca, journalist and presenter at *Radio Éxitos*, in the northwestern town of Jaen, was shot dead in the street in front of his wife and two young children by two motorcycle gunmen on 16 March. Colleagues said he was about to reveal a scandal embarrassing for the regional government and had the names of three police officers suspected of taking bribes from drug-traffickers. Three suspects in the killing were quickly arrested, including a supposed organiser, Juan Hurtado Vásquez, whose girlfriend, the head of a children’s rights centre, had been regularly criticised by Pérez Julca.

The arrest on 28 November of a suspected hitman, Nazario Coronel Martínez (“*Œchamaya*”), led to the corrupt police. However, legal errors have been made in the case and no motive has been established.

JOURNALISTS ESCAPE GUNMEN

Danilo Bautista Hernández, presenter of the station *Radio California* in the northwestern town of Nueva Cajamarca, escaped death on 23 November at the hands of a gunman after twice being threatened with death. He told police it was probably the work of a local organisation he had criticised, the Front for the Defence of Nueva Cajamarca Interests (FEDINC), but his complaint was registered as “attempted robbery.” Two months earlier, Julio César Mendoza Escobar, another radio presenter (of a programme ominously called *El Matador* - The Killer) with *Radio Candela*, in the northeastern town of Yurimaguas Est), who had exposed embezzlement, managed to escape from two gunmen who came to his home. Elías Navarro, editor of the weekly *Línea Roja* and correspondent for the national daily *La República* in the southern city of Ayacucho, who survived a bomb attack in November 2006, was the target of threats and harassment throughout 2007. Five journalists in the northwestern town of Chiclayo were fired at on 28 June while covering a land occupation.

SPECTRE OF TERROR

Heavy reprisals against the media were taken in November in the drug and crime-plagued central region of Huánaco, often by coca growers angry at being suspected, rightly or wrongly, of working with drug-traffickers. The Shining Path guerrillas also seemed to reappear in the region in claiming responsibility for the distribution, in Aucayacu on 15 December, of a blacklist of people to be killed,

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including four journalists - Ranforte Lozano and Segundo Ramírez, of *Radio Aucayacu*, and Novel Panduro and Cirilo Velásquez, of *Radio Luz*. But

nothing suggested that the largely-disbanded Maoist guerrillas were really behind the threats. “Shining Path” may be a cover for organised crime.

UNITED STATES

Area: 9,629,090 sq.km.
Population: 302,841,000.
Language: English.
Head of state: George W. Bush.

The House of Representatives passed a measure to protect journalists' sources and a law went into effect to improve public access to government information. One journalist was killed in 2007 and an *Al-Jazeera* cameraman, Sami al-Haj, began his sixth year in the Guantanamo prison.

With the release from jail of freelance journalist and blogger Josh Wolf in April 2007, no other journalists were in jail for refusing to reveal their sources to federal courts. A federal judge dismissed a similar case in March against Lance Williams and Mark Fainaru-Wada, of the *San Francisco Chronicle*, after their source revealed his identity himself. The two journalists, who were investigating drugs, had each faced 18 months in prison. Five journalists in Washington DC who had investigated anthrax attacks in 2001 revealed the names of their informants at the request of a federal judge. But the law is changing.

SHIELD LAW

The House of Representatives (lower house of Congress) approved by 398-21 votes on 16 October a "shield law" called the Free Flow of Information Act, giving journalists the right not to reveal their sources at federal level. An amended version of the bill was approved by the Senate judiciary committee on 4 October.

The House version gives journalists an "absolute privilege" in protecting their sources, except when:

- in a criminal investigation, there are grounds for thinking that "the testimony or document sought is critical to the investigation or prosecution or to the defence against the prosecution or to the successful completion of the matter;"
- "disclosure of the identity of (the) source is necessary to prevent an act of terrorism against the United States or its allies" or in case of "significant and articulate harm to the national security;"
- "to prevent imminent death or significant bodily harm;"
- "to identify a person who has disclosed a trade secret" or "individually identifiable health information;"
- in cases in which "the public interest in compelling disclosure of the information or the document

involved outweighs the public interest in gathering or disseminating news or information," the notion of "public interest" here clearly being a problem.

The House version would also restrict this qualified privilege to persons who earn a "substantial portion" of their livelihood from reporting or do it for "substantial financial gain." This would exclude amateur bloggers and journalism students.

The Senate judiciary committee version defines journalists in a less restrictive manner as all those "engaged in journalism" without necessarily being paid for it.

OVERDUE REFORM

Another step forward was the signing into law on 31 December of a new Freedom of Information Act, which sets up a hotline for public requests for information from federal agencies, a tracking system for requests once they have been made and an office to mediate in disputes. Federal agencies are required to provide information unless it entails a major national security risk.

President George W. Bush's signature of the bill came too late to prevent the destruction by the CIA, announced on 15 December, of videotapes of interrogations of prisoners in secret locations and at the Guantanamo detention centre.

SIXTH YEAR IN GUANTANAMO

Al-Jazeera cameraman Sami al-Haj began his sixth year as a prisoner at Guantanamo on 13 June. He was arrested in December 2001 on the Afghan-Panistani border by Pakistani troops, handed over to US forces and sent to Guantanamo in June 2002. He has never been charged with anything. He has been interrogated nearly 200 times. He began a hunger-strike on 7 January 2007 to protest against

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his imprisonment and for his rights to be respected. He was force-fed several times. His lawyer, Clive Stafford-Smith, said he had lost 18 kg and had serious intestinal problems. He has also become paranoid and has more and more difficulty communicating normally. His release is currently being negotiated. Reporters Without Borders secretary-general Robert Ménard went to Guantanamo in early January 2008 but was not allowed to see him.

A JOURNALIST KILLED

Chauncey Bailey, editor of the weekly *Oakland Post* and a well-known leader of the local black community, was shot dead in the street in Oakland on 2 August. A 19-year-old employee of Your Black Muslim Bakery confessed to carrying out the murder and then retracted. He could be tried in 2008.

THE INTERNET AND DATA PROTECTION

Freelance journalist and blogger Josh Wolf, 24, agreed to reveal confidential material in exchange

for his release on 3 April 2007 after 224 days in prison. He had filmed a protest against the G8 summit meeting in San Francisco in 2005 and refused to hand the film over and testify in federal court in a case involving slight damage to a police car during the demonstration.

Protection of personal data online is being hotly debated in the US. Yahoo! has set up a fund to compensate families of cyber-dissidents jailed as result of the firm's collaboration with foreign governments. Chinese blogger and journalist Shi Tao was sentenced to 10 years in prison in April 2005 for "illegally disclosing state secrets abroad" by posting on foreign-based websites a "top secret" government note to editors warning journalists against the dangers of social destabilisation and the risks of the return of certain dissidents on the 15th anniversary of the Tiananmen Square massacre. Yahoo! had supplied his personal details to the Chinese authorities. Reporters Without Borders suspects the firm of involvement in at least three other cases.

URUGUAY

Area: 176,220 sq.km.
Population: 3,331,000.
Language: Spanish.
Head of state: Tabaré Vázquez.

The “Switzerland of Latin America” still scores highly in the continent’s press freedom rankings. The country has even pioneered a law on community media that involves the authorities and civil society in assigning frequencies. An example to watch.

Being a journalist in Uruguay is rewarding as direct attacks on the media are very rare. Journalists have problems, though, investigating the 1973-85 military dictatorship or, sometimes, getting access to official information. But the extreme media polarisation seen in the rest of the continent is absent. The only instance of serious aggression or threats in 2007 involved the editor of the weekly *Señal de abierta*, César Casavieja, who published in August 2006 a photo of a suspected maritime drug-trafficker, Amir Alial González (“El Turco”). Casavieja and his family have been the target of repeated death-threats since then and Alial González attacked him in a Montevideo street on 16 March 2007, when three police officers who came to his help (while letting the attacker go) handcuffed him for allegedly assaulting them. The police report did not match what actually happened.

2007 saw the landmark passage of a law to encourage and support small community radio (and

some TV) stations that operate without legal frequencies. The government worked with civil society groups throughout. The World Association of Community Radio Broadcasters (AMARC), the Uruguayan Press Association (APU) and the PIT-CNT labour federation drafted the law, which was sent to parliament in October 2005, with the final version approved on 12 December 2007.

It reserves a third of all available frequencies for community media, which it defines as “services of public interest, independent of the state, provided by non-profit civil society organisations” that do not indulge in political or religious proselytism.

The law sets up an honorary consultative council of representatives of the government, state and private universities and concerned media to assign frequencies in an “open, transparent and public” manner instead of just by government decision. However there are not enough frequencies for all the estimated 200 community media outlets.

VENEZUELA

Area: 912,050 sq.km.
Population: 27,191,000.
Language: Spanish.
Head of state: Hugo Chávez Frías.

Political and media tensions grew to unprecedented heights in 2007, with the shutting down of the terrestrial service of the TV station RCTV in May and the December constitutional referendum. The action against RCTV partly explained the government's defeat in the referendum.

The country's oldest and most popular TV station, *Radio Caracas Televisión (RCTV)*, stopped terrestrial broadcasting on 27 May 2007 after the government of President Hugo Chávez refused to renew its 20-year frequency licence granted in 1987. Chávez had said in December 2006 that it would not be renewed because of the station's backing for the failed coup against him in 2002. The station appealed to the supreme court in vain. It had not been legally convicted of anything serious during the previous licence period (and not for "participating" in the coup) so it was legally entitled to a renewal. But revenge for the 2002 coup does not seem to be the real reason for the non-renewal.

The TV station *Venevisión*, owned by industrialist Gustavo Cisneros and also criticised by the government for backing the coup, was allowed to continue terrestrial broadcasting when its own frequency licence expired the same day as RCTV's. The station had already, as a precaution, taken a more pro-government stance, as had a third privately-owned station, *Telegen*. When it passed its terrestrial frequency to a state-owned station, *Televisora venezolana social (Tves)*, RCTV also had to hand over its equipment and 59 transmitters nationwide. This requirement, decided by the supreme court two days before the RCTV licence expired, violated the 2000 telecommunications law that says frequencies are state property while equipment belongs to the stations. The station appealed to the courts on this point.

RCTV became *RCTV Internacional* and was able to resume its cable and satellite services on 16 July 2007, but was immediately ordered by the government to stop because it had not been registered as a "national broadcasting producer." This had never been demanded of other international cable TV stations operating in the country, especially *Telesur*, the pan-American news station founded by

Chávez in 2005. The supreme court ruled on 1 August in RCTV's favour on this point and it was allowed to continue its cable service. Meanwhile the government said it would extend to cable and satellite networks the "cadena" arrangement that allows the president to requisition all terrestrial media outlets for his lengthy speeches. Meanwhile a review of RCTV's status as regards cable may force it to close altogether.

PRESENT EVERYWHERE

The RCTV episode was not revenge but a move by Chávez to take over the country's media. Supported by Eleazar Díaz Rangel, boss of the main national daily paper, *Últimas Noticias*, he pushed in 2007 for creation of 60 or so alternative and community newspapers to counter the influence of local pro-opposition dailies. Chávez controls nearly all the country's broadcasting – a score of radio stations, the state-owned TV stations *Venezolana de Televisión*, *Telesur*, *Vive TV*, *Asemblea Nacional* and *Tves*, as well as the national phone company CANTV. He made use of the "cadena" arrangement about 1,500 times between January 1999 and November 2007, totalling more than 900 hours of airtime, plus about 1,000 hours over the same period for his Sunday show *Aló Presidente*, put out by VTV.

Except for a few radio stations, *Globovisión*, which can only be heard in the Caracas area, is now the only terrestrial TV station critical of the government. But its requests for extension of its terrestrial licence have always been rejected. When it broadcast film of the 1981 attempted assassination of Pope John Paul II just as Chávez was criticising his successor Pope Benedict XVI, the government accused it on 28 May 2007 of "inciting" people to murder Chávez. The station is also being investigated by legal officials for putting out election ads

VENEZUELA

before the official opening of the December referendum campaign, though government-owned TV stations that did the same thing were not reproached.

A STEP TOO FAR?

Chávez' loss of the 2 December referendum was perhaps an echo of his move against *RCTV*, which drew opposition even from his supporters and elsewhere in the Americas. Many journalists were physically attacked during the referendum campaign protests, especially those by students, which followed demonstrations in May against the moves to shut down *RCTV*. The violence, like coverage of the debate, showed how polarised society had become, with state and privately-owned media outlets as symbols of irreconcilable political camps.

Francia Sánchez, of *RCTV Internacional*, and Diana Carolina Ruiz, of *Globovisión*, were physically attacked in front of parliament on 15 October as police stood by. Paulina Moreno, of the state-owned *TV Avila*, was injured by a bomb blast in Caracas on 25 October and constitutional reform opponents sprayed her technicians with insecticide. Member of parliament Iris Varela of the ruling party burst into the studios of *Televisión Regional*

del Táchira (TRT) in the western city of San Cristóbal, on 20 November, as Gustavo Azócar was presenting his programme "Café con Azócar," She said she had been insulted by the journalist, refused his offer a right of reply and smashed station equipment. Eduardo Silvera, of the state-owned *VTV*, and his technicians were physically attacked by government opponents on 29 November.

Polarisation also built up around the constitutional reform itself, which was criticised by some pro-government parties. Two articles of the new constitution (which was rejected by 51% of voters) could have dealt a very heavy blow to press freedom. One of them would allow the president to declare an unlimited state of emergency without the approval of the supreme court and the other would allow him during the emergency to suspend some constitutional guarantees, include the right to freely inform the public. The country's media had a close shave. It remains to be seen if, as some fear, Chávez will try to get through legislation what he failed to get through the referendum. Also what use will he make of the list drawn up by lawyer Eva Golinger on 25 May of about 30 names of opposition sympathisers, including three journalists, accused of being "in the pay of the American empire" ?



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A Burmese soldier shoots Japanese reporter Kenji Nagai at close range in Rangoon on 27 September 2007.

2008 Annual Report

ASIA-PACIFIC

A YEAR OF CRISES. WHAT IMPACT ON PRESS FREEDOM?

The Asian continent turned into a battlefield for journalists in 2007, with 17 killed during the year and nearly 600 assaulted or faced with death threats. In Pakistan alone, security forces arrested 250 reporters, frequently clubbing them first, for covering marches organised against President Pervez Musharraf or at their own demonstrations against restrictions imposed on them under the state of emergency. In Sri Lanka, several senior figures on the Tamil-language newspaper *Uthayan* lived holed up at their offices for fear of being gunned down in the streets of Jaffna where paramilitaries have sown terror. In Burma, soldiers ordered to restore order in September shot dead a Japanese reporter and hunted down Burmese cameramen and photographers.

Asia has never had so many privately-owned TV and radio stations and news websites, all trying to provide the public with news of which they have been deprived for so long. Seven of the world ten highest circulation dailies are now Asian and the continent boasts the largest number of Internet-users.

Who could have imagined that footage of public executions in North Korea would one day be broadcast by international television? Who could have expected to see dozens of Burmese journalists smuggling reports out of the country from victims of atrocities by the ruling junta? However, the authorities continue to do their utmost to restrict access to sensitive regions. Journalists find it impossible to reach the scene of clashes between the army and the Tamil Tigers in Sri Lanka, or the tribal zones between Pakistan and Afghanistan, or some Chinese and Tibetan villages shaken by demonstrations.

AUTHORITARIAN COUNTER-ATTACKS

Dictators and other self-proclaimed presidents have been responsible for brutality and bad faith in countering the emergence of free media. Master of this medium, Pervez Musharraf has presented himself as the “last bulwark of democracy”, while allowing his secret services to kidnap and torture journalists. He also, in November, ordered the banning of all privately-owned television and radio. The tyrant of Pyongyang, Kim Jong-il, decided on appeasement of the international community in relation to his nuclear programme, while allowing the most outrageous mistreatment to prevent North Koreans having contacts abroad. One man was executed for having made a phone call to a foreign country and international and dissident radios in Korean were systematically jammed.

This wave of damaging footage for governments prompted some very virulent counter-attacks. In Bangladesh, when the interim government was faced with demonstrations, it ordered independent television stations to remove news bulletins and talk shows from their schedules.

In the run-up to the 17th Chinese Communist Party Congress in October, the Propaganda Department began bringing liberal media to heel and closing thousands of websites, blogs and discussion forums. Not one of the promises made by the authorities to secure the 2008 Olympics was kept. At least 180 foreign journalists were arrested, physically assaulted or threatened in China, even though at the time the games was awarded in 2001 an official said: “There will be total freedom of the press”. And 15 Chinese journalists and cyber-dissidents were arrested in 2007 for “inciting subversion” or “disclosing state secrets”.

Vietnam’s sole political party set out to get rid of leaders of opposition movements, including those of underground publications which started in 2006. Around a dozen journalists and cyber-dissidents were given prison sentences during the year. While in Malaysia, the internal security ministry hounded media and arrested several bloggers and opposition columnists.

BEWARE OF TABOO SUBJECTS

It can be a dangerous business to: criticise the royal family in Thailand, to raise the problem of the influence of religion in Afghanistan, to oppose Lee Kwan Yew in Singapore or to expose corruption among those close to primer minister Hun Sen in Cambodia. As a result, Asian journalists are frequently driven to self-censorship. The law provides for long prison sentences, and even the death penalty, for those who take the risk of breaking religious political or social prohibitions.

A young journalist in the north of Afghanistan had this terrible experience in 2007. He was arrested for “blasphemy” and sentenced to death, while the Council of Mullahs put pressure on the authorities for

even tighter control on the content of Afghan privately-owned TV. In Bangladesh, a cartoonist was imprisoned for innocent wordplay about the prophet Mohammed. A blogger was arrested in Bangkok for posting a remark about the Thai royal family. Finally, several Cambodian reporters were forced into exile after they investigated lucrative timber-trafficking involving relatives of the head of government.

Communist governments in particular use imprisonment of journalists and cyber-dissidents to punish critics and intimidate the rest of the profession. 55 reporters and Internet-users have been arrested in China since the country was awarded the Olympic Games in 2001. And Burma's Win Tin is at 77 the world's oldest imprisoned journalist. In total, almost two-thirds of the world's imprisoned journalists are being held in Asia.

CENSORSHIP REACHES INTO NEW TECHNOLOGY

China is undoubtedly the most technically advanced country in terms of censorship and repression of the newest means of communication. Cyber-censors have continued to hound news websites as shown in Reporters Without Borders' report, "Voyage to the heart of Internet censorship", which it released in 2007, based on information from a Chinese technician. A variety of state administrations imposed strict control on online content.

Bolstered by this success, the government extended its influence to blogs, for which the main hosts were forced to sign a self-discipline pact in 2007. Foreign-based independent news websites, such as the Boxun platform, fell victim to ferocious attacks by hackers emanating from China.

Chinese and Vietnamese dissidents continued to use the Internet and new technology to break out of the straitjackets in which they are held. The activist Hu Jia was arrested at the end of December a few weeks after giving evidence to the European Parliament via his webcam. He had been under house arrest for nearly a year. In Hanoi and Ho Chi Minh-City, journalists, lawyers and trade unionists were arrested for posting articles critical of the government online. Before his arrest, the lawyer Nguyen Van Dai had his own blog nguyenvandai.rsfblog.org. Despite filtering and surveillance, discussion forums in Vietnamese are full of political remarks and dissidents use Skype, paltalk and Facebook to communicate with one another.

THE TERRORIST THREAT

The increase in suicide bombings by Al-Qaeda followers has created fresh dangers for the media, who have to closely cover the figures involved and sensitive events. Two Pakistan reporters got killed in this way in 2007. One died in the first suicide attack against Benazir Bhutto in Karachi and the other was killed by a bomber targeting the Pakistani interior minister.

Henchmen of Mullah Dadullah who cut the throats of the Afghan fixer and driver of Italian special correspondent Daniele Mastrogiacomo, then released him in exchange for several imprisoned Taliban leaders, created a precedent that only increased the risk run by journalists in southern and eastern Afghanistan. The murder of the respected head of *Peace Radio*, Zakia Zaki, stunned the entire profession and a botched investigation failed to find the perpetrators.

In Nepal, it was armed groups fighting for the rights of the Madhesi people in the south, who were responsible for creating terror. Some 100 journalists were assaulted, threatened or forced to flee the region. Hit lists of journalists to kill were posted up in some towns by Madhesi militants.

IMPUNITY STILL HOLDS SWAY

The authorities in Sri Lanka systematically blocked investigations into murder cases involving the press. Police made no attempt to probe further when suspects were indicated or vital clues found in the murders of two staff on the newspaper *Uthayan* or in the 2005 murder of Sivaram Dharmeratnam, the editor of *Tamilnet*. Pakistani authorities refused to reveal the conclusions of two investigations into the kidnapping and murder of Hayatullah Khan, a journalist from the tribal areas, whose widow was killed in 2007, as if to punish her for having sought justice in the murder of her husband, in which the secret services could be implicated.

It is rare for the determination of a judge to alter the course of history. An Australian judge concluded that the murder of five journalists in East Timor in 1975 was a war crime committed by Indonesian forces, after taking detailed evidence from dozens of witnesses, including a former Australian prime minister. But Jakarta immediately rejected his conclusions, thus prolonging the impunity of soldiers accused of atrocities in East Timor.

In the Philippines, Nena Santos, the courageous lawyer of murdered journalist, Marlene Esperat, succeeded in getting the justice system to investigate who ordered the killing. However this did not prevent two more journalists from being killed in 2007 by hit-men in the pay of corrupt politicians.

Vincent Brossel
Head of Asia-Pacific desk



AFGHANISTAN

Area: 652,090 sq. km.

Population: 31,057,000.

Languages: Pashto, Dari, Uzbek and around 30 other languages and dialects.

Head of state: Hamid Karzai.

Afghanistan, which has been destabilised by an increasingly violent civil war, finds it difficult to protect its journalists. The Taliban kidnapped and then killed two fixers working with an Italian special correspondent and have launched attacks on several media premises. A court sentenced a young journalist to death for alleged “blasphemy” and security forces harassed the most critical journalists.

The men of one of the Taliban’s most feared commanders, Mullah Dadullah, in March 2007 cut the throats of Sayed Agha and Adjmal Nasqbandi, driver and guide to Italian reporter Daniele Mastrogiacomo, after “trying” them for “espionage”. The life of the reporter for *La Repubblica* was saved thanks to his country’s intervention in negotiating the release of several Taliban chiefs in exchange for his freedom. He had been snatched while working in the southern Helmand region where the Taliban are active.

The fate suffered by the foreign journalist’s Afghan fixers demonstrate the serious risks run by journalists working in the south and east of the country where fighting claimed several thousand lives in 2007. A British special correspondent who had worked with Sayed Agha made the same point in comments after the young man’s death: “Sayed Agha was a gentle, witty and deeply likeable young man (...) It was access quite impossible to achieve without the tribal connections and guarantees that a local man like Sayed was able to provide. But with his work came a great level of risk.”

Mullah Omar’s men, who control several districts, seized a score of journalists in 2007. The Taliban stopped and held a team from *Al-Jazeera* and two Pakistani reporters at the beginning of the year before quickly releasing them safe and well. The Taliban also stepped up attacks against media installations, launching a rocket attack on radio *Mili Paygham* (Pashto for National Message) in Logar province, eastern Afghanistan.

THE DIRECTOR OF PEACE RADIO MURDERED

The profession was traumatised by the murder overnight on 5-6 June of Zakia Zaki, head of radio *Sada-e-Sulh* (Peace Radio) and a charismatic figure in Afghan journalism. She was killed by a gang

which broke into her home and shot her seven times in front of her two-year-old son. Police arrested six suspects and released four of them for lack of evidence. The authorities accused the Taliban of carrying out the murder, but friends and family of Zakia Zaki pointed the finger at local figures, including former warlords, whom the journalist had exposed in her programmes on human rights. Zaki launched the first free radio even before the fall of the Taliban in 2001 and became a member of the constituent assembly in 2003.

A few weeks after the murder of Zakia Zaki, Farida Nekzad, editor of the independent Afghan news agency *Pajhwok*, received death threats from unknown men who warned that she would suffer the same fate as the radio director, whose murder she was investigating.

The murder of Zakia Zaki took place against an extremely tense background between the staff of *Sada-e-Sulh* and certain local officials. The journalist Abdul Qudoos had been released in early February after being held in custody for 11 months on the basis of a complaint of “attempted murder” lodged by woman deputy Samia Sadat. On his release, a council of elders told him not to make any statements to the press or seek compensation from the deputy. Samia Sadat was a political rival of Zakia Zaki at the latest legislative elections. She had moreover tried to close down Zakia’s radio which she viewed as an instrument of propaganda for her political opponents.

Police never fully solved the murder, at the end of May, of Shakiba Sanga Amaj, a popular young presenter of the programme “Da Gudar Ghara” on the Pashto-language *Shamshad TV* for which she also reported. The authorities and her friends and colleagues believed there was a family link to the crime, accusing family members of hiring a killer to



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punish her because the young woman refused to get married.

ONE JOURNALIST SENTENCED TO DEATH AND INDEPENDENT REPORTERS ARRESTED

For the second time since the fall of the Taliban, a journalist was sentenced for blasphemy. Journalism student, Sayed Perwiz Kambakhsh, 23, who was arrested in October in Mazar-i-Sharif, was sentenced to death on 22 January 2008 after a closed-doors trial at which he had no lawyer to defend him. He was convicted of “disseminating defamatory remarks about Islam”, for printing and distributing to friends an article he downloaded from the Internet that analyses what the Koran says about the role of women. But the sentence, which was demanded by the Council of Mullahs, was also designed to intimidate the victim’s brother, journalist Sayed Yaqub Ibrahim, who has been investigating the authorities in the Balkh region of northern Afghanistan.

The often criticised government has not hesitated to take controversial measures against the media. In January, independent journalist Tawab Niazi was arrested by the secret services for having had contact with a Taliban spokesman. He was sentenced to one year in prison at the conclusion of a summary trial. The authorities released him, in August.

For his part, the chief prosecutor attacked *Tolo TV*, sending in around 50 police officers, also in April, to arrest journalist Hamed Haidary as well as the station head, accusing them of having twisted his words in a news bulletin broadcast the same day. Police withdrew faced with strong resistance from the journalists.

The secret services in July arrested Mohammad Asif Nang, editor of the magazine *Peace Jirga*, and Kamran Mir Hazar, journalist on radio *Salam Watandar* who also runs the blog *kabulpress.org*. They were later released on bail. After a second

arrest, Kamran Mir Hazar decided to flee the country.

NO NEW LAW ON THE MEDIA

The head of state in December refused to sign the media law – which nevertheless protects freedom of the press – which had been adopted by the parliament in May, after a lively debate within parliament and the government. Deputies, most of them former warlords, banded together to tighten media control in the name of “respect for Islamic values”. One of the leaders of the Islamist party *Hezb-i-Islami* said that “these programmes and photos of half dressed women are like a poison which is spreading in our society and provides a pretext for people to join the enemies of the government”.

A media campaign succeeded in preventing the adoption of articles which would have been a backward step. One of the heads of the privately-run station, *Ariana*, Abdul Jabar Baryal, said on the fringes of the debate that the “spirit of modernity and freedom escapes this government of ex-communists and Mujahideen who want the media to become a propaganda machine”.

Foreign military present in Afghanistan, increasingly concerned about the effect on public opinion of mistakes resulting in the deaths of civilians, have on several occasions tried to prevent the press from doing its job. US soldiers in March wiped photos taken by Afghan reporters, working for the *Associated Press*, after they covered the death of civilians killed by Marines, in eastern Afghanistan. French journalist, Claire Billet, working for the independent *Hamsa Press*, was blacklisted by NATO forces in May for filming military convoys without permission. She had previously been arrested and questioned in April by private security agents working for the US army in Kabul. Afghan and foreign journalists are regularly ordered by international coalition forces in Afghanistan not to film their activities.

AUSTRALIA

Area: 7,617,930 sq. km.
Population: 20,560,000.
Language: English.
Head of government: Kevin Rudd.

The last years of conservative prime minister John Howard's long period in power - brought to an end with his decisive defeat in elections in November - was marked by a growing battle with the press. The media even formed a coalition called Australia's Right to Know to combat the administration's lack of transparency. Meanwhile a journalist's right to protect sources and the confidentiality of communications were once again under threat.

During the legislative election campaign, the Australia's Right to Know coalition showed that a lot of news and information was not accessible to the press and public and that this right was obstructed by at least 1,500 legal decrees and rulings. One of the leaders of the campaign, John Hartigan, chairman and CEO of News Limited, said that journalists working for his group had been banned from: accessing information in an audit of politicians' expenses; obtaining a list of restaurants against which public health authorities had taken action; and accessing ranking of hospitals according to the quality of care. A few days after his election, Labor Party leader, Kevin Rudd promised concrete improvements in access to public information.

Lack of rights for journalists to protect sources was demonstrated in June 2007 when two journalists working for the *The West Australian* in Perth were threatened with prison unless they revealed how they had obtained a confidential report of an anti-corruption commission which the newspaper had used to point the finger at a political figure.

Some articles of the telecommunications and anti-terror laws, adopted by John Howard's party, threaten the confidentiality of journalists' sources. Procedures which allow phone-tapping can threaten the independence of the press when it tries to cover cases involving terrorism or organised crime.

TENSE RELATIONS BETWEEN THE AUTHORITIES AND THE PRESS

Some sentences provided for under anti-terror laws are quite simply outrageous. A journalist who might interview a person suspected of terrorism,

is at risk of up to five years in jail. Journalists reporting on these cases can be arrested by police, particularly if they publicly reveal the names of suspects. Under the law a journalist does not have the right to refuse to reveal sources in cases of terrorism. Security forces can search media offices for evidence.

Relations between the local authorities and the press, often in a monopoly situation in some states, can sometimes be very tense. The Western Australia state government in May blackmailed the management of *The West Australian* when the attorney general threatened to withdraw public advertising from the daily, which has a highly critical editorial line towards the local government. He also threatened not to apply the law protecting sources, the shield law, unless the editor was fired. The Western Australian premier personally threatened the editor whom he called "dishonest", "immature" and a "problem for the state". The editor of the newspaper rejected the attack. "Every government would prefer to have a compliant media which simply recycles the government's version of events", he said. "However that is not how *The West Australian* or any other credible media organisation operates".

The country's highly influential community media sometimes suffer the effects of news events in their country of origin. The editorial staff of the weekly *al-Furat*, which serves the Iraqi community, received death threats on the editor's answering machine in January. The caller said he would "massacre" the editor, Hussein Khoshnow, as well as "all the Iraqi Kurds and Shiites in Australia". The threats came after the paper took a stance in favour of the application of the death penalty to Saddam Hussein. A police investigation got nowhere.

AUSTRALIA

JUSTICE FOR THE FIVE BALIBO JOURNALISTS?

The year saw a Coroner's Court inquiry into the killing in Balibo, East Timor in October 1975 of five British, New Zealand and Australian journalists which concluded on 16 November that it was a "war crime" committed by the Indonesian army and pointed the finger at former army captain, Yunus Yosfiah, who subsequently became a minister in Indonesia.

The inquiry report, based on scores of witness accounts including controversial evidence from a former Australian prime minister, clearly demonstrated that the journalists were killed because they were unwanted witnesses to the Indonesian invasion of East Timor. On the day the report was published, Indonesia rejected its conclusions with the official comment: "This court has a very limited jurisdiction and it will not change anything".



BANGLADESH

Area: 144 000, sq. km.
Population: 144,460,000.
Languages: Bengali, English.
Head of state: Iajuddin Ahmed.

A drop in the number of physical assaults and death threats was eclipsed by dozens of cases of arrests, maltreatment and censorship committed by the army against independent journalists. The interim government and the military put an end to political disorder but at the price of serious violations of press freedom.

There was a sharp decrease in the number of journalists physically attacked or receiving death threats from political militants and criminals. On the other hand, arrests increased markedly, with almost 40 cases in 2007. And the army, the real power in the country, committed serious press freedom violations aimed at silencing independent journalists. The government constantly stated that the media had a role to play in the fight against corruption and social injustice, but these good intentions were confounded and, in a new development, self-censorship began gradually to be applied to political issues. "Some asserted that the media was becoming the parliament in the absence of a government formed by elections. Others welcomed the emergence of a fourth estate. But one thing in the media was missing: critical articles on the current administration, clearly demonstrating the existence of censorship and self-censorship", the Bangladesh Centre for Development, Journalism and Communication (BCDJC), a Reporters Without Borders partner organisation, said in one of its recent reports.

CENSORSHIP IMPOSED AT EVERY POLITICAL CONVULSION

A state of emergency was declared on 11 January and the country's TV and radio were ordered to stop broadcasting their news programmes for two days. When the government faced student demonstrations at the end of August, it banned stations from broadcasting talk shows and political programmes. Army intelligence services officers summoned editorial heads and threatened them with draconian criminal proceeding, including under Article 5 of the State of Emergency Regulations. *CSB News* and *Ekushey TV* were ordered by the Press Information Department not to broadcast "provocative" reports and commentaries. A management figure at *ATN Bangla* told Reporters Without Borders, "The ban on talk

shows is a disaster. While there is no parliament, political broadcasts are the best way for citizens to comment on the government's decisions."

Privately-owned television stations, which enjoy growing popularity in the country, were the main target of crackdowns. The government in September ordered the suspension of *CSB News* whose management had allegedly forged a document to obtain a frequency in October 2006, and police closed the station, but the decision was probably linked to the broadcast of footage of opposition demonstrations, in defiance of warnings from the authorities. According to the *Daily Star*, members of the government even accused the station of inciting students to demonstrate in Dhaka.

The written press did its best to resist pressure from the authorities. Mahfuz Anam, editor of the privately-owned *Daily Star*, said in an editorial in January, "As long as we have not received a written order from the government, we will consider them illegal (...) Friends of democracy never silence the press, it is only done by dictators. The people of Bangladesh will never accept dictators". But in September, the management of *Prothom Alo* was forced to apologise and to sack the deputy editor of its humorous supplement, *Aalpin*, under pressure from conservative clergy after cartoonist Arifur Rahman drew a sketch which included wordplay on the name Mohammed, gently poking fun at the habit of people in some Muslim countries of putting the name Mohammed before their usual name. Police arrested him and seized all copies of the magazine, which was accused of "hurting the people's religious sentiment". The copies were ritually burned in front of one of the capital's mosques.

During the year, privately-owned dailies, such as *Prothom Alo*, *Inqilab*, *Amader Shomoy*, *Jugantor*, *Daily*



BANGLADESH

Star and *Shamokal* were also victims of judicial harassment. The newspapers had to employ a large number of lawyers to keep their editors and journalist out of prison in the face of around 100 defamation suits.

JOURNALISTS TORTURED BY MEMBERS OF THE MILITARY

Several journalists were tortured for investigating the security forces. Tasneem Khalil, journalist and blogger (tasneemkhalil.com), was detained and tortured in May after openly criticising the army for the spread of extra-judicial killings. The Human Rights Watch consultant and contributor to *CNN* was forced to flee the country. Jahangir Alam Akash, correspondent for the newspaper *Sangbad*, and for *CSB News* and German radio *Deutsche Welle* in Rajshahi, who had been investigating the 'execution' by the army of a student leader, was arrested by soldiers on 24 October. He was released on bail on 19 November and spoke about the hell he had lived through at an army camp. "Officers and soldiers tortured me for several hours: electric shocks, blows to my legs. I couldn't walk for a week," he said.

Police, acting under emergency laws, arrested two journalists in March in Moulvibazar in the north-east, after local politicians laid a defamation case against him. A correspondent for the *Daily Star*, Asduzzaman Tipu, spent one month in prison after being falsely accused of extortion.

No fewer than 15 journalists were arrested on the same evening when a curfew was imposed in

August and around 30 others were beaten by police and soldiers deployed in the capital. The chief news editor of the privately-owned *Baishakhi TV*, Anis Alamgir, was beaten up by soldiers, while a photographer with the daily *Dinkal* was seriously injured by police. The authorities apologised by nobody was punished for the assaults.

On the other hand, the anti-crime struggle allowed the arrest of suspects in the murders of journalist Gautam Das in 2005 and of Shamsur Rahman in 2000. And several politicians, including Shahidul Islam, former member of Parliament from the Kushtia region, responsible for attacks on journalists in 2006, were taken into custody.

Although weakened, Jihadist groups continued to threaten journalists. An Islamist group threatened an attack on the Jatiya press club in May and in April extremists sent a letter containing death threats to a journalist on the daily *Bhorer Kagoj*, in Chittagong in the south-east of the country.

Finally, even though no journalist was killed for their work in 2007, the authorities did not fully clear up the circumstances of the death in March of Jamal Uddin, correspondent for the news agency *Abas* and local newspaper *Dainik Giri Darpan*, in Rangamati in the south-east, whom the authorities said had committed suicide. The president of the Rangamati press club said the journalist's body bore marks of blows all over his body, which had been found lying at the foot of a tree, with a rope around his neck.



BURMA

Area: 676,580 sq. km.
Population: 51,000,000.
Language: Burmese.
Head of state: General Than Shwe.

The military junta was faced with a major protest movement for the first time since 1990 and responded by firing into the crowds. A Japanese reporter was killed, around 15 Burmese journalists were arrested for reporting on the crackdown and the Internet was cut for two weeks. Once order was restored censorship was stepped up.

Popular demonstrations, led by Buddhist monks in August and September 2007 shook the military government which has ruled the country for more than 40 years. Despite pressure from the international community, the junta's reaction was brutal: at least 50 people were killed, thousands arrested and a climate of fear and denunciations took hold. After several weeks of hesitation during which the world enthusiastically watched the highly-mediated "Saffron Revolution", the military took drastic action. Japanese journalist, Kenji Nagai, who was at the centre of a crowd with his camera in his hand, was gunned down by a soldier on 27 September. The Internet was cut for two weeks, during which time around 15 Burmese journalists were arrested. Foreign correspondents who had entered the country on tourist visas found themselves very closely watched.

Many Burmese journalists covered the demonstrations, despite the fact that military censorship bans the publication of independent news. Some 15 were arrested, suspected of sending footage of the marches and the crackdown to other countries. This is what happened to Win Ko Ko Latt, reporter on *Weekly Eleven Journal*, Nay Linn Aung, of the *7-Days Journal*, and cameraman Min Htin Ko Ko Gyi, who were imprisoned in Rangoon. Ko Thu Ya Soe, a photographer working for the European news agency *EPA*, had to go into hiding for several weeks after taking numbers of photos of the demonstrations. When security forces failed to find those they were looking for, they arrested members of their family instead. Khin Mar Lar, the wife of Nyein Thit, a documentary-maker and ex political prisoner who hid for several weeks, was taken into custody near Mandalay for more than ten days.

A score of publications showed their solidarity with the demonstrations by ceasing to appear rather than publishing government news. Other

titles did not appear for fear of not selling a single copy. Military censorship prevented them all from covering the events independently. The Burmese people once again resorted to international radio, *BBC*, *RFA*, *VOA*, and the Oslo-based *Democratic Voice of Burma* radio and television. Despite bans there was a huge boom in satellite dishes. More than a million homes are now equipped to follow Chinese soaps, European football but also international channels like *Al-Jazeera International* and the *BBC*, which are very popular in Burma.

Artists, intellectuals, comedians and singers suspected of supporting the rebel monks were arrested and threatened. For example, writer Maung Yan Paing, poet and singer Ye Lwin, comedian Zargana, nicknamed Burma's "Charlie Chaplin" and the comedians, the Moustache Brothers, in Mandalay. The authorities in November banned distribution of a video recording of a performance by a comedy troupe "Say Young Sone". The same month police arrested a Burmese rapper for paying tribute to the monks during a concert.

THE JUNTA'S MILITIA

The junta deployed its militia, the Union Solidarity and Development Association (USDA), and gangs known as "Masters of Force", who travelled in army trucks armed with shovels and iron bars terrorising demonstrators and journalists. From the start of the marches in mid-August, correspondents for foreign media were jostled and insulted. Authorities then cut telephone lines of numbers of activists and journalists, including that of the *Agence France-Presse* correspondent, and the freelance journalist May Thingyan Hein. "Men in plainclothes who sow fear among the demonstrators prevent us from working", said one Burmese reporter for a foreign media. "It's difficult when you run the risk of being arrested for a photo."



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From 20 August, Rangoon's military commander banned all journalists from taking photos of demonstrations and ordered the destruction of cameras confiscated from offenders. Belgian journalist Thierry Falise who was in Rangoon at the time said that security forces then received the order to fire on people taking footage of the crackdown, which most likely led to the death of Kenji Nagai...

The security forces, which had been thrown off balance at the start, quickly threw themselves into the hunt for cameramen. Several accounts given by people arrested and then released had police questioning everyone about the names of the "cameramen", understood to mean journalists working secretly for foreign media or the *Democratic Voice of Burma*. Many photographers and cameramen were so afraid of being identified that they stopped working altogether. Some even threw away their cameras and went into exile.

INTERNET CUT OFF

Burmese Internet-users were restricted to just a few hours online a day during in October and November. The regime ordered access providers to limit exchanges between the Burmese people and the rest of the world. The junta aimed to prevent the spread of film on sharing sites such as YouTube, Dailymotion, and Flickr. Cutting off the Internet isolated the country, with rumour replacing news and reducing footage to that taken by foreign media.

The junta unsurprisingly also strictly controlled the sale of foreign publications within the country. Magazines *Time* and *Newsweek* and Thai newspapers disappeared from the newsstands in the first few weeks. At the end of December, Burmese authorities raised the price of a satellite licence by 167 times, from 6,000 to one million Kyats (from five to 800 dollars). This was aimed particularly at DVB TV whose deputy director told Reporters Without Borders "The military junta knows the power of an image. They are not going to let DVB TV and foreign televisions become the principal source of news in Burma. Even if 90% of satellite

dish owners don't have licences, this decision is perhaps the first step to imposing control".

After the crackdown, the military junta did its utmost to give the impression of a return to normality. But behind the peaceful footage of crowds gathering to support the junta, the censorship bureau, headed by a military officer, acted with complete ruthlessness. The weekly *News Watch* was banned for one week after publishing photos in mid-November which angered the military. A score of journalists suspected of sympathy with the protest movement, were also banned from writing articles or being interviewed in the press. Chief among these were sports journalist Zaw Thet Htwe, cartoonist Au Pi Kye and writer Pe Myint.

Government media poured our propaganda, featuring the actions of the junta heads on the front pages. Demonstrators, who were presented as agitators of the National League for Democracy (NLD) in the service of foreign powers, were accused of having stirred up the violence. Pro-junta media accused the foreign press of having created the disorder. Even though for years General Than Shwe cultivated a taste for the secretive, he appeared several times on national television to pronounce diatribes against the opposition. He made a speech to students at a military academy in December in which he exhorted them to be ready to "sacrifice your lives to defend the state". And state-run television channels denigrated the work of foreign media, particularly the *BBC*, *RFA* and *VOA*, whom it accused of wanting to "destabilise the country". The media were ordered to vaunt a return to normality and the country's economic progress.

U WIN TIN, IMPRISONED SINCE 1989, CALLS FOR RESISTANCE

Burma's most renowned journalist, U Win Tin, has never been granted the early release he has been entitled to since 2005. On his 77th birthday in March 2007, he launched an appeal for resistance against the military regime which has kept him in prison since July 1989. "All political prisoners should be released and the democratic parliament



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should be recalled. We must not abandon our demands”, he told one of his family members who was allowed to visit him. A few days earlier, the director general of prisons visited UWin Tin in his cell. The journalist pointed out his rights to him as a political prisoner. “I am not going to beg you to release me. I have the right to be freed because I have served 18 of my 20-year prison sentence. I should be allowed an early release”. But the director general told him he did not qualify because he had not worked while in custody. Win Tin told him that as a political prisoner he could not be forced to work in jail.

U Win Tin, laureate of the 2006 Reporters Without Borders press freedom prize, also promoted from his cell the “Suu Hlut Twe” platform which demands: the release of Aung San Suu Kyi and all political prisoners (Suu); recall of the parliament elected in 1990 (Hlut) and political dialogue (Twe). “My vision, my opinions and my principles have not changed”, said the journalist, calling on pro-democracy activists to resist repression.

During the year UWin Tin had to undergo treatment for blood pressure problems and inflammation of the prostate. Although a prison doctor checks him twice a month, UWin Tin is dependent on the help of family members who regularly bring him medication and food. His health has considerably deteriorated after 18 years in jail.

NINE JOURNALISTS IN PRISON

Eight other Burmese journalists were in prison as at 1st January 2008. Ko Aung Gyi, former editorial head of the sports magazine, 90 minutes, is suspected of having contributed to the *Democratic Voice of Burma*. Ko Win Maw and Ko Aung Aung, two other secret media contributors are also being held in prison.

The year began with prison releases. Than Win Hlaing, who had been in jail since 2000 and was suffering from diabetes and Thaug Tun, arrested in October 1999 and sentenced to eight years in prison for sending human rights violations footage abroad, were both freed in January.

CAMBODIA

Area: 181,040 sq. km.

Population: 14,347,000.

Languages: Khmer, French, English.

Head of government: Hun Sen.

Prime Minister Hun Sen, who has been in power since 1985, can count on the support of the majority of the broadcast media. Only one radio station is critical of him and the highly-politicised written press struggles to maintain its role of challenging authority.

The publication, in May 2007, of a report on deforestation by the organisation Global Witness, provoked a raft of incidents in relation to the press, including the temporary closure of *Cambodge Soir*, harassment and death threats against three journalists who wrote about the issue. The report highlighted the responsibility of people close to the head of government in large-scale illegal logging. The press picked up the report, but on 8 June, the information minister, Khieu Kanharith, said that “the media had had a week to put out their reports” and that was “largely sufficient”. Newspapers could “make reference to it but not reproduce it”. Any infringement would result in “our taking necessary judicial steps” the minister specified. The brother of the head of government, Hun Neng, reportedly said that if anyone from Global Witness came to Cambodia, he would “hit him about the head until it broke”. Journalists on *Radio Free Asia*, one of the very few media to have seriously investigated deforestation, were threatened by an unknown interloper at their station’s studios in Phnom Penh.

At the same time, French journalist Soren Seelow of the French-Khmer paper *Cambodge Soir* was sacked without notice, on 10 June, after reprinting part of the Global Witness report. One of the managers of the paper, also a French adviser to the Cambodian agriculture ministry, and its editor decided to close the paper. Staff went on strike to defend the paper’s editorial independence, which was threatened by intervention on the part of some shareholders. It has an outspoken stance and despite recurring financial problems, *Cambodge Soir* has made its mark on the Cambodian media landscape, digging up news for the Khmer-language press. After several weeks of conflict, some of the journalists re-launched the title in a new format. Thanks to mediation by its funder, the International Francophone Organisation, its editorial independence was at least partly protected but around a dozen staff ended up losing their jobs.

Also in June, Lem Piseth, of *Radio Free Asia*, received a death threat after investigating deforestation in Kompong Thom province in central Cambodia. In his report, he said that he was followed by soldiers and police. Then he had a call on his mobile phone and the following conversation ensued: “Is that you, Lem Piseth?” “Yes. Who are you?” “You are insolent, do you want to die?” “Why are you insulting me like this?” “Because of the business of the forest and you should know that there will not be enough land to bury you”.

THE JOURNALIST FLED TO THAILAND.

In August, it was the turn of Phon Phat, of the Khmer-language newspaper *Chbas Ka*, to be threatened for the same reasons. His house was set on fire after he had been threatened with reprisals. His reports had implicated businessman Meas Siphon in illegal deforestation.

TELEVISION UNDER CONTROL

Cambodia boasts 11 TV stations but not one of them is genuinely independent. The Aspara, group which owns one television and one radio station, is owned by Hun Sen’s daughter. *Bayon Television* is directly controlled by the party of the head of government while *TV3* and *TV5* are respectively controlled by the Phnom Penh municipality and the armed forces. Only *Cambodian Television Network* gives occasional airtime to opposition figures.

Radio Sombok Khmum (Beehive FM 105) plays an important role in the media landscape. It rents its aerial to the main Cambodian opposition parties and to *Radio Free Asia (RFA)*, whose Khmer service readily broadcasts challenging news. The head of government in May accused the deputy editor of *RFA*’s Phnom Penh bureau, Um Sarim, of being “offensive” and working for an “aggressive”

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radio station. The prime minister ordered all TV channels to show the altercation to demonstrate to TV viewers the extent of the “insolence” of *RFA*. Um Sarim left the country for several days.

Ahead of legislative elections scheduled for July 2008, there are fears that the ruling party will tighten its grip still further on electronic media. Hun Sen has already said that he plans to stay in power for another 20 years.



CHINA

Area: 9,598,050 sq. km.
Population: 1,315,844,000.
Language: Mandarin.
Head of state: Hu Jintao.

An icy blast blew on press freedom in China ahead of the 17th Communist Party Congress in Beijing in October. Journalists were forced to put out official propaganda, while cyber-censors stalked the Net. Despite the introduction of more favourable rules in January, nearly 180 foreign press correspondents were arrested or harassed in 2007.

Reporters Without Borders representatives met for the first time Chinese officials in Beijing at the start of the year, including the deputy information minister. The authorities said they were ready to reconsider the cases of journalists and Internet-users currently in prison, including Zhao Yan, who worked for the *New York Times* and was sentenced to three years in prison on the basis of false accusations. But they did not keep their promises. Zhao Yan was released in September having served his full sentence. And all the other promises came to nothing. At the end of the year, the authorities refused to grant visas to five representatives of Reporters Without Borders who wanted to travel to Beijing.

The assurance given by a Chinese official in 2001 that, “We will guarantee total press freedom”, when Beijing was lobbying for the 2008 Olympics, was never kept. It was a year of disillusionment in 2007. Many observers had expected more tolerance to be shown to the press along with greater freedom of expression, as the authorities had pledged. But the government and in particular the political police and the propaganda department did everything possible to prevent the liberal press, Internet-users and dissidents from expressing themselves. Foreign correspondents experienced great difficulties in working despite new rules giving them greater freedom of movement until October 2008.

President Hu Jintao consolidated his power base, by promoting the “harmonious society”, from which democracy is for the time being ruled out. The regime’s conservatives set about creating this “harmony” by force. Public Security minister, Zhou Yongkang, in March called on the security services to step up a crackdown on “hostile forces”, particularly separatist movements and dissidents, ahead of the Olympics.

“PRISONERS OF THE OLYMPIC GAMES”

Police began arresting dissidents and bloggers calling for improved human rights ahead of the staging of the Olympics. The best known of these “Olympics’ prisoners” is rights activist, Hu Jia, who was arrested at his Beijing home on 27 December. Police produced an arrest warrant accusing him of “inciting subversion of state power”. His wife, the blogger, Zeng Jinyan, and their young daughter got their home surrounded by scores of police. The couple are activists for the environment and the rights of Aids patients and political prisoners and were pushing at the limits of free expression in China by posting sensitive news on their blogs.

Chinese contributors to foreign-based news websites also found themselves singled out for harassment. At least three contributors to US-based news site *Boxun* are currently in prison. Police arrested one *Boxun* correspondent Sun Lin, also known under the pen-name Jie Mu, in Nanjing, eastern China on 30 May 2007 after he exposed abuse of power, including in videos posted on the site. Another regular *Boxun* correspondent, Huang Jinqui, has been in prison since 2003 after being sentenced to 12 years for “subversion of state power” in eastern Jiangsu province. And in August 2007, cyber-dissident and blogger He Weihua was forcibly admitted to a psychiatric hospital in Hunan in southern China. His family said it was linked to articles published on his blog www.boxun.com/hero/hewh/. Before being released in February 2008, Li Changqing, who had written several articles for the same US-based site, was jailed for three years by a court in Fuzhou, Fujian province in the south-east for circulating “alarmist news”.

THE LIBERAL PRESS TARGETED

The liberal press – including the dailies *Xin Jing Bao* (*Beijing News*) and *Nanfang Dushi Bao*, and the



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magazine *Caijin* – carry news embarrassing to local and national authorities. Such was the case in July, when *Xin Jing Bao* revealed that local officials had succeeded in banning publication of a report that put the cost of pollution in China at nearly 70 billion dollars. One month earlier, British newspaper the *Financial Times* reported that the government had censored a World Bank report on China's environmental problems. The article was picked up by a large number of Chinese blogs before it was deleted by the cyber-censors.

“Everyone in the newsroom knows that we have to wait for the story from the official news agency *Xinhua* when there is an issue relating to party leaders, official appointments or international subjects such as North Korea,” a journalist on the *Beijing News* told Reporters Without Borders. “It is much too risky to publish anything before then. Everyone knows what is banned: minorities, religious freedom and Falungong”. The government has no hesitation in bringing the liberal media to heel. The financial magazine *Caijin*, a major source of information to the international community, was in March forced to censor an article on the adoption of new legislation on private property. It also had to remove articles from its website.

Those at the head of this outspoken press run huge risks. Yu Huafeng, director of the daily *Nanfang Dushi Bao*, was released in February 2008 after four years in prison in Guangzhou. His colleague Li Minying, the paper's former editor, was released in February 2007, three years before the end of his sentence. They were both sentenced prison for “corruption”. More than 2,000 Chinese journalists signed a petition in 2005 calling for their release.

Other journalists have fallen victim to purges within their media and been reassigned to innocuous publications. Huang Liangtian was ousted from the editorship of the monthly *Bai Xing* (The Masses) at the start of 2007, and appointed to a small agricultural magazine, after he investigated harsh conditions in rural areas. He had also revealed that the administration of a poor region of the central Henan province, had built a square larger than Tiananmen in Beijing. Local authorities called

for his head. “I doubt that freedom of the press will improve for government media and I am sad that my life as a journalist stops here,” Huang Liangtian told Reporters Without Borders. In July, it was the turn of Pang Jiaoming of the *China Economic Times* to be sanctioned by the authorities for publishing an investigation on the poor quality of construction materials for the rail tracks of China's first high speed train, linking Wuhan to Quanzhou.

ENSORSHIP ON A DAILY BASIS

The Propaganda Department and the General Administration for Press and Publications (GAPP) shared out the work of putting a brake on the enthusiasm of journalists. During the year, GAPP reminded the press that “reports must be true, precise, objective, fair and should not oppose the interests of the state or infringe the rights of citizens”. The Propaganda Department stepped up action against the press. Reporters Without Borders compiled an internal document in November which detailed the different forms of censorship. The Propaganda Department warned publications, in the form of a glossary, to comply with “the rules of discipline set up for news”. The instructions are clear: “1- “Reporting banned” means: it is forbidden to write a report on this subject. - 2- “Don't send a reporter” means: permission to publish the standard article from the *Xinhua* agency or to copy the reports, article (contribution) from a local media. - 3- “Ban on criticism” means: no comment on the remarks, including with a cartoon”.

For instance, in November, the Propaganda Department ordered the managers of China's leading media to avoid negative reports on air pollution, relations with Taiwan on the question of the Olympic torch and public health problems linked to the preparation of the Olympic Games.

Censorship was even tougher for TV and radio with journalists working for state-run CCTV receiving a daily warning when they switch on their work computers about subjects to avoid or those to handle with caution. For example, in December, they were banned from covering the case of the



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death in hospital of a pregnant woman, for lack of medical attention. They were also ordered to restrict comment on the assassination of Pakistani opposition leader Benazir Bhutto, so as to avoid offending China's ally Pakistan.

In the face of press criticism, the government passed the Emergency Response Law, in August, which banned the "fabrication of false news on accidents and disasters and makes the government responsible for providing precise information on the cases within a reasonable time span". Media risked losing their licences for carrying news on such cases without permission. In practice they are limited to publishing only *Xinhua* reports on natural disasters, industrial accidents, epidemics or public security breaches and cannot make their own investigations. In the same vein, the Propaganda Department on 16 August ordered the Chinese media to restrict coverage of a bridge collapse, killing more than 40 people, in the city of Fenghuang, in southern Hunan province. Media were forced to pull out their reporters from the city. Before they could leave, five journalists, including one from *Nanfang Dushi Bao*, were beaten by men linked to the local authorities.

CAMPAIGN AGAINST "BOGUS JOURNALISTS"

The Propaganda Department and the GAPP worked together, on government instructions, on a national campaign against "bogus journalists". Using the pretext of a false report on rotten food by a young Beijing television reporter, the authorities began tracking down "bogus journalists" who were using accreditations with foreign or Hong Kong-based media, to undertake "blackmail and disinformation". The government announced several weeks later that it had identified 150 such "bogus journalists" and 300 unlicensed media. Some dozen journalists were imprisoned, including two managers of a publication in Liaoning, in north-eastern China *Social News* (illegal according to the authorities). If there is blackmail in China, it is certainly the case that very many media work without a licence because it remains difficult to obtain one.

The GAPP took advantage of the campaign to file details of the almost 30,000 foreign journalists

accredited for the Olympic Games. Officially it was again to identify "bogus journalists" and to help Chinese officials respond to interviews. But the government did not specify what type of information would be collected. The filing project was confirmed by a foreign consultant working for the Olympic Games organising committee. The State Security Department has been made responsible for creating files on reporters and activists who could "disrupt" the Olympics.

180 INCIDENTS WITH FOREIGN CORRESPONDENTS

News regulations brought in on 1st January 2007 allowed greater freedom of movement for foreign correspondents. Some media immediately took advantage of the change to report on subjects which were previously banned. *Reuters* went to Inner Mongolia to meet the wife of Hada, a local managing editor who has been imprisoned since 1995, an interview which the British agency had been trying to do since 2004. *Reuters* was also able to interview Bao Tong, former assistant to reformist prime minister Zhao Ziyang. But just a few days after the regulations came into force, foreign correspondents were prevented from visiting Zhao Ziyang's children or interviewing Shanghai lawyer, Zheng Enchong, lawyer Gao Zhisheng, or Aids activist Dr Gao Yaojie. Reporters from Hong Kong were ordered back by soldiers on 9 January as they headed to the site of a military plane crash in the south-eastern Guangdong province.

Police obstructed the work of correspondents reporting on sensitive subjects throughout the year, arresting a team from the *BBC World Service* in March in a village in Hunan, where there had just been a riot. "You are not in the United States or Great Britain. This is China", said one of the officers who interrogated them. One journalist told them that the Beijing government had adopted new rules. "That is only for news linked to the Olympic Games and I don't think you have come here for the Olympics," the officer replied.

At least seven journalists were arrested or physically assaulted as they tried to reach the village of Shengyou, south of Beijing, where in 2005, henchmen



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working for local officials killed six people. Those involved were from *Agence France-Presse*, *BBC World Service* and *Swiss TV*, whose correspondent, Barbara Luthi, was beaten by police.

It is as difficult as ever to work in Tibet or Xinjiang. In May, Harald Maass, correspondent for German daily *Frankfurter Rundschau*, and Tim Johnson, of the US press group *McClatchy*, were summoned by a ranking official in the Chinese foreign ministry who told them they had violated journalistic standards in their articles on Tibet. Plain-clothes police had followed and harassed them from the moment they arrived in the capital Lhasa. Tibetans whom they interviewed were fined. Police stopped Harald Maass from entering the city of Shigatse.

The Foreign Correspondents Club of China (FCCC) received reports of a total of 180 violations of the new regulations, from surveillance of journalists to arrests. The FCCC carried out a poll in 2007 in which they asked journalists "Has China kept the promise made by Olympics Games organiser Wang Wei in Beijing in 2001, that, "We will give foreign media complete freedom of reporting. More than 67% replied "No" and only 8.6% said "Yes".

IS PLURALISM UNDER THREAT IN HONG KONG?

Hong Kong still enjoys pluralism even if some media owners have been driven for financial reasons to keep the Beijing authorities sweet. "Hong Kong journalists who report in China have to beware of local authorities and powerful figures who are none too keen on our style of press. Some topics are already taboo, like the independence of Taiwan or Falungong," said Mak Yin-ting, the general secretary of the Hong Kong Journalists Association. "In general China coverage is more cautious than before," she added. Francis Moriarty of the Foreign Correspondents Club explains it thus: "Money is being made in China. It is not surprising therefore that most the newspaper proprietors have financial interests on the mainland." But he added, "The problem is the amount of self-censorship which that brings about. For example Taiwan is now handled under the China section.

And most Hong Kong media do not cover Falungong demonstrations in the territory, even though there are regularly tens of thousands of them in the street". There were several incidents in Hong Kong in 2007: Shuhwey Liao and I-Chun Ko, two Taiwanese reporters with (pro-Falungong) *Sound of Hope* radio, were expelled from Hong Kong and managers of pirate *Citizen Radio* are once again in court for breaking the telecommunications law.

CRACKDOWNS IN TIBET AND XINJIANG

Censorship and police control were more robust in provinces with autonomist movements. Three Tibetans were sentenced to jail for between three and ten years for "spying for foreign organisations threatening state security" by a court in Kardze, Sichuan province, on the Tibetan border in November. The authorities said they had sent abroad photos of demonstrations at the start of August by nomadic Tibetans. Adak Lupoe, a senior monk at the Lithang monastery and Kunkhyen, a musician and teacher, were sentenced respectively to ten and nine years in prison after being found guilty of "espionage" for taking photos and sound recordings of the demonstrations.

In Xinjiang, one of the sons of renowned Uighur leader Rebiya Kadeer, Ablikim Abdiriyim, was sentenced on 17 April to nine years in prison for posting "secessionist" articles on the Internet. According to *Xinhua*, Ablikim Abdiriyim was trying to give a bad image of "human rights and ethnic politics in China".

AROUND 100 JOURNALISTS AND INTERNET-USERS IMPRISONED

China is still the country which jails the largest number of journalists, cyber-dissidents, Internet-users and freedom of expression campaigners. They frequently endure harsh prison conditions: They share overcrowded cells with criminals, are condemned to forced labour and are regularly beaten by their guards or by fellow prisoners. Ill-treatment is at its worst in the first weeks in custody when police try to extract confessions. At least 33 journalists were in prison in China as at 1st January 2008.



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Before being released in February 2008, two years before the end of his sentence, the Hong Kong journalist Ching Cheong, was detained in a prison in Guangzhou. His wife described the conditions there to Reporters Without Borders: "I was allowed to see him once a month for one hour. We were separated by glass and we spoke on a telephone. Our conversation was listened in to. It's even written on the visiting room wall. Ching Cheong is held in a cell with 12 other prisoners, most of them criminals serving long sentences. There are two factories in the prison. He has to work eight hours a day, with overtime twice a week until 9 in the evening, making police uniforms, for which prisoners are not paid. Before his arrest, Ching Cheong already had blood pressure problem, but it used to happen two or three times a week. Now it's every day. He suffers from the military discipline imposed in the prison. He has lost 15 kilos since his arrest. You know the first month of detention in Beijing was extremely hard, he was treated in a way which could be viewed as mental torture".

Cyber-dissident Guo Qizhen, sentenced to four years in prison for "inciting subversion of state power" was beaten in May by fellow prisoners in his cell in Shijiazhuang, Hebei, northern China, after prison guards encouraged them to attack him. His wife said that his body was covered in bruises. The cyber-dissident had a broken leg when he was arrested but did not receive appropriate medical treatment for it. His state of health has considerably worsened.

THE GREAT [CYBER] WALL OF CHINA

The Chinese Net is one of the most controlled in the world. In 2007, more than 20 companies, some

American, were forced to sign a "self-discipline pact" which forces them to censor the content of the blogs they host in China and to ask bloggers to provide their real identities. Many website were closed during the 17th Communist Party Congress in Beijing in October. The best-known forums on news websites were closed "as a precaution" for the duration of the Congress so that no news should indicate the official line fixed by the authorities. Reporters Without Borders marked the occasion by releasing a report, compiled by a Chinese Internet technician, detailing the censorship system on the Net in China. Five government offices have services dedicated to surveillance of the content of websites and emails.

At least 51 cyber-dissidents are currently in jail in China for exercising their right to freedom of expression online. Chinese authorities have closed websites in Tibet, in particular the discussion forum most used by Tibetan students (<http://www.tibet123.com>), depriving them of the means of expressing their opinion about government policies. In July, the authorities closed the discussion forum *Mongolian Youth Forum* (www.mglzaluus.com/bbs), which is very popular in Inner Mongolia. One of its organisers said the authorities complained that discussion frequently addressed "ethnic problems" in the Chinese province.

Highly sensitive firewalls have also been put in place. Within just a few hours, Reporters Without Borders in Chinese – www.rsf-chinese.org -, launched at the end of May, was blocked. The cyber-police evidently use software that filters words. Without any concern for the consequences for Chinese Internet-users, all IP addresses linked to a website deemed undesirable, are blocked without warning.

Fiji

Area: 18,270 sq. km.

Population: 825,000.

Languages: Fijian, English, Hindi.

Head of state: Ratu Josefa Iloilo Uluivuda.

The military, which has been in power since a 5 December 2006 coup, gave some guarantees to privately-owned media. After a few tense months, Fijian journalists regained their independence, but the authorities continued to harass its critics, particularly on the Internet.

An army spokesman said in May 2007 that the military would stop hounding blogs “critical towards the institution and members of government”. After blocking access to several of them, Col. Pita Driti relented and said that the military authorities “were no longer concerned about comments posted on these blogs”. He explained his change of heart with the remark that the military had developed a “thick skin” and “no longer feels offended by criticism”.

Several blogs had been made inaccessible over a period of a few days, among them resistfranks-coup.blogspot.com and fijishamelist.blogspot.com, but many of them changed address to get round this censorship. Col. Pita Driti made it clear: “The state of emergency is still in place and people should realise that some freedoms have to be restricted, including freedom of expression. When we have found these bloggers, we will take them to our military quarters and explain to them how

their comments constitute a threat to the country”. In 2007, the government appointed by the military said it wanted to allow media some independence, while keeping the power to “thwart those who try to take advantage of the situation to incite people to disturb the peace which now reigns.” Many opposition figures were detained, threatened, and sometimes beaten following the coup.

In June, the Fijian authorities arrested and then expelled New Zealand journalist Michael Field, working for the *Fairfax* press group, after he flew in to Suva airport. He had planned to cover the diplomatic crisis between Fiji and New Zealand, whose ambassador had just been declared *persona non grata*. “This is not the first time I have been turned back, but this time it comes amid growing harassment of Fijian journalists”, said the former correspondent for *AFP* in the Pacific. The incident revealed the existence of a black list of foreign journalists banned from entering Fiji.

INDIA

Area: 3,287,260 sq. km.
Population: 1,109,000,000.
Languages: English, 15 official languages.
Head of government: Manmohan Singh.

Press freedom was threatened by the violence of political parties as well as religious and separatist groups. In some states, beleaguered by rebellion, the authorities have also turned against independent journalists. Courts made rulings which were contrary to the spirit of the Constitution, which protects freedom of the press.

Three staff members on the Tamil-language newspaper *Dinakaran* were killed in May in an arson attack on offices of the Madurai-based daily in Tamil Nadu state, in the south-east of the country. The culprits – supporters of MK Azhagiri, one of the sons of Kalaighnar Karunanidhi, Tamil Nadu chief minister – acted after the daily published an opinion poll putting one of his brothers at the head of a list of possible successors to their father. The building also houses *Sun TV* and the newspaper *Tamil Murasu*. The case provided an appalling demonstration of the contempt towards press independence felt by some political militants and religious followers.

In April, a group of activists, the Hindu Rashtriya Sena, raided the offices of *Star TV* in Mumbai and used hammers to smash computers, cameras, windows and furniture after the station broadcast programmes about inter-religious marriage. The magazine *Outlook* in Mumbai was attacked in August by six militants of the extremist Hindu party Shiv Sena. They threatened reprisals against staff that were present for including the movement's founder, Bal Thackeray, in a list of "villains" Indians, carried in a special edition marking the 60th anniversary of Indian independence. The article was illustrated with a cartoon showing him dressed as Adolf Hitler.

Two journalists were held in Western Bengal state for several days in March by members of the Communist Party of India (CPI) which rules the state. Gouranga Hazra and Bholanath Bijali, who work for *Tara News* television, were reporting on extremely violent demonstrations pitting peasants against CPI members.

In a verdict that represented a danger to press freedom, a court in New Delhi sentenced four journalists on the newspaper *Mid-Day* to four months in prison after they revealed that a former leading judge, Y. K. Sabharwal had authorised the demolition of buildings to benefit his son's company. Editor, S. K.

Akhtar, two journalists Vitsha Oberoi and Irfan Khan and cartoonist M. K. Tayal were released on bail after deciding to appeal. The Editor's Guild of India called the sentence "a threat to press freedom".

VIOLENCE IN ASSAM AND KASHMIR

Separatists continued to threaten the media in the north-eastern states. In June, the United Liberation Front of Asom (ULFA) said it planned to "punish" four journalists who had been involved in organising a demonstration against bombings of markets believed carried out by the group. Shortly afterwards a bomb exploded in front of a regional media.

Some separatist groups in Kashmir launched intimidation campaigns against satellite television operators. In March some of them removed from their package three English-language channels, accused of putting out "obscene" programmes after militants members of armed groups al-Badr and al-Madina Regiment threatened to wreck their installations. Security forces were also responsible for abuses, including the unfair detention of the photographer Mohammad Maqbool Khokhar, known as Maqbool Sahil. Indian secret services in October stopped and interrogated Majid Hyderi, one of the editorial managers of the newspaper *Great Kashmir*.

DANGER IN THE MAOIST REGIONS

The regions plagued by Maoist guerrillas suffered the highest number of press freedom violations. A local human rights organisation FFDA (www.ffdaindia.in) released a report during the year on the situation in the Chhattisgarh state in central India, where security forces are clashing with Maoist rebels. Village militia or police has threatened several journalists there and the state government passed a law that punishes journalists with a three-year prison sentence for reporting on Maoist activities.

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The Chhattisgarh state authorities interrogated one of the authors of the FFDA report, Subash Mohapatra, in July.

Some journalists accused of sympathising with the Maoists are put under surveillance and sometimes arrested. Pittala Srisailam, editor of online televi-

sion www.musitv.com, was placed in custody in Hyderabad, in Andhra Pradesh state in eastern India in December when he was about to interview a leader of the Communist Party of India - Maoist (CPI-M) and accused of being a “messenger” for the Maoists. He was released on bail a few days later.

INDONESIA

Area: 1,904,570 sq. km.
Population: 222,781,000.
Language: Bahasa Indonesia.
Head of state: Susilo Bambang Yudhoyono.

Indonesia has a free press, but several legal decisions have caused concerns. Former dictator Suharto won a case against *Time Asia* and a journalist was sentenced to six months in prison for “defamation”. The still powerful army has done its utmost to ensure continuing impunity for past crimes, particularly in East Timor.

The Supreme Court in September sentenced *Time Asia* magazine to pay damages of more than 100 million US dollars to former dictator Suharto for “harming his reputation and honour” The case went back to 1999 when the magazine reported the Suharto family had transferred some of the 73 billion dollars embezzled during his 32 years in power from Switzerland to Austria. Suharto had sought damages of 27 billion dollars. This astonishing decision reawakened memories of the dark days the Indonesian press went through when it was gagged every time it raised the issue of corruption and nepotism in the ruling family. The Supreme Court verdict overturned two previous rulings in the magazine’s favour and sentenced six *Time Inc. Asia* employees to publish apologies in the Indonesian and international editions of the magazines. Suharto’s death, in January 2008, should result in the file being closed.

On the other hand, Erwin Arnada, editor of the Indonesian edition of *Playboy* was in April acquitted of publishing indecent photos. The judge rejected the complaint which should have been lodged under the press law. Islamist groups demonstrated throughout the trial and made death threats against Arnada.

PRISON SENTENCES FOR “DEFAMATION”

One journalist, Risang Bima Wijaya, was on 9 September arrested and sent to prison for six months under a section of the criminal law on defamation. The sentence had been handed down in connection with a 2004 case in which he accused an executive director of a newspaper of sexual harassment of a female employee. He is serving his sentence at Yogyakarta jail. Bersihar Lubis, an editorialist on the daily *Koran Tempo*, is facing a prison

sentence for having insulted the office of the prosecutor general after saying that it had intervened to ban a scholastic book.

The Alliance of Independent Journalists (AJI) reacted to these trials with a campaign entitled, “Stop criminalisation of the Press” condemning the use of criminal law in press cases. The AJI is also opposed to some articles of the new electoral law which provide for prison sentences for journalists who publish news between the end of the election campaign and polling day.

Investigative journalism is gradually gaining ground, but it is on occasion threatened by violations of the protection of sources. Metta Dharmasaputra of the newspaper *Tempo*, spoke out in September against tapping of his mobile phone by police after he revealed a case of tax fraud implicating the powerful businessman, Sukanto Tanoto.

THE ARMY PROTECTS ITS CRIMINALS

The Indonesian army, which was implicated in the death of at least seven foreign journalists in East Timor, has rejected the conclusions of a new Australian investigation into the death of five reporters in Balibo, East Timor in October 1975, which concluded that it was a “war crime” committed by the Indonesian army. A spokesman at the foreign ministry reacted by saying that the investigation would not change the country’s stance on the issue. “This court has a very limited jurisdiction and this decision will not change anything,” he said. Senior Indonesian officials, including a former army captain who afterwards became a minister, and the governor of Jakarta, have been implicated in this quintuple killing which preceded the Indonesia army’s occupation of East Timor.

JAPAN

Area: 377,800 sq. km.

Population: 128,085,000.

Language: Japanese.

Head of government: Yasuo Fukuda.

No progress was made in 2007 on needed reform of the kisha clubs, which continue to obstruct the free flow of news. On the other hand, incidents of violent attacks on the media by nationalist groups decreased and a man who carried out an attack on a newspaper in 2006 was arrested.

Yasuo Fukuda replaced Shinzo Abe as the head of the ineradicable ruling Liberal Democratic Party. The press carried reports of the scandals in which Shinzo Abe's term of office became mired. The government, the media and financial circles kept in place the system of kisha clubs, which prevent independent and foreign journalists from getting access to some categories of news. Officially, Japan has 800 of these kisha clubs but some sources put it as high as 1,500. Most of them are linked to public bodies such as ministries and provincial governments, large companies, political parties and the Imperial Household Agency.

An extreme-right militant, Motohide Hiraoka, aged 42, was arrested in April for throwing a petrol bomb at the head office of the economic daily Nikkei in Tokyo overnight on 20 July 2006. Nobody had been injured in the attack. Police said that the militant accused the newspaper of "manipulating public opinion" in an article about the Yasukuni sanctuary where Japanese war criminals are buried.

Japan's colonial past also prompted controversy. A court in Tokyo in January sentenced public broadcaster NHK to pay a fine for having censored parts of a documentary about the Imperial Army's "sex slaves" under pressure from the government.



LAOS

Area: 236,800 sq. km.
Population: 5,924,000.
Language: Lao.
Head of state: Choummaly Sayasone.

Nothing really changed in Laos in 2007. The press is still under the control of the sole party and the adoption of a press law promised in 2001 was once again postponed. An opposition writer has been in prison since 1999, as have two guides from the Hmong minority who assisted two European reporters.

Media bosses and information ministry officials meet regularly to discuss articles that have already appeared and to determine which topics are to be given priority. On many subjects, editorial offices reprint untouched the reports they receive from the official news agency *Khaosan Pathet Lao* (KPL).

Although French-language weekly *Le Rénovateur* and the English-language weekly *Vientiane Times* sometimes carry free reports on socio-economic problems the majority of the media only puts out news that is favourable to the communist regime. The organ of the party, *Paxaxon* (People), continues to represent itself as a “revolutionary publication produced by the people and for the people that serves the political action of the Revolution”. The foreign ministry also exercises control over media content. It is forbidden to criticise “friendly countries” Burma and “big brothers” Vietnam and China. “Journalists practise self-censorship because they know what will not be published. Few of them are prepared to take the risk of pushing at the limits of censorship”, said one foreign journalist who has contributed to the Laotian press.

A group of journalists and investors tried to launch an English-language newspaper in 2007, but the authorities made sure that it was put under ministerial surveillance. The project has still not come to fruition.

Since their own media produces nothing but propaganda, many Laotians watch Thai television that

can be picked up near the border. Since March 2006, *Radio France International* has been broadcasting programmes on FM in the capital, apart from... its programmes in Lao.

The government has been promising a press law since 2001, but in 2007 it once again postponed its adoption, for fear of having to precisely define what is banned and of authorising the creation of a privately-owned media. The criminal law allows a journalist to be sentenced to a long prison term for “circulating news that weakens the state”. The law also provides for a one-year prison sentence for anyone who brings into the country “a publication contrary to national culture”.

The foreign press is always prevented from freely covering the condition of the minority Hmong people. Two Laotian nationals of Hmong origin are in jail for having worked as guides, in 2003, to Belgian journalist Thierry Falise and French cameraman Vincent Reynaud. Thao Moua and Pa Phue Khang were sentenced on 30 June 2003 to 12 and 20 years in prison for “obstructing justice” and “possession of weapons”.

Finally, Thongpaseuth Keuakoun, author of numerous articles and pamphlets about the situation in Laos and the need for reforms, has been in prison since October 1999 after being sentenced to 20 years in jail for “anti-government activities”. He was one of the five leaders of a pro-democracy movement.

MALAYSIA

Area: 329,750 sq. km.

Population: 25,347,000.

Languages: Malay, Mandarin, English, Tamil.

Head of government: Abdullah Ahmad Badawi.

Widespread social and political demonstrations prompted the authorities to harden their line towards the press. The internal security ministry, the bête noire of editorial offices, imposed censorship on the most sensitive issues. A journalist was physically assaulted for investigating leaders of an Indian community party, close to the government.

In the face of mounting criticism, the government of Abdullah Ahmad Badawi reacted with a crackdown. The internal security ministry, under the pretext of fighting incitement to racial hatred or insulting the king, set out to intimidate dissident voices, in particular bloggers. One minister threatened imprisonment against cyber-activists who opened up an unprecedented area of freedom.

The leading media are often compelled to ignore or to play down the many events organised by the opposition and non-governmental organisations. When in December 2007 members of the Indian minority demonstrated, the press simply relayed with no attempt at balance remarks by the authorities attacking the organisers. The internal security ministry asked some media on three separate occasions in November not to report on unauthorised demonstrations. Thus a march on 10 November calling for free and transparent elections passed off without any coverage, apart from online, including by the daily *Malaysiakini*, which also revealed in June that the authorities had ordered radio and television not to allow too much air-time to the speeches of opposition leaders.

The internal security ministry sent a directive to the national media in July banning them from prolonging the debate on the state's Islamic or secular nature and the authorities threatened to withdraw licences from those who continued to carry news on the issue shortly after the deputy prime minister Najib Razak made a controversial statement about the country's Islamic character.

JOURNALIST LEFT IN A COMA

At the beginning of November, the photo-journalist R. Raman of the Tamil-language *Malaysia Nanban* was left in a coma after being assaulted by two thugs in his office in Johor Baru, in the south of the country. He woke up several weeks later

but remained paralysed. Ten days later, his colleague M. Nagarajan received a phone call threatening to kill him if he continued to write articles about poor conditions in the schools. Nagarajan told the press freedom organisation, the Centre for Independent Journalism (CIJ): "The caller said I would face the same fate as my colleague if I continued to pursue this story".

Both reporters had challenged the management of the Tamil schools by leaders of the Malaysian Indian Congress (MIC), a member of the ruling Barisan Nasional coalition, after which the MIC called for a boycott of the paper. Members of the MIC had previously threatened two journalists on Malaysia Nanban during a political meeting in April.

And, in August, another Tamil-language newspaper *Makkal Osai* was banned for one month, on the strength of a complaint lodged by the MIC, after publishing an image of Jesus with a cigarette in one hand and a can of beer in the other.

Ruling party militants also assaulted other journalists, including in mid-November, a photographer on the *Guangming Daily* who was beaten after taking shots of activists in the prime minister's party as they insulted a political opponent.

CRITICISM IN THE BLOGOSPHERE

Malaysians are very active in the blogosphere and the majority of them support the opposition. In January the prime minister called the bloggers "liars" while in July, the law minister, Nazri Abdul Aziz, said the government would not hesitate to resort to the Internal Security Act (ISA) to punish them. The ISA provides for imprisonment for two years without trial for offences such as "harming state security". Nazri Abdul Aziz added that the government had until then been "very patient". Police summoned and interrogated Raja Petra

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Kamaruddin (nicknamed RPK), who runs the blog *Malaysia Today*, at the end of July after he posted criticism of the king. The ruling party then laid a complaint against the writer, who claims his blog is read by more than 300,000 a day.

Also in July, Nathaniel Tan, a blogger and member of the opposition Justice Party (PKR) was held in custody for four days, apparently because of a link from his blog to a website hosting news termed as an “official secret” relating to a corruption case implicating internal security minister, Johari Bharum. In September, it was the turn of a journalist working for online television *TV PAS*, affiliated to an opposition party, to be arrested after covering a demonstration.

LESS FREEDOM FOR TRADITIONAL MEDIA

Bloggers close to the opposition have exposed the fact that Malaysian media handling of the local situation bears the stamp of self-censorship. The management and former managers of the daily *New Straits Times* sued bloggers Jeff Ooi and Ahiruddin Attan for “defamation”, after the outspoken writers posted articles demonstrating that some news and editorials in the Malaysian daily lacked objectivity.

It was the same *New Straits Times* which abruptly halted publication of columns by two independent-minded editorialists. Officially for technical reasons, the columns written by Zainah Anwar, promoting the rights of women, and another by Amir Muhammad disappeared within five days or one another. Zainah Anwar had headlined her last piece, “Let’s give freedom a good press”. Amir Muhammad, a respected film-maker and writer, had broken one of the country’s taboos by rehabilitating communists who fought for independence in the 1940s. His arrival at the daily in 2006 had been seen as a sign of greater openness. He posted on his blog the uncut versions of his articles, which were regularly re-written by the daily’s management.

The authorities, who are very prickly on religious issues, banned Catholic weekly *The Herald*, published in the Malay language, for using the word “Allah”. This instruction was notified to Brother Augustin Julian in a written order from the internal security ministry on 10 December. “We follow the Bible. Its Malay version uses Allah for god. If the government has the impression that the word Allah creates confusion, it should perhaps educate the Muslims,” said Brother Julian. Two weeks later the authorities withdrew the ban.



MALDIVES

Area: 300 sq. km.
Population: 337 300.
Language: Divehi.
Head of state: Maumoon Abdul Gayoom.

Independent and opposition newspapers established themselves in the media landscape despite threats and arrests. Police arrested nearly 10 journalists in 2007. A broadcast law finally allowed licensing of privately-owned radio stations but the independent radio *Minivan* failed to secure one.

President Abdul Gayoom, who has been in power since 1978, slowed down the reform process and preferred to govern with the conservatives, leading to the resignations of several ministers, as he came under mounting pressure from the democratic and Islamist opposition. The information minister drove through the adoption of a law on broadcast media, opening the way for the creation of privately-owned radio. But the exorbitant cost of licences disqualified the sole independent radio already in existence, *Minivan Radio*.

The law on press freedom, which despite its name entailed numerous restrictions, was adopted in August. On the other hand, parliament in November rejected a law on access to information. The information minister was disappointed by the vote, which he said deprived the Maldives of a means to bring about change to a national culture, hostile to the right of citizens and the press, to allow access government information. Finally in May, the founding of the Maldives Media Association was made official with the election of its leadership.

STAR FORCE IN ACTION

Police, and in particular, members of the elite Star Force corps arrested around 10 journalists working in the private press. Ahmed Rifah, a photo-journalist on the opposition daily *Minivan*, was held in custody from the 1st to 10 June after being held as he left a gathering of Muslims, deemed by the authorities to be illegal.

Police had no hesitation in trumping up accusations against journalists. Ahmed Rifah was accused of "violence" and Ibrahim Mohamed, a reporter for *Miadhu*, who was charged in April with organising a demonstration, was alleged to have attacked police officers and to have started a rumour that officers had killed someone. In fact, the young

reporter had taken photos of the beating and arrest of the President of the Maldivian Democratic Party, Mohamed Nasheed. He was held at a police station for 48 hours. Three journalists were arrested a few days later during the funeral of opposition figure Hussein Salah, who had been found dead, his face and body swollen, in Malé. Zeena Zahir, of the pro-government *Miadhu*, Adam Miqdad, editor of the website *e-Sandhaanu*, as well as Mohamed Nasheed, a photographer on *Minivan*, were arrested and accused by police of being demonstrators not reporters. In September, Moosa Anwar, of the weekly *Sangu*, was arrested, beaten and accused of "disobedience" by police officers in Malé.

MINIVAN STILL IN THE FIRING LINE

As in previous years, the crackdown was focused on the highly contentious opposition newspaper *Minivan*. Its editor, Aminath Najeeb, close to the Maldivian Democratic Party, was summoned before the courts on several occasions in 2007. She appeared in April before a criminal court in Malé, accused of "civil disobedience", in connection with an article that appeared in September 2006, in which an anonymous journalist condemned the failings of the legal system. The author said that judges attacked more people than they defended. Aminath Najeeb was faced with the same charges in two further trials and faces up to 18 months in prison. Sub-editor on *Minivan*, Nazim Sattar, was also charged with "civil disobedience". The authorities announced on 3 May, World Press Freedom Day, that the charges against the two *Minivan* journalists would be lifted or reduced.

Also in May, Aishath Ainya, a contributor to *Minivan* and a women's rights activist, was arrested and taken for questioning by the Supreme Islamic Council after she objected in an article to the obligation on women to wear the veil.



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Cartoonist and opposition figure Ahmed Abbas was jailed for six months for his trenchant remarks, carried by *Minivan*. A Malé court in March dismissed his appeal against sentence in his absence for “disobedience of the law” in November 2006. He said in an interview that opposition militants should defend themselves against police prison brutality. He was released from prison in Maafushi, also on 3 May.

Two journalists on the newspaper *Minivan* were also imprisoned for drug-taking. Abdulla “Fahala” Saeed, sentenced to life imprisonment in April 2006 for “possession and drug-trafficking”, has been physically and morally weakened by the harsh prison conditions in Maafushi jail. Observers condemned numerous irregularities during his trial. His life sentence appeared to be linked to the highly critical stance he took in the columns of *Minivan*. At the end of 2007, Ali Rasheed, a journalist contributing to a number of opposition publications was imprisoned in Maafushi after being sentenced to life imprisonment, also for drug-trafficking. Rasheed, who admitted taking drugs, said he had been the victim of a rigged trial. He had at

the start of 2007 condemned the regime in scathing articles and also in the foreign media, including *Al-Jazeera* television.

The authorities also obstructed the work of journalists on the foreign-based news website *Minivan News*. US reporter Phillip Wellman, correspondent on *Minivannews.com*, was expelled from the country in January a few days after his arrival, and on the pretext that he did not have a valid visa, he was banned from visiting the country for two years. He was previously arrested and expelled in September 2006, despite the fact that he had a working visa. He had been assured that he would be allowed to return to the Maldives after two weeks.

Patrick Browne, correspondent in South Asia for the *Canadian Broadcasting Corporation* and his cameraman were mistreated by police in March during a demonstration held to welcome back Maldives opposition figure, Mariya Ahmed Didi who had just received an “International Woman of Courage” award from US Secretary of State, Condoleezza Rice.

NEPAL

Area: 147,180 sq. km.

Population: 27,680,000.

Language: Nepali.

Head of government: Girija Prasad Koirala.

The overthrow of King Gyanendra and the signing of a peace agreement in 2006 led to the hope that 2007 would bring real change, particularly for journalists, who had previously suffered so much ill-treatment. But an outbreak of ethnic violence in the south and blunders by some Maoist cadres left two dead and scores of injured among the media. It was a year of contrasts for Nepali journalists who regained their freedom but not their safety.

The 2006 peace agreement with the Maoists was rapidly overshadowed by violence in the south of the country where the Madhesi people protested against the government which it said had treated them unfairly. Journalists, particularly correspondents for national media, who were accused of being in cahoots with the “powerful in the capital”, lived through hell. Around 100 of them were physically assaulted, threatened or forced to flee after being threatened by Madhesi militants who grew ever more radical. Lists of “wanted” journalists along with rewards were posted up in the southern town of Birgunj at the end of January. A dozen reporters left the Parsa, Bara and Rautatah districts, in fear of their lives.

Elsewhere the Maoists blew hot and cold towards the press. After the Maoists pulled out of government in September, groups of trade unionists and young Maoists launched a campaign of threats against the media. Some party leaders imposed a reign of fear throughout whole regions, preventing journalists from working freely. But a return to government by the former rebels at the end of December, after securing a transition towards a republic, gave rise to hopes of a reduction in violence in 2008.

WAVE OF BRUTALITY IN THE TERAI

No fewer than 70 journalists were assaulted or threatened by different armed groups in the Terai (South) between January and June, seeking either to silence them or force them to become spokespersons. Rioters beat three journalists and a photographer taking pictures in the streets of Morang in the south on 29 January. The previous evening partly, demonstrators destroyed the radio station *FM Birgunj* as well as the offices of the Federation

of Nepalese Journalists (FNJ) in Birgunj. Journalists reacted by going on strike.

The authorities, who were overwhelmed and on occasion complicit, proved themselves incapable of protecting journalists or arresting those responsible for the violence. The Madhesi Jana Adhikar Forum (MJAF) sowed fear by publishing lists of journalists accused of being “traitors”. Correspondents for *Nepal Television*, *Radio Nepal*, *Kantipur Publications* and *Nepal FM 91.8* were targeted at the end of January. The MJAF alone was responsible for at least 25 assaults on journalists in 2007. In March, an even more radical organisation, the Madhesi Tiger Nepal (MTN), threatened reprisals against journalists in Nepalgunj if they tried to cover a strike. This organisation blocked circulation of local publications and distribution of national media.

Members of the Janatantrik Terai Mukti Morcha party (JTMM) threatened staff at *Narayani FM* and *Radio Birgunj* in June, for failing to broadcast news about a strike they had launched. The same group had been responsible for kidnapping Rajendra Rai and Dewaan Rai, of the *Auzaar National Daily* in January. In April, another group, the JTMM-G, called on members of its revolutionary group to “physically attack” journalists working for *Image Channel Television* and radio *Image FM*. The two media had both put out reports on their abuses.

Security forces showed more restraint towards the press than previously but some incidents brought back memories of their past methods. In July, Bhojraj Basnet and Ambika Bhandari, two journalists on the *Samyantra Weekly*, were attacked by two police officers in Belbari, eastern

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Nepal, after it carried an article headlined, “this is how police collect their bribes”. Both journalists fled the town.

TWO JOURNALISTS KILLED BY MAOIST LEADERS

Maoist cadres demonstrated their ruthlessness towards the press. At least five journalists were kidnapped and two were killed by former rebels. The trade unionists and young Maoists used different method of harassing independent media, whom they accused of damaging them or defending the monarchy.

Maoist leaders finally acknowledged at a press conference on 5 November that party cadres had abducted and murdered journalist Birendra Shah, 34, of *Nepal FM*, *Dristri Weekly* and *Avenues TV* in Bara, central Nepal. After a month of silence and lies, the Maoists established that the journalist had been beaten to death on the day he was kidnapped by Lal Bahadur Chaudhary, member of the Maoist regional committee of Bara, central Nepal. Two other party cadres, Kundan Faujdar and Ram Ekwil Sahani, helped kidnap and kill the reporter.

On the other hand, the Maoists have never publicly admitted to the 5 July kidnapping of Prakash Singh Thakuri, from the daily *Ajako Samachar* in Kanchanpur in western Nepal. The spokesman for the hitherto unknown armed group, the National Republican Army said on 8 July that it had killed Prakash Thakuri, justifying his killing on the basis of his articles favourable to the king. But his wife said she was convinced that the Young Communist League, affiliated to the Maoist party, were the instigators of the kidnapping. Police arrested one of them, Pamlal Sharma. The Maoists denied all involvement in the case. The journalist’s body has not been found.

A third journalist killed during the year, Shankar Panthi, was however working for the pro-Maoist newspaper *Naya Satta Daily* in Sunawal, in western Nepal. Police who found his body on the roadside on 14 September initially believed that he was the victim of an accident, his bicycle having apparently been struck by a car. But following protests from

his family and the Association of Revolutionary Journalists, police accepted that his death had not been an accident.

Maoists kidnapped at least three other journalists including in October a reporter on *Mahakali FM*, Pappu Gurund, who was held captive for three days in Dodhara, western Nepal along with his wife. Gurund said his captors threatened him with reprisals if he did not give up his profession.

BLOCKADES AND SABOTAGE

The Maoists departure from government in September fuelled tension with privately-owned media. Maoist trade unions held a series of strikes, against those they believed favourable to their opponents.

First in July and then again in August, the dailies, *The Himalayan Times* and the *Annapurna Post* were not distributed for several days because the pro-Maoist union, All Nepal Communication, Printing and Publication Workers Union (ANCPPWU), imposed a blockade to punish it for publishing critical articles. Union leaders announced they would “kill anyone who distributes the two dailies”. During a peaceful demonstration held by the Nepal Press Union on 9 August, 25 journalists were beaten up by members of the Young Communist League in Kathmandu.

The press group Kantipur in its turn became a target of unions affiliated to the Maoist party who in September blocked circulation of newspapers, threatened staff and committed serious acts of sabotage. Using salary demands as justification, the campaign led militants of the ANCPPWU to sabotage an electric system at the Kantipur group’s printers and to try to torch one of the group’s buildings in the capital. During a demonstration, one Maoist leader said, “The Nepalese won’t die of lack of news from Kantipur. We don’t need their news, nor their journalists either (...) we are ready within an hour to assemble one hundred thousand workers to attack Kantipur”. At the same time, Maoists set fire to one thousand copies of the newspaper in Bharatpur and Pokhara in central Nepal and at Biratnagar in the east of the country.

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The Editors Alliance, a new organisation created by the management of the country's leading privately-owned newspapers in response to the constant threats, spoke out against a "sinister scenario of intimidation and threats against journalists" by organisations affiliated to the Maoist party.

A RETURN TO PEACE IN 2008?

The Maoists re-entry to government in December has given rise to fresh hope for a more peaceful year in 2008. But general elections scheduled during the year could again stoke up violence in regions where armed groups have imposed their will.

Moreover, a generalised climate of impunity in connection with murders committed during the

long years of civil war has allowed the security forces as much as the Maoists to get away with murders and disappearances of journalists.

Throughout the year, the Federation of Nepalese Journalists (FNJ) has played a crucial role in exposing and condemning violence against the press, including through its investigations and on-the-spot mediation efforts. The FNJ also pushed for the adoption by the interim parliament in July of a law on the right to access to information. This guarantees all citizens access to information about public bodies and provides for the creation of a national information commission responsible for the application of the new law. In the same way, the adoption of the law on working journalists was made possible in August thanks to the efforts of professional bodies and gives better protection to media employees.

NORTH KOREA



Area: 120,540 sq. km.
Population: 22,580,000.
Language: Korean.
Head of state: Kim Jong-il.

The totalitarian regime in North Korea keeps its people in a state of ignorance through tight control of the media. Foreign-based radio stations and independent websites do try to break this isolation and a new magazine using journalists working incognito was launched in 2007. A few foreign reporters were given permission to visit the country, but under the watchful eye of minders.

North Korea is the world's most isolated country and the security forces are responsible for keeping it that way at all costs. A state-run company's director was executed by firing squad in 2007 for having made phone calls abroad without permission. A South Korean Institute has revealed a marked increase in executions for the offence of communicating with people outside the country.

The year was marked by the launch in November of the first magazine to be produced secretly by North Korean journalists. Working closely with a Japanese news agency, *Rimjingang* has promised unprecedented news about the situation within the country. Around a dozen journalists received secret training in China before returning to their country. The first editions carried interviews with North Koreans and an analysis of the economic situation. This group of journalists also helped Japanese and South Korea media to broadcast exclusive footage from within the country, including of public executions. "North Korean reporters are looking for subjects that reflect the lives of the people, their attitudes and aspirations", the project's founders said, adding that the magazine will be distributed secretly inside North Korea.

DISSIDENT RADIOS JAMMED AGAIN

Several foreign-based radio stations have increased their airtime, while newspapers available online, in particular *Daily NK*, have stepped up their coverage. But the regime responded to the challenge on 11 May by resuming jamming independent and dissident radios broadcasting to the people of North Korea: *Free North Korea Radio*, *Voice of America*, *Open Radio for North Korea*, *Radio Free Asia* and *Radio Free Chosun*. A manager at *Open Radio for North Korea* told Reporters Without Borders that this backward step could be linked to the opening of a railway line between North and South.

Jamming of short wave radios had noticeably eased after July 2006, since the authorities, hampered by a serious energy crisis, did not have the capacity to scramble broadcasts all day and on all frequencies.

The Korean Workers' Party, headed by Kim Jong-il, in April fiercely condemned foreign news aimed at "destabilising" the regime. The security forces were ordered to act to prevent foreign videos, publications, telephones and CDs from coming into the country of.

KIM JONG-IL, MEDIA GUIDE

In a propaganda film posted on one of the very few websites favourable to the North Korea regime, Kim Jong-il is presented as a direct inspiration to journalists. He is seen visiting media newsrooms, giving orders to reporters and correcting the editorials. The overblown commentary describes the "dear leader" as the driving force behind the "revolution in the people's media". "All night if necessary, he gives his opinion on the articles and photographs and edits the leaders. He guides the media in their mission which is the promotion of the *juche* (national self reliance) ideology. Thus the radio enthusiastically broadcasts what the worker's party undertakes. With the media under the leadership of Kim Jong-il, the country continues to triumph" intones a voice-off.

Kim Jong-il is in direct control of the North Korean press, including *Rodong Shinmun* (The workers' newspaper), the *Korean Central News Agency*, and national television *JoongAng Bang Song*. Each journalist is indoctrinated so as to unfailingly reflect the regime's ideology and to condemn "bourgeois and imperialist corruption." A typing error can prove costly: several North Korean journalists have been sent to "revolutionising"



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camps for a simple typing slip. In another case, Song Keum-chul, of state television, was sent to a concentration camp at the end of 1995 for having set up a small group of critical journalists and nothing has been heard of him since.

INTERNET AND FOREIGN JOURNALISTS ALLOWED IN TINY NUMBERS

During the October summit between Kim Jong-il and his South Korean counterpart Roh Moo-hyun, only 50 journalists from the South were allowed into Pyongyang. The rest of the press was restric-

ted to covering the visit on giant screens set up in press rooms in Seoul. No more than a dozen foreign media, most of them Chinese, have a presence in North Korea and reporters who obtained visas in 2007 were very closely watched by official guides.

The country remains one of the world's least connected to the Internet. However, many exiled North Korean journalists do contribute to the blogosphere. Most of the websites are hosted in Japan or South Korea because the ".nk" domain name has yet to be launched.



PAKISTAN

Area: 796,100 sq. km.
Population: 159,500,000.
Languages: Urdu, English.
Head of state: Pervez Musharraf.

It was an annus horribilis for journalists in Pakistan. Six reporters were killed, nearly 250 arrested and more than 100 incidents were recorded of threats and physical assault. The brutality came from all sides: the army, Islamists, political militants and local organised crime. And Gen. Pervez Musharraf, rocked by a protest movement launched by judges and lawyers, made life impossible for privately-owned television and radio stations.

Pakistan has been through a year of major political crisis which began in March 2007 with the sacking of the President of the Supreme Court, Iftikhar Mohammed Chaudhry, deepened with the 3 November declaration of emergency rule and culminated in December with the assassination of Benazir Bhutto, the historic leader of the leading opposition party. Pervez Musharraf's reaction to this crisis only aggravated the situation. After unleashing a first wave of repression and censorship in April and May, the head of state at the start of November ordered a blackout of all independent television and radio stations.

The president and his ministers however constantly boasted of the "total freedom allowed to the Pakistani media". In March, when several TV stations were censored for showing footage of demonstrations in favour of Iftikhar Mohammed Chaudhry, information minister Muhammad Ali Durrani told Reporters Without Borders that, "The government never banned the media from broadcasting these images. It was a decision of the Supreme Judicial Council. The media are close to our heart and no station has been censored". The authorities in November rejected international condemnation of the ban on privately-owned broadcast media, claiming it was not censorship but a necessity to "save the nation".

The political crisis prompted a craving for news among Pakistanis. Newspaper sales soared, particularly supplements devoted to the state of emergency, after the ban on private TV and radio. The Urdu service of the *BBC World Service* boosted the number of news bulletins while its programmes were pulled from Pakistan's FM band after the army closed the *FM 103* station. And although only 15% of Pakistanis are connected to the Internet,

more than a million people visit the *Geo TV* website on a daily basis.

SILENCING OF PRIVATELY-OWNED TELEVISION AND RADIO

The government in 2002 allowed the development of electronic media but did not create the conditions to guarantee their independence thus exposing them to daily and unfair harassment from some government officials and the Pakistan Electronic Media Regulatory Authority (PEMRA). This authority abused its power on at least ten occasions to force cable operators to halt broadcasts by certain television stations.

The government, overwhelmed on all sides, at the end of May banned live broadcasts of news events. Information minister, Mohammad Ali Durrani, warned media not to cross the "legal limits". As a result privately-owned stations *Aaj* and *ARY TV* were pulled from the cable package by operators in Islamabad and Rawalpindi. A manager at *ARY TV* told Reporters Without Borders that the government claimed not to know anything about it. "But when we call the cable operators they tells us that is it the government who asked them to do it".

The government in June promulgated the PEMRA Amendment Ordinance 2007 to boost the regulatory body's power of censorship and control over television stations and cable operators. It gave the PEMRA the right to seize TV equipment, to close installations and cancel licences for any violation of the law. Fines were also increased from one to ten million Rupees. The regulatory authority no longer even needed to go to the complaints council set up under a previous ordinance. Faced with an outcry, the government at first backed down, then

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took advantage of the 3 November state of emergency to impose the new measures.

On the day emergency rule was declared, Pervez Musharraf told PEMRA to halt broadcasts on all cable networks of all privately-owned regional and national TV stations, and in particular news channels. Only state-run *PTV* continued to broadcast. Mobile telephone communications in the capital were also subject to constant interruption.

The head of state amended the Press, Newspapers, News Agencies and Books Registration Ordinance of 2002 and the PEMRA Ordinance of 2002. Under these amendments, it was totally forbidden to all media to broadcast footage or news about a suicide-bombing (the terrorist, his claims or the victims); to make remarks prejudicial to the ideology, sovereignty, integrity or security of Pakistan; to broadcast any news ridiculed the head of state, the army and institutions; or to refer to ongoing judicial proceedings.

On 15 November, international channels *BBC* and *CNN* were restored after being interrupted on 9 November, while covering the house arrest of former prime minister Benazir Bhutto in Islamabad. The previous evening they were able to get back on air for a few hours during which President Pervez Musharraf announced that elections would be held in February 2008. The government had in July prevented journalists from the US channel from entering the Red Mosque, after it put out a documentary called, "The threat within" on the presence of the Taliban and al-Qaeda in Pakistan.

Radio *Mast FM 103* in Karachi was able to resume broadcasting on 6 November after accepting certain conditions: no national or international news or presidential election news and the *BBC* Urdu-language news bulletin was to come off air.

The federal government was enraged to see thousands of Pakistanis buying satellite dishes so that they could still watch privately-owned television, and on 13 November decided to make it more difficult to buy decoders, modulators and other equipment, making importers obtain permission from the PEMRA. The authorities also put pres-

sure on the Dubai government to close *Geo News* and *Ary One World*, broadcasting from the emirate. The emir of Dubai ordered a halt to broadcasts on 17 November, but following an international outcry the two channels resumed broadcasting ten days later.

At the start of 2007, privately-owned channels had begun showing news programmes and talk shows which became more and more daring. The authorities applied political and financial pressure to try to stop the most troubling of them. In June, colourful television presenter Ali Saleem announced the end of his programme on *Aaj* because of "increasing government censorship". He invited guests for interview in his "boudoir", in which he appeared in drag. At the end of November, *Aaj* pulled its talk shows "Live With Talat" and "Bolta Pakistan".

SERIOUS POLICE BRUTALITY

As the crisis surrounding the sacking of the president of the Supreme Court gathered steam, journalists were frequently attacked and beaten up by the security forces. They also raided editorial offices, as on 16 March at the studios of *Geo TV*, in Islamabad, which had just shown footage of lawyers injured during a demonstration in support of Iftikar Mohammed Chaudhry.

Police wielding clubs in Islamabad injured at least 30 journalists on 29 September, in a bid to prevent them covering a crackdown on a demonstration by lawyers opposed to the candidature of Pervez Musharraf at the presidential elections. Journalists complained to the Supreme Court which ordered the government to suspend the chief of police and two officers, which order was carried out. The Pakistan Federal Union of Journalists (PFUJ) declared 30 September to have been a "black day" and the Pakistani press called the incident, "The battle of Constitution Avenue".

Brutality and raids against the media also accompanied the imposition of emergency rule. Members of PEMRA and about 30 police officers arrived at the offices of radio *FM 103* in Islamabad on 3 November and seized broadcast equipment.



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Police surrounded the studios of *Aaj* television and radio *FM 99* in the capital. Police arrested at least five photographers and cameramen in front of the Karachi Press Club on 5 November as they covered a demonstration by human rights activists. At the same time a correspondent for the *BBC* was arrested close to the home of a judge in Karachi. A police officer in Quetta tried to destroy a camera belonging to a reporter for *Agence France-Presse* who was covering a demonstration. And in Rawalpindi, police beat and insulted journalists covering a lawyers' demonstration. Photo-reporter Muhammad Javed had two fingers broken by one officer, who also seized the memory chip of his camera.

The secret services also went after journalists, and even more aggressively. Eight agents arrested Shoaib Bhutta, editor of the Urdu-language *Daily Tulou* at his office in Islamabad in November. In two days of questioning, during which he was kept chained up and deprived of sleep, they quizzed him about why he was critical of the authorities. A few days later, Khurram Hashmi, of *Aaj* television suffered a brutal interrogation about the funding of the press protest movement against the state of emergency. He was beaten and threatened with reprisals before being released in Karachi. Secret service officers in Islamabad beat up Babar Malik, of the ARY TV in August. "If you break scandals, we can also break your arms and legs", one of the soldiers told him, shortly after it broadcast a report by the journalist about the disappearance of Imran Munir, sentenced for spying by a military court.

JOURNALISTS CAMPAIGN TO DEFEND THEIR FREEDOM

Journalists' organisations, particularly the PFUJ, have also suffered official harassment. A lawsuit was started against nearly 200 journalists for defying a ban on protests after they held a press freedom rally on 4 June. The collective suit was withdrawn a few days later on the orders of Prime Minister Shaukat Aziz after it was condemned in the press. Secretary General of the PFUJ, Mazhar Abbas, found an envelope containing a bullet in his car at the end of May.

During the November crisis, the principle media organisations - the PFUJ, the All Pakistan Newspapers Society, the Council of Pakistan Newspapers Editors, the Pakistan Broadcasters Association and the South Asia Free Media Association (whose director Imtiaz Alam had been held for one day) - joined together to fight the new laws and demonstrations drawing thousands of journalist defied the government.

Police in Karachi and Hyderabad arrested some 160 journalists on 20 November. One police officer said he had received the order to use force against journalists who were assembling near an official building. Around a dozen journalists were beaten.

VIOLENCE IN THE TRIBAL AREAS

The few journalists who work in the tribal areas bordering Afghanistan, members of the Tribal Union of Journalists (TUJ), were targeted by the Taliban and their Jihadist allies, but also by the authorities. The vice-president of the TUJ, Noor Hakim, a journalist on the Urdu-language daily *Pakistan*, was killed in a bombing in June in the tribal area of Bajaur in the north-west. Four other people died in the attack that was aimed at an official.

Foreign journalists are banned from going to the most turbulent regions, particularly Waziristan, while Pakistani reporters now hardly ever venture there. The most radical Islamists use illegal FM radios to broadcast calls for Jihad.

The case of Hayatullah Khan, a reporter from the tribal areas kidnapped and killed in 2006 had a further tragic twist when in November his widow was killed in a bombing at her home in Mir Ali in North Waziristan. The teacher had campaigned to condemn the kidnapping and murder of her husband. The journalist's brother Ehsanullah Khan accused his brother's killers of being behind the death of his widow. In the past he had accused members of the military secret services of taking part in the kidnapping of his brother, which the government has always denied. But the authorities have never made public the conclusions of the



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inquiry carried out by a judge in Peshawar in 2006, which identifies the killers. Ehsanullah Khan said that he informed the information minister, Muhammad Ali Durani, that the life of his brother's widow was in danger, but the authorities did not take any steps to protect her.

Islamists in Waziristan killed four family members of Din Muhammad, a reporter for the newspaper *Inkishaf*, who had assisted a group of Pakistani correspondents working for the national and international press, to go to Wana, a town under the influence of Jihadist groups. Three other members of his family were kidnapped.

The home of Nasrullah Afridi, correspondent in the tribal areas for the Urdu-language daily *Mashriq Khyber*, was targeted in a grenade attack in May. Five days earlier, the head of the Jihadist group Lashkar-i-islam, Mangal Bagh, made a death threat against the journalist on the illegal FM radio that he runs. The journalist, who had already moved home because of similar threats, told Reporters Without Borders that "I am in fear for my life" and I will have to "leave the town".

The army, which has proved unable to get on top of the situation, sometimes makes life difficult for local journalists. An officer in the Pakistani army insulted and threatened to kill Sailab Mehsud, correspondent for the newspaper *The News and Al-Jazeera* in Dera Ismail Khan, south of Peshawar, and editor of the website Karwan-e-Qabial (karwan-e-qabial.net). The former president of the TUJ had the previous evening broadcast news about a clash between the army and the Taliban in South Waziristan. "He introduced himself as a member of military intelligence based in Dera Ismail Khan. He insulted me and said I would disappear and future generations would never find me," said Mehsud.

ISLAMIST THREATS

The offensive by Islamist groups was not limited to the tribal areas. A religious leader at the Red Mosque pronounced a fatwa in June against, among others, Zubair Kasuri, editor of the fashion magazine *Octane*, for publishing series of photos

captioned "Adam and Eve, the apple of discord". Police in Islamabad made a "blasphemy" complaint against the magazine. Then, in July, the presenter on a talk show on state-run PTV, received death threats from extremist students after broadcasting an interview with the former imam at the Red Mosque, Maulana Abdul Aziz, wearing a woman's burka, in which he had disguised himself to escape the besieged mosque.

Suicide bombers posed serious threats to the safety of journalists, particularly photographers and cameramen, who have to closely follow political figures. A young freelance photo-journalist, Mehboob Khan, was killed in this way in April during a suicide attack against the interior minister, Aftab Khan Sherpao. Four other journalists were wounded. The cameraman Muhammad Arif of privately-owned ARY TV, was one of the 133 victims of the suicide-bombing of the cortege of former prime minister, Benazir Bhutto in Karachi on 18 October.

KIDNAPPINGS AND CENSORSHIP IN BALOCHISTAN

Pakistani security forces fighting separatism in Balochistan, in the south-west, secretly detained many civilians there, including journalists. The secret services in August released Munir Mengal, director of the channel *Baloch Voice*, after holding him secretly for more than 16 months. But police immediately sent him to prison for 30 days in Khudzar, Balochistan province under the Maintenance of Public Order. "How can he threaten public order when he is already in the hands of the security forces?" asked one journalist reporting on the case. After so many months in the hands of the military he was "weak and suffering from unexplained illnesses."

Javed Lehri, of the Urdu-language daily *Azadi*, based in Quetta, in Balochistan province is disappeared since November. One colleague who request anonymity, told Reporters Without Borders, "Even if Javed Lehri belonged to an opposition political party, his disappearance seems much more likely to be linked to his journalistic work". Editor of the paper considered that secret services agents



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were behind his disappearance. Javed Lehri had just done a report on a political party rally against the assassination of Akbar Bugti, the head of the Balochistan National party.

Riaz Mengal, of the newspaper *Intikhab* based in Khuzdar, was kidnapped on 5 October. Before his disappearance he had written articles about a car-ringing gang. "Riaz had received death threats after his reports His life was in danger", one Balochistan journalist told Reporters Without Borders. He managed to escape from his captors on 25 November.

CRIMINAL TENDENCIES

It is in the rural areas - dominated by a quasi-feudal system - which the henchmen of politicians go after the press in the most brutal ways. For example, six men armed with Kalashnikovs on 17 June killed Nasir Ahmed Solangi, correspondent for the Sindhi-language *Khabroon* in Kingri, Sind province.

A colleague, Khan Muhammad, told Reporters Without Borders that "Solangi had received death threats two days before the murder from the Junejo tribe which was furious about his reporting". One of his colleagues rebutted the official theory that he had been killed for ethnic reasons. "He was killed because of his work," the journalist said.

Also in Sind, Zubair Ahmed Mujahid, correspondent for the national daily *Jang* in Mirpur Khas district was shot dead on 23 November, by an unknown attacker on a motorbike. "My brother was killed because of the critical articles he wrote, including on the state of the poor in our region," his older brother Muhammad Iftikhar said. The experienced correspondent for *Jang* wrote a weekly column "Crime and punishment" in which he often exposed landowners and police officers. "Our family had no family conflicts (...) My brother wrote articles about the plight of the poor, which were aimed of course at influential people," said Iftikhar.

PHILIPPINES

Area: 300,000 sq. km.
Population: 84,500,000.
Languages: Tagalog, English.
Head of state: Gloria Macapagal-Arroyo.

Two journalists were killed because of their work in 2007, fewer than in previous years but constant threats and physical attacks make some regions, particularly Mindanao island, dangerous areas. The press managed to defend its rights despite judicial harassment from some political figures that led to journalists being imprisoned.

Hired killers continued to strike in the Philippines. Carmelo Palacios, of public *dzRB Radio ng Bayan*, in Nueva Ecija province in the north, was murdered on 17 April. Police themselves confirmed that the motive appeared most likely connected to this work. His body showed signs of injuries and he had bullet wounds to the face. Palacios worked on reports exposing corruption and he collaborated with the police to break up criminal gangs through the programme *Citizens Crime Watch*. At the time of his death, he was investigating cases of misuse of power on the part of police officers and local officials.

On Christmas Eve, two men riding on a motorbike shot dead Ferdinand Lintuan, a presenter on *DXGO Radio*, in Davao City, Mindanao island while he was travelling in a car with two colleagues, Louie Ceniza and Edgar Banzon. He was hit in the head by a bullet fired at point blank range and died instantly. He had been critical of local officials; in particular he had accused the governor of Davao of corruption in the development of a "People's park" project, which he had dubbed the "crocodile park". A few days later, police arrested a former soldier believed to have been hired to kill the journalist.

Local journalists' organisations condemned the actions of a death squad linked to the congressman of Davao, Prospero Nograles, whose advisor retired general Jovito Palparan human rights groups accuse of a number of murders.

Four other journalists were killed in 2007, but it has been impossible to determine whether the reasons for the murders were linked to their work as journalists. There were also at least ten murder attempts on journalists during the year. In April two men shot at Delfin Mallari, of the *Philippine Daily Inquirer* in South Luzon and Johnny Glorioso, of radio *DZMM*, in the south of Manila. One bullet

hit Delfin Mallari, who reports on timber and drug trafficking. A few days later the governor of Quezon, Rafael Nantes, took the two journalists to court. Delfin Mallari told the press that the legislator was the instigator of the murder attempt against him and his colleague. The governor responded, "There will be bloodshed if I lose the elections". In July, it was an official in the transport minister who attempted to kill Ferdinand "Bambi" Yngson, of radio *RGMA-Bacolod* in Sagay City, Western Negros province, south-west of Manila after the reporter exposed embezzlement and unfair practices on the part of officials enforcing road regulations.

Jose Cagalawan Pantoja, of radio *dxLS* in Iligan, in the south of the Philippines suffered the same fate, when two men riding on a motorbike shot him several times in the stomach, leaving him seriously injured. He presents a daily programme "Katawhan Alagaran" (Serve the people), exposing corruption and criticising the governor Lanao del Norte, Vincente Belmonte. His remarks have landed him with numerous defamation suits, several of which were dismissed. Jose Cagalawan Pantoja was also spokesman for the former governor of Lanao del Norte, Imelda Dimaporo, who was beaten by Vincente Belmonte at the last elections.

The media which do most to expose corruption and abuse by armed gangs on Mindanao island have been the target of violence. Several vehicles belonging to radio *dxCC* in Cagayan de Oro, in the north of Mindanao, were damaged in a bomb attack outside the station in March. The radio's director, Zaldy Ocon, received a death threat via a text on his mobile phone shortly before the attack.

SUCCESS IN THE FIGHT AGAINST IMPUNITY?

The police task force charged with investigating murders of journalists has had a degree of success.

PHILIPPINES

Two suspects in the 2001 murder of journalist Rolando Ureta were arrested in November. According to official statistics, there was a reduction of more than 80% in murders of journalists, trade unions and opposition figures during the year.

However it will be a long struggle to really put an end to impunity. A very detailed report by a UN group of experts, headed by Philip Alston, concluded that some sections of the army were implicated in extra-judicial killings of left wing activists, including journalists.

Families of murder victims who fight impunity have ended up being threatened themselves. This happened to Nena Santos, a lawyer and friend of the journalist Marlene Esperat, who was murdered in 2005. She received several death threats while she was working on the case.

IMPRISONED JOURNALISTS

It is rare in the Philippines for journalists to receive prison sentences but a presenter of *dxMF Bombo Radyo*, Alex Adonis, was sentenced to four and a half years in prison in January for defaming Prospero Nograles, a member of parliament, reportedly close to President Gloria Arroyo, who sued him for remarks about an alleged affair he had in 2001. The young journalist, who was on a salary of 150 dollars a month, could not afford to hire a lawyer to defend him at his trial. He was imprisoned in Davao jail. Director of the radio, Dan Vicente, his co-accused, was acquitted.

Police arrested Gemma Baguaya, director of the online magazine *Newsbreak* (www.newsbreak.com.ph), at her office near Manila in March after Luis "Chabit" Singson, governor of Iloco Sur province and a political ally of Gloria Arroyo, opened a libel suit against her. She was released on bail a few hours later. The Bangkok correspondent of the *Asia News Network*, Jofelle Tesorio, was imprisoned in Quezon jail in June over a series of articles written in 2003 about a natural gas project in Camago-Malampaya, in Palawan, alleging wrong-doing against former deputy Vicente Sandoval, who won his defamation case. The journalist was set free a few days later.

The authorities took it out on the press when in November they faced with a military revolt. Several dozen journalists were arrested close to a hotel in Manila where around 30 soldiers were holed up and calling for the president's resignation. The journalists, including several foreign press correspondents, were questioned about "obstruction of justice". Police said they needed to check that none of the rebels had escaped by hiding among the journalists.

Finally, the president's husband, Mike Arroyo, decided on 3 May, World Press Freedom Day, to drop legal action which he had first opened against 46 journalists and editors in 2003. Philippines journalist organisations had campaigned very effectively to get the country's "First gentleman" to back down, taking him to court themselves in December 2006 over the unacceptable nature of his accusations.

SINGAPORE

Area: 620 sq. km.

Population: 4,450,000.

Languages: English, Mandarin, Malay, Tamil.

Head of government: Lee Hsien Loong.

A “worthy” successor to his father, Prime Minister Lee Hsien Loong has done nothing to loosen state control over the media. Journalists have a great deal more freedom to cover international news than local affairs. And a political documentary was hit by censorship.

The authorities continued their trial of strength with the magazine the *Far Eastern Economic Review* (FEER), which has been banned from distribution in the country since 2006, but which is still available online. A court in June rejected a request from the prominent Hong Kong-based monthly to be defended by a British lawyer in a “defamation” trial opened against it last year by Lee Hsien Loong and his father. The judge considered that the suit was not sufficiently “complex” for the lawyer in question. Lee Hsien Loong and his father Lee Kuan Yew took exception to an article in the *FEER* about opposition leader Chee Soon Juan, whom it termed a “martyr of the country” because of a raft of legal proceedings he has had to face.

The opposition, particularly the Singapore Democratic Party (SDP), bête noire of the regime, is rarely quoted in the media and dissident voices have to resort to using the Internet to express themselves.

The authorities in April declared a sentence of up to two years in jail and a heavy fine would be imposed on anyone suspected of possessing or

broadcasting a copy of the documentary “Zahari’s 17 years”, about the 17-year imprisonment of journalist and opposition figure Said Zahari. The film-maker, Martyn See, was forced to hand over the original and copies of the documentary to the ministry of information communications and the arts. In the film, the former editor of the newspaper *Utusan Melayu* recounts why the government of the time, headed by the father of the current premier, arrested him in 1963 along with several of his associates, under a draconian internal security law. The ministry said “Zahari’s 17 years” threatened “public confidence in the government”. Martyn See’s films can be viewed on the Internet.

A correspondent for *Reuters* in Singapore, Mia Shanley was forced to reveal the source for one of her stories after two companies took action against the British news agency and the newspapers *The Straits Times* and *The Business Times* to force them to reveal the sources for articles dating back to November 2006. The courts systematically returned verdicts in favour of companies, undermining the protection of sources in the country.

SOUTH KOREA

Area: 99,260 sq. km.
Population: 48,501,000.
Language: Korean.
Head of state: Lee Myung-bak.

Lee Myung-bak, conservative victor in the December 2007 presidential election, promised to find a solution to the “press rooms” crisis. Journalists have fought the closure of these rooms that were assigned for their use within the main administrative buildings. Former president Roh Moo-hyun had wanted to rationalise and modernise government communications.

The administration in May 2007 adopted new rules entitled “Measures to develop a modern system of media support” which meant the closure of most press rooms within public buildings in the capital Seoul. New rooms were built but they no longer allowed journalists free access to ministries and major administrations as had been the case previously. The authorities closed the administration press rooms which had been established for decades, on 11 October. The Internet was cut off and equipment removed. One month later, the national police did the same. Police were deployed in front of the building to stop journalists from going in. Journalists protested against the new measures which they deemed an obstruction to their work, refusing to use the new rooms and “camped” in the corridors of the administrations. The major journalists’ organisations condemned it as an attempt to restrict access to information. On the other hand, some foreign journalists and publications close to the head of state welcomed the changes.

This reform, which was initiated by President Roh Moo-hyun, was intended to concentrate all official

communications into just a few press rooms in Seoul, Gwacheon and Daejeon. Officials were no longer allowed to speak directly to the press. The new president, Lee Myung-bak, has promised to rapidly resolve this crisis.

Elsewhere, the conservative victory should bring an end to various attempts by the centre-left presidents Kim Dae-jung and Roh Moo-hyun to limit the power of the newspapers, *Chosun Ilbo*, *JoongAng Ilbo* and *Dong-A Ilbo*, which represent nearly 70% of the market of the daily written press.

Cases of violence against the press are rare. However, in March, anti-riot police in Seoul injured ten journalists, while covering a rally of demonstrators opposed to free trade negotiations between South Korea and the United States. The following day police issued a statement apologising.

Finally, although it is never used, Article 7 of the law on national security still allows a journalist to be imprisoned for expressing “sympathy” with the North Korean regime.



SRI LANKA

Area: 65,610 sq. km.
Population: 19,800,000.
Languages: Sinhala, Tamil, English.
Head of state: Mahinda Rajapakse.

The government and the military have intensified the war against the Tamil Tigers and President Mahinda Rajapakse has sworn to stamp out the rebellion, at the price of appalling human rights violations if necessary. Both the Sinhala and English-language press came under even greater pressure from the authorities in 2007. On their side, the Tamil Tigers allow no dissident voices in the areas they control.

Bolstered by military victories in the east of the country, the government of Mahinda Rajapakse, backed up by his brother, defence secretary Gotabaya Rajapakse, has vowed to inflict military defeat on the Tamil Tigers (LTTE) who have stepped up attacks on Sinhala civilians and threats against journalists whom they consider to be in cahoots with the authorities. Security forces supported by militia have sown terror in Tamil areas, carrying out many extra-judicial executions, kidnappings and threats. Despite international condemnation, the government has used the fight against terrorism to justify this “dirty war”. The Tamil press has been badly affected by this strategy that is aimed at dissuading the Tamil population from supporting the LTTE.

In the capital Colombo, the government, allied to ultra-nationalists of the right and the left, cracked down on independent press groups, closing a radio network and publications in Sinhala. Officials have made frequent statements hostile to press freedom activists and investigative journalists, forcing the best known of them, Iqbal Athas, to temporarily flee the country.

Access to conflict zones is virtually impossible for journalists and the war of words and statistics between the government and the LTTE spilled over into the press. This was the case in January when the army vaunted the success of its bombardment of an LTTE military base in Padahuthurai, eastern Sri Lanka. But the Tamil Tigers said that 15 civilians had been killed in the attack, which they claimed had not hit any military objective. Since no independent journalist was able to reach the scene, the majority of the Sinhala and English language press in Colombo carried the government account without being able to check it, while Tamil news websites and media carried news and footage put out by LTTE.

The government, ever more resistant to international pressure, refused to allow UN observers into the country and summoned several ambassadors who had expressed opinions about human rights in the country. The national human rights commission is so lacking in independence that it lost its international status in 2007. Since March it has been preventing its offices from providing information to the media on certain cases.

TERROR IN JAFFNA

The northern Jaffna Peninsula, where Tamils are in the majority and which the army directly administers, has become a nightmare for journalists, human rights activists and civilians in general. A wave of murders, kidnappings, threats and censorship has made it one of the most dangerous places in the world for the press. Two journalists were killed there during the year, two more kidnapped and at least three media have been the victims of direct attacks on them. Scores of journalists have fled the region and others have chosen to abandon the profession altogether.

The Tamil militia of the Eelam People’s Democratic Party (EPDP) who back the security forces in their fight against the LTTE, have been implicated in many violent episodes. Their leader, Douglas Devananda, is also social affairs minister. In the east, a militia formed from a group that broke away from the LTTE has sowed terror.

A gunman on a motorbike killed a young reporter, Selvarajah Rajivarnam, who was riding his bike near the office of Jaffna’s biggest selling daily *Uthayan* at the end of April. He covered criminal cases, going into police stations and the hospital to obtain information about murders and disappearances. Several sources in Jaffna said members of the EPDP could be behind the killing. Also in April,



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the editor of local magazine *Nilam*, Chandrabose Suthaharan, was murdered at his home in the government-controlled town of Vavuniya in northern Sri Lanka. Police have failed to find the killers.

Two armed men who arrived on a motorbike burst into the home of journalism student Sahathevan Nilakshan, three kilometres from Jaffna on 2 August and shot him several times, leaving him fatally wounded. He was also a member of the management of a Tamil-language magazine *Chaa'laram*, linked to the student federation in Jaffna district. Another journalist, Kangarajan Prashanthan, working for the nationalist Tamil-language paper *Navadu Eelandu* until its closure in 2006, might easily have been killed in October but gunmen murdered his twin brother in a mistaken identity attack.

TWO JOURNALISTS DISAPPEARED

Sri Lanka holds the record for the greatest number of disappearances reported to the UN. Among them are two Jaffna journalists: Subramaniam Ramachandran, a journalist on *Thinakural*, who has not been seen since February after being arrested by the army; and Vadivel Nimalarajah, a sub editor on *Uthayan*, who was abducted from the street, after spending the night working at his office.

Neither of these disappearances has been seriously investigated, despite government promises and the identification of some suspects. Similarly, the killing of two staff in a bloody attack on the offices of *Uthayan* in May 2006, went uninvestigated by police, even though the paper's management provided the authorities with the name of a suspect, Valluvan, a militant in the pro-government EPDP militia. However witnesses, quoted by *Uthayan*, saw Valluvan in 2007 in the administration offices in Jaffna.

TAMILS DEPRIVED OF INDEPENDENT NEWS

Throughout the year, the government and its allies have tried to block the flow of independent sources of news in Tamil. Those living in the north and east of the country, already isolated by the war,

have also been gradually deprived of media not affiliated either to the government or an armed group. For their part, the LTTE increased their surveillance of Tamil journalists, threatening those who dare to criticise them openly. And the media in the areas in which they control are forced to relay the movement's belligerent propaganda.

Some staff on *Uthayan* live spend time holed up in their offices in the centre of Jaffna. One journalist lived there permanently in 2007 for fear of being killed in the street. "We had 120 staff, of whom 20 were journalists, before August 2006. Now there are only 55 of whom five are journalists, who are prepared to face up to the risks", editor M. V. Kaanamylnaatha said in June when he welcomed Reporters Without Borders to his Jaffna office.

Until May the Jaffna press went through huge problems to obtain essential supplies. The regions three titles were being asphyxiated by the authorities, who from August 2006 onwards refused to allow ink and newsprint on the list of goods that could be delivered to Jaffna. Despite their growing popularity, *Uthayan*, *Yarl Thinakural* and *Valampuri* were forced to drastically reduce their pagination and circulation. Finally after pressure, mostly from abroad, the army lifted its embargo and stock was able to arrive from the capital by boat.

The information ministry decided on 25 October to suspend the licences of five radio stations - *Sun FM*, *Gold FM*, *Hiru FM*, *Shaa FM* and *Surayan FM* - belonging to the privately-owned Asia Broadcasting Corporation (ABC) group for putting out a news item that turned out to be wrong. It was the president in person who ordered the investigation. The ABC group, several hundred of whose staff lost their jobs because of the closures, had always stood up to the authorities. The director of the Tamil-language *Surayan FM* was kidnapped in Colombo in 2006. In January 2008, the government opened new negotiations with the ABC management, which asked some employees to return to work.

The English-language news website *Tamilnet*, which is very popular because it often provides exclusive news about the situation in the LTTE-controlled



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areas, was blocked by the country's Internet service providers on 15 June. A bullet to the head had killed the website's director, Dharmaratnam Sivaram "Taraki", in April 2005 in Colombo. The authorities once again in 2007 blocked an investigation that had begun with the arrest of a suspect, a member of a pro-government Tamil party.

One by one Tamil correspondents for the national and international press have been leaving the north and east and sometimes the country, after receiving threats. When a Reporters Without Borders' representative was in Jaffna in June, the correspondent for the *Associated Press* received a text message and a call from a satellite phone telling him it was his last warning before his execution. He left Jaffna the following day.

"I have never seen anything like it. Even in Iraq under Saddam Hussein, foreign journalists had more freedom of movement", a journalist working for *Agence France-Presse* told Reporters Without Borders after returning from reporting in Jaffna. He had only been allowed to visit the city accompanied by a military escort and had not been able to interview a single resident. A British television film crew was in October also prevented from working in the peninsula, even though they had obtained permission from the defence ministry. Soldiers forced the three journalists to stay at the Palaly military bases and escorted them round Jaffna for two hours before telling them to return to Colombo.

In its war against the LTTE, the army at the end of November bombed the installations of the movement's official radio, near Killinochchi in the north. Nine civilians, three of them station staff, were killed and around a dozen more were injured. The radio *Voice of Tigers* is certainly a propaganda radio run by the LTTE, but the attack violates rules of engagement that restrict military bombing to strictly military targets.

By contrast, the pressure brought to bear by the LTTE was less visible than that of the authorities, but was every bit as effective. The separatist movement has never hesitated to go after dissidents within the Tamil community and the press is no

exception to this rule. The head of a Tamil media explained: "We know that the reaction of the LTTE can also be potentially harmful for our staff, so we are very careful. We weigh every word when we talk about the LTTE and the army. And naturally we never refer to the Tigers as terrorists". The LTTE intelligence services often summon or call Tamil journalists when they want them to provide them with information.

OFFICIALS TURNED INTO GANG LEADERS

Some ministers behave like gang leaders. Labour minister, Mervyn Silva, arrived with his henchmen at the offices of the state-run television *Rupavahini*, in Colombo in December and ordered one of his men to beat the news editor because he had failed to broadcast a speech he just made while formally opening a new bridge. Police were forced to intervene and the minister left the building under a hail of insults.

The same minister had in January incited his supporters to physically attack journalists, including a BBC correspondent, who were covering a peaceful rally. He said in April that "journalists behave like mad dogs and they have to be injected against rabies".

The defence secretary and younger brother of the president, Gotabhaya Rajapakse, in April called the editor of the *Daily Mirror*, Champika Liyanarachchi, on his mobile phone and threatened her, saying that she would escape reprisals only if she resigned. He said he would put pressure on the newspaper's management to ensure she was dismissed. He also threatened to "exterminate" the journalist Uditha Jayasinghe, for writing articles about the plight of civilian war casualties. Security forces on two occasions also accused the *Daily Mirror* of betraying the country.

OBSTACLES INCREASINGLY PUT IN THE WAY OF INVESTIGATIVE JOURNALISM

The prominent investigative journalist Iqbal Athas and several of his colleagues on the *Sunday Times* were in August victims of a campaign of harassment orchestrated by army officers wanting to silence them after revelations about the purchase of MIG-27



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warplanes from Ukraine. The government staged demonstrations outside the home of Iqbal Athas in Colombo accusing him of being a “traitor”. After his police protection was removed, Athas left the country for several weeks and suspended his column that specialised in military affairs.

An article posted on the defence ministry website on 2 October accused the journalist of taking part in “psychological operations by the LTTE terrorists”. A few days earlier, after Athas had just resumed his column in the *Sunday Times*, army spokesman, Brigadier Udaya Nanayakakara, called on the media to stop publishing his articles.

The authorities also sponsored an arson attack in November on the printers of the Leader Publications group, sending in around 15 men, with the complicity of the army, who mistreated two staff before spraying machines with petrol and torching them. The group publishes the

English-language weeklies *The Sunday Leader* and *Morning Leader*, the Sinhala-language weekly *Irudina* and the Tamil-language daily *Sudar Oli*. The raiders destroyed thousands of copies of the *Morning Leader* which were due for distribution that morning. The editor of the *Sunday Leader*, Lasantha Wickramatunga, known for his investigations and critical editorials, condemned the attack as a commando operation backed by the government.

The few Tamil journalists who tried to carry out investigative work were also targeted. In August, Kalimuttu Palamohan, known as K. P. Mohan, a specialist in military affairs for the Tamil-language daily *Thinakkural*, had acid thrown at him as he returned to his home in Colombo. Soldiers had attacked the journalist two months earlier. “When I showed them my press card they insulted me and then called other colleagues who beat me”, K. P. Mohan said about the first incident.

THAILAND

Area: 513,120 sq. km.
Population: 64,770,000.
Language: Thai.
Head of government: Samak Sundaravej.

The army, which took power in a coup in September 2006, provided guarantees for press freedom while at the same time hounding media close to former prime minister Thaksin Shinawatra. The new Constitution, adopted in August 2007, guaranteed free expression, but a new security law could turn out to be dangerous. Most cases of censorship involved the Internet.

The army went along step by step with a return to democracy which culminated in the adoption of a new Constitution in 2007 and legislative elections in December, during which the supporters of Thaksin Shinawatra had their revenge and saw the military suffer an overwhelming defeat. The constituent assembly appointed by the junta came up with a law promising a democratic regime, while strengthening the power of the armed forces.

In 2007, the Council for National Security (CNS), the government which emerged after the 2006 coup, concentrated its attacks on the media close to the ousted prime minister. An internal CNS memo revealed in September that a media campaign had been launched to discredit the People Power Party, a resurrection of Thaksin Shinawatra's former party. The military could count on scores of TV and radios whose licences they controlled.

This strategy however proved ineffective because the People Power Party won the December elections. Its leader, the populist figure Samak Sundaravej, has a history of making attacks on the press which augurs badly for relations between the media and the new government.

For Chavarong Limpattamapanee, journalist and secretary general of the Press Council, the media has "well and truly come out of the Thaksin era, when they were under constant pressure. Newspaper journalists are able to write in freedom, although it's less the case in television". One of the managers of the daily *Matichon*, Pairat Pongpanit, said they could carry out investigations without obstruction, even if he acknowledged that the military leaders have not gone back on their position that the press should "cooperate" with the government and not act as "dissidents".

ATTACKS CONCENTRATED ON PRO-THAKSIN MEDIA

A television station to be run by people close to the exiled prime minister was smothered at birth by the military, while bloggers supporting the ousted head of government were arrested. The still popular "Asian Berlusconi", Thaksin Shinawatra, who was guilty of numerous press freedom violations when he was in power, has been the bête noire of the authorities in Bangkok. In January 2007, the government told the main Thai cable TV operator to block access to *CNN* when it was about to broadcast an interview with the former primer minister. The *Cnn.com* website was also blocked. The CNS had on 10 January told all TV and radio stations not to transmit interviews with Thaksin Shinawatra or his close advisors.

The government, fearing it would become a platform for Thaksin Shinawatra, banned *People Television* (PTV) in March, after it had been broadcasting by satellite for just ten hours. "Repeated censorship on the part of the military junta is totally contrary to the so-called democratic aspirations the military announced when it took power," one of the station's managers said.

The authorities had initially tried to prevent its launch on the grounds that it had not obtained a licence to broadcast from Hong Kong. To get round the problem, *PTV* then made the decision to use one of the in-country satellite broadcasters, Star Channel MVI.

IS A PUBLIC INDEPENDENT CHANNEL IN THE OFFING?

The government took over control of the kingdom's third most watched channel, *iTV*, in March, imposing a record fine of 100.45 billion Baht

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(about two billion Euros), for non-payment of concession fees. It was handed to the public group Mass Communication Organization of Thailand (MCOT) which already owned *Channel 9*, various radios and the *Thai News Agency* (TNA).

Thaksin Shinawatra himself had bought the channel shortly after 2000. He then undermined its independence, gradually replacing investigative programmes with entertainment. After a few weeks of confusion surrounding the future of the channel, the authorities agreed to let it continue broadcasting and to provide itself with the means to turn it into an independent public channel, a first in South East Asia.

SURVEILLANCE AND BLOCKING THE INTERNET

The law against cyber-criminality, the Computer Crime Act, came into force in July and allowed police to seize computer equipment from anyone suspected of sending messages with insulting or pornographic content. Under the new law, Internet service providers, have to keep personal details of Internet-users for 90 days. The authorities have the power to check this information without any legal checks.

In April, the government blocked video-sharing website YouTube, as well as several others which had content critical of King Bhumibol Adulyadej. YouTube was unblocked in August after at least four videos had been removed. The Thai ministry

of information and communications welcomed this compromise. Owner of the site, Google, undertook not to put videos online that were contrary to the law or insulting to the monarchy. The minister added that YouTube had created a programme allowing Thai service providers to block access to videos deemed to be sensitive. The government followed this up by announcing it would set up a national committee for the supervision of the media to regulate content put out by radio, press, television and the Internet. This new body would comprise representatives of government and the Internet sector, including Google and Microsoft.

The authorities also blocked websites favourable to Thaksin Shinawatra, including hi-thaksin.net. The organisation, Freedom Against Censorship in Thailand (FACT), condemned increased censorship on the Net. Political discussion forums and websites close to separatist movements in the south of Thailand, PULO, BIPP, and BRN, were shut down in 2007.

One blogger, Praya Pichai, spent two weeks in custody under Section 14 of the law against cyber-criminality for “defamation” and “harming national security”, accused of “criticising the monarchy” in an article posted on his blog (prachathai.com). The authorities then lifted the charges against him for lack of evidence, but he will be under surveillance for ten years and faces prison if he posts any new political comment on a website.



VIETNAM

Area: 331,690 sq. km.
Population: 84,100,000.
Language: Vietnamese.
Head of state: Nguyen Minh Triet.

The political police continued in 2007 what it had begun at the end of 2006: a relentless battle against opposition movements and dissident publications. One journalist and a score of cyber-dissidents were sentenced to harsh prison terms. A French journalist working for an opposition radio was arrested for “terrorism”.

Legislative elections in May 2007 served as an occasion for the sole party to remind the opposition that it had no right to exist. In some districts of Ho Chi Minh City, the turnout reached 100% and no independent candidate was elected. The press was forced to show enthusiasm for these elections at which everything was decided in advance.

President Nguyen Minh Triet, replying in May to a question about human rights from a European journalist, said: “Perhaps it is hard for you to understand the love that we have for the people and the love that we have for human rights. But people who break the law must be punished.” A few weeks earlier, Father Nguyen Van Ly, who runs the dissident review *Tu do Ngôn luan* (Freedom of Expression) published in Hue, central Vietnam, and four of his contributors were given harsh prison sentences at the end of a summary trial after being found guilty of “propaganda against the Socialist Republic of Vietnam”.

STALINIST TRIALS AGAINST DISSIDENTS

The trial of Father Nguyen Van Ly and his four co-accused lasted just over three hours. Weakened by a hunger strike, the priest refused to get up to give his name to the judge at the people’s court in Hue. After hearing his sentence of eight years in prison, he shouted out, “Down with the Communist Party!” His colleague Nguyen Phong said in front of the judge, “For the Vietnamese nation, I will continue to fight for the values of freedom and democracy.” Nguyen Binh Thanh, who was sentenced to five years, said in his defence that he had only acted in obedience to “international laws”. Hoang Thi Anh Dao and Le Thi Le Hang received suspended 18-month sentences.

Father Ly was arrested in February and during the year two other managers of the review, Father

Chan Tin and Father Phan Van Loi were placed under house arrest. The magazine continued to be clandestinely distributed in Vietnam and abroad.

RETURN OF THE “POPULAR COURTS”

The authorities reactivated the “popular courts” to intimidate dissidents. Residents are invited to speak to the court to denounce and condemn an accused person. Nguyen Khac Toan, deputy editor of a dissident publication *Tu Do Dân Chu* (Freedom and Democracy) was tried before one of these courts in Hanoi in August. A dozen party cadres and police officers accused him of having incited peasants to demonstrate, before recommending that he be sent to a re-education camp to “remove him from society”. The trial was held in tandem with a press campaign against him in which he was accused of being an “unmasked political opportunist”.

A lawyer who represented several jailed dissidents, Nguyen Van Dai, was brought before one of these courts in the Bach Khoa area in February and accused of “betraying his country”. The “popular court” ruled that he should lose the right to work as a lawyer and his office should be closed.

The authorities went well beyond the recommendations of the people and in March, Nguyen Van Dai, who also runs the blog nguyenvandai.rsfblog.org, and another lawyer Le Thi Cong Nhan, were both arrested in Hanoi. After their arrests prompted criticism abroad, the security forces told their families not to speak publicly, particularly in foreign media. Both lawyers were sentenced in May to five and four years in jail respectively under Article 88 of the criminal code.

Other dissidents, a doctor, Le Nguyen Sang, journalist Huynh Nguyen Dao, and Nguyen Bac Truyen, all members of the banned People’s Democratic



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Party were also sent to prison, by a court in Ho Chi Minh-City. They were accused of publishing articles hostile to the regime on the Internet. Tran Quoc Hien, spokesman for the United Workers-Farmers Organization (illegal), was arrested in January for “propaganda against the regime” after posting numerous news items online about the plight of Vietnamese workers.

A FRENCH JOURNALIST DETAINED FOR “TERRORISM”

Vietnamese-born French national Nguyen Thi Thanh Van, an opposition journalist, was arrested and held in custody in Ho Chi Minh-City from 17 November to 12 December. After her release she had this to say about her ordeal, “Between four walls, I was distraught because I could not imagine how I was going to get out of this situation. There was no violence against me, but police officers interrogated me for one or two hours every day, except Sunday. They were trying to weaken me. It was a form of moral terror”. She had come to Vietnam to promote radio *Chan Troi Moi* (New Horizon), close to the opposition party Viet Tan, and to conduct interviews with dissidents.

This case demonstrated the open hostility of the authorities towards international radio stations that broadcast in Vietnamese. Four trade unionists were thrown in prison in December for having sent news to *Radio Free Asia* while the Vietnamese embassy on several occasions threatened journalists from *Radio France International* and denied visas to one of them.

A PRESS UNDER SUPERVISION

Liberal newspapers, such as *Tuoi Tre* (Youth) tried to push against the limits of official censorship but the government used repressive legislation to

bring the most daring to heel. A law passed in 2006 provides for fines and suspensions of licences for media and journalists who defame and attack the “prestige of the state”.

The official media, which comprises more than 100 radio and television stations, as many websites and nearly 600 publications did not in 2007 make use of the space for debate opened up ahead of the 2006 Communist Party Congress. On the contrary, the media, including the party newspaper and police newspapers campaigned against “agitators” and “terrorists” from inside and outside the country. Some foreign governments and international organisations like Reporters Without Borders were accused of supporting enemies of the regime.

VIETNAM MARKS TEN YEARS ON THE INTERNET

The country experienced its biggest crackdown since 2002 when, in the space of one week, six cyber-dissidents were sentenced to prison terms of three to five years. Since Vietnam became the 150th member of the World Trade Organisation, it has behaved very differently from the way it presented itself to the international community to get itself admitted. It is one of the world’s most authoritarian countries and closely follows the Chinese model when it comes to violations of freedom of expression online. Eight cyber-dissidents are in prison for having exercised freedom of expression on the Web.

Police and the culture ministry in September ordered the closure of the online newsletter *Intellasia.com* which is run by an Australian and specialises in financial news as well as posting political articles about Vietnam.



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A meeting to honour journalist Hrant Dink, murdered in Istanbul on 19 January 2007.

2008 Annual Report

EUROPE AND THE FORMER SOVIET BLOC

DETENTE IS NOT AROUND THE CORNER, DESPITE HISTORY

Press freedom is deteriorating throughout this very diverse region. The leaders of the most authoritarian regimes bitterly resent journalists who expose their corruption, embezzlement and self-enrichment. In countries with more press freedom, journalists are often not sufficiently protected against legal action. Overall, journalism needs to be better defended, including in European Union countries where press freedom is a reality.

Attacks on the right of journalists to keep their sources secret increased in the major democracies in 2007. Journalists were arrested and questioned and their offices and homes searched in France, Germany and Italy. Legal officials tended to approve this kind of behaviour especially when legal confidentiality had been violated.

This has made it more necessary than ever for the European Union (EU) to pass laws to efficiently protect this cornerstone of press freedom. French President Nicolas Sarkozy promised journalists on 8 January 2008 that he would push through a law to this effect. "Proper journalists do not reveal their sources," he said. "Everyone must understand and accept this."

Physical violence against the media is less common in the EU than in the former USSR, but Bulgaria (now an EU member) and Italy were exceptions. Organised crime dislikes exposure of its activities and was quick to threaten a journalist in Bulgaria with an acid attack. In Italy the mafia forces journalists to have constant police protection if they want to stay alive.

Death threats and harassment are still common in central Europe and the Balkans, a region struggling to recover from a violent past that haunts every social and political upheaval. The media is still very polarised, with journalists suspected of taking sides and thus becoming targets of violence. The Serbian radio and TV station B92, which has bravely tackled the issue of war crimes for several years, was publicly accused in 2007 of being "paid to take an anti-Serbian stand." Physical attacks continue, including with grenades, but the media remains vigorous and stands up to the pressures.

The authoritarian regimes in the former USSR countries make every effort to crush press freedom. Elections in Russia and Uzbekistan in 2007 confirmed governments in power and gave no short or medium-term hope of more press freedom. Editorial independence exists but only for media outlets with little public impact. Building civil society to loosen the monolithic grip of the authorities is a hard job.

The country in the region with the worst record, Turkmenistan, has made a wide range of foreign alliances of unclear meaning since the death in December 2006 of President-for-life Saparmurad Niyazov. The direction of his successor, President Gurbanguly Berdimukhamedov, is also rather a mystery. Will the EU present a firm and united front to the oil and gas rich country? Except for a few encouraging signs, such as the opening of a few cybercafés, the country has not liberalised and press freedom has not improved.

In the former Soviet Caucasus countries, Azerbaijan continued its crackdown on the media and treated as criminals journalists who exposed corruption among top officials. Heavy penalties for those who wrote "undesirable" articles had a dissuasive effect and President Ilham Aliyev ignored the many appeals from NGOs and international bodies such as the Organisation for Security and Cooperation in Europe (OSCE). The regime also broke off contact with Reporters Without Borders after harsh criticism from it.

Political violence against the media returned to Turkey with the murder of Turkish-Armenian editor Hrant Dink in January. The country needs more than ever to face up to its past and get rid of old-fashioned nationalistic ideas. The arrest of the killers and the start of their trial has thrown a shadow over the country – the involvement of the police and judiciary in Dink's death. Debate about amending articles of the criminal law about Turkish identity has resumed but they are meanwhile still being used to prosecute and convict people, including Dink's journalist son. The law and the behaviour of the judiciary must change so that disagreement with the country's official principles is no longer punished.

Elsa Vidal
Head of Europe and the former Soviet bloc desk

AUSTRIA

Area: 83,860 sq.km.

Population: 8,281,948.

Language: German.

Head of government: Chancellor Alfred Gusenbauer.

A growing number of media disputes in Austria are coming before the European Court of Human Rights. Efforts to reform the press law through a government-sponsored working group have not advanced much. Austria, like other European countries, has also begun to incorporate European Union anti-terrorism directives into local law, to allow spying on e-mail, personal data retention and tapping of phones.

Six freedom of expression cases in Austria were taken in 2007 to the European Court of Human Rights (ECHR), which ruled in four of them that article 10 of the European Human Rights Convention (guaranteeing freedom of expression) had been seriously violated. This brought to 13 the number of such rulings against Austria since 2000, putting the country in second place after Turkey and ahead of Russia.

The most significant cases were those involving the weeklies *Falter* and *News*. The ECHR awarded *Falter* €9,000 damages as well as costs on 22 February and condemned a July 2003 Austrian court decision against the paper for an article about legal action against members of the extreme right Austrian Freedom Party for abuse of power. The paper was sued by the party's Vienna leader, Hilmar Kabas.

Austria was also condemned by the ECHR the same day for a December 2001 Vienna court decision awarding €800 damages against the weekly paper *News* and imposing a suspended €1,450 fine on reporter Rainer Nikowitz for a September 2001 article about a dispute between two skiers. One of them, Stefan Eberharter, sued the paper and the journalist, who lost their appeals. The ECHR struck down these decisions and awarded €7,058 in damages to Nikowitz and €4,831 to the paper.

Austria has begun to amend its criminal law to incorporate European Union directives on terrorism, authorising police to intercept e-mail, tap people's phones and force retention of customers' personal data by Internet service providers, who must now provide it (along with embedded computer addresses, IPs) on police demand, without waiting for a court order. Phone companies must also supply such details without a court order.

AZERBAIJAN

Area: 86,600 sq.km.
Population: 8,406,000.
Language: Azeri.
Head of state: Ilham Aliiev.



The country is rich in oil and natural gas but poverty is also severe, as petrodollars feed a black market and massive corruption. Exposing this can be dangerous and independent and opposition media are under constant pressure from the regime.

Four men beat up Nijat Huseynov, of the major opposition daily *Azadlig*, in Baku in January 2007 as he was investigating corruption and abuses by government officials. A few days earlier, he had received phone calls warning that he would be “punished” for what he had written. He recognised one of his attackers as someone he had seen during his investigations. He was kicked, hit and stabbed and hospitalised with head and stomach injuries.

The paper’s problems continued to pile up during the year. Editor Ganimat Zahidov, the older brother of journalist Sakit Zahidov (sentenced to three years in prison in October 2006) was accused of “aggravated hooliganism” in what appears to have been a set-up. He was put in custody for two months in November 2007 and faces five years in prison. Setting up journalists and then convicting them of common law offences is a favourite tactic of the regime and allows “troublemakers” to be disposed of. Sakit Zahidov was accused of drug-trafficking but said the police planted heroin on him.

LIBEL A FAVOURITE WEAPON

Lawsuits for libel and insults increased in 2007. Faramaz Allahverdiyev, of the daily *Nota Bene*, was sentenced to two years in prison in January for writing a column about the political betrayal of the late President Heydar Aliiev by interior minister Ramil Usubov.

Eynulla Fatullayev, founder of two of the country’s biggest daily papers, *Gundalik Azerbaijan* (in Azeri) and *Realny Azerbaijan* (in Russian), was sentenced to two and half years in prison in April for supposedly libelling and insulting Azerbaijanis in an article about Armenia. The editor of *Gundalik Azerbaijan*, Uzeir Jafarov, was physically attacked just after he had testified in

Fatullayev’s defence. The two papers were forced to close in May by the authorities, who cited violations of fire safety regulations. The staff protested by asking for political asylum in other countries and were joined by other journalist applicants, making a total of 24.

Fatullayev appealed against his sentence but the charges against him were increased in October and he was given an eight and a half year prison sentence for “threatening terrorism” (article 214.1 of the criminal law), tax evasion (art. 213.2.2) and “inciting racial hatred” (283.2.2). He was also fined 200,000 manats (\$230,000) and the two papers’ 23 computers were ordered seized.

The charges arose from an article in May criticising the government’s foreign policy headed “The Alievs prepare for war” and saying the country risked reprisals if the United States launched a military strike against neighbouring Iran. Fatullayev sarcastically thanked the court for its “too lenient” verdict and mentioned the March 2005 killing of Elmar Huseynov, editor of the independent weekly *Monitor*. Fatullayev had accused the authorities in March 2007 of obstructing the investigation into his death. He was also convicted in April of defaming the army by accusing Azerbaijani troops of killing inhabitants of the village of Khojali (not just Armenian troops) during the 1992 fighting in Nagorno-Karabakh.

Two journalists of the daily *Mukhalifat*, Yashar Agazadeh and Rovshan Kabirli, were each sentenced to two and a half years in prison in May for libelling the president’s uncle, Jalal Aliiev, by accusing him of corruption. The supreme court in July confirmed prison sentences on Samir Sadagatoglu, editor of *Sanat* (four years), and staffer Rafik Tagi (three years) for a November 2006 article criticising Islam.

AZERBAIJAN



Ilgar Nasibov, the correspondent of *Radio Free Europe* in Nakhichevan (the Azerbaijani autonomous republic which has borders with Armenia, Turkey and Iran) was arrested in December after an argument with a police officer who insulted him, said he had an “undesirable” profession and accused him of spreading false news about events in Nakhichevan. Nasibov and his wife had been harassed by police for several months. He was summoned to a police station on 6 December, supposedly to sign some papers, but was instead arrested and sentenced to three months in prison for “defaming” the police officer. The arrest, the first of a journalist working for a foreign media outlet, was widely condemned. Nasibov’s appeal was heard in secret and his sentence was suspended.

PRESSURE FROM THE INTERNATIONAL COMMUNITY

The European Parliament’s human rights committee in August called the press freedom situation in the country “unacceptable.” Andrew Herkel, co-rapporteur of the Council of Europe’s parliamentary assembly, said appropriate steps would have to be taken if the rights situation did not improve by the start of 2008.

President Ilham Aliiev pardoned five of the eight journalists imprisoned in Azerbaijan on 30 December. But press offences legally still count as crimes and three journalists are still in jail. Journalists cannot work freely, without fear of prison, until press offences are decriminalised. The run-up to the autumn 2008 presidential election will show which way the wind is blowing.

BELARUS

Area: 207,600 sq.km.
Population: 9,726,700.
Languages: Belarusian, Russian.
Head of state: Alexander Lukashenko.



Press freedom in Europe's last dictatorship, whose president was re-elected in 2006 with over 82% of the vote in an election dubbed fraudulent by all observers, did not improve in 2007. Official pressure on the media continued and the Internet came under greater scrutiny.

The UN Human Rights Council decided in May not to renew the mandate of the UN special rapporteur for Belarus, even though Belarus had not been elected to the council because of its appalling human rights record. The free press has virtually disappeared and been forced underground. Printing and distribution of newspapers is done by state-controlled firms that have a monopoly. The national post office, Belpochta, has a monopoly on distribution of newspapers to subscribers and can strike a dissident paper off its list at any time.

The regime firmly rejects the demands of civil society groups, especially when they challenge the legality of its decisions. Parliament's human rights and media committee in August turned down a request from the Belarusian Association of Journalists (BAJ) to review article 10 of the press law to see if it conformed to articles 33 and 34 of the national constitution. Article 10 obliges media outlets to register with the authorities, who have used the provision in recent years to block the registration and thus operation of dissident media outlets.

Two years of harassment of the independent twice-weekly paper *Vitebsky Kourier* increased in January 2007, with bureaucratic efforts to shut it down for not printing the address of its offices on the front page. The paper and its staff have been evicted from their offices several times since October 2006, putting them in technical violation of the press law. Such administrative harassment is common and one of the country's oldest weeklies, *Nasha Niva*, had the lease on its premises broken off for a fifth time under government pressure after the secret police visited the landlord. This absurd situation has been going on since April 2006.

Journalists who work for foreign media, especially those in neighbouring Poland, were targeted by

the regime. Ihar Bantsar, editor of the Polish-language monthly *Polski na uchodźstwie*, was sentenced to 10 days in prison in March for "insults." The paper's editor, Andrey Pochobut, has been arrested many times in recent years. The Moscow correspondent of the Polish daily *Gazeta Wyborcza*, Wacław Radziwonowicz, was arrested on a train to Russia in July in Brest, on the Polish-Belarusian border. Customs officials detained him for five hours and then sent him on a train back to Warsaw without explanation. Radziwonowicz is a former correspondent in Belarus and is said to have been put on a black list in 2006 after writing articles sharply criticising President Alexander Lukashenko and his entourage.

PREVENTIVE ARRESTS

Opposition activists of the Youth Front were arrested in Baranovichi on 10 September as they demonstrated against the trial of a Front member. Journalists covering the protest, including photographers from *Agence France-Presse* and *Reuters*, were held for several hours. A journalist with *Nasha Niva*, Arseny Pakhomaw, was detained for seven hours and then charged with "hooliganism." Ivan Roman, of the Polish station *Radio Racyja*, and *Polski na uchodźstwie* editor Bantsar, were ordered jailed before a demonstration planned for 14 October. Plainclothes police picked Roman up at his home and he was accused of making "insulting remarks." The media was barred from his trial on 10 October.

Barys Haretski, of *Nasha Niva* and *Radio Racyja*, was sentenced to a week in prison on 11 December for taking part in an unauthorised demonstration. Earlier in the year, Bantsar, Pochobut and Aliaksey Saley (of *Polski na uchodźstwie*), Andrey Dynko (*Nasha Niva*), Andrey Pisalnik, former editor of the paper *Głos znad Niemna*, and Andrei Shantorovich, former editor of the weekly *Mestnaya Gazeta*, were also punished for similar offences.

BELARUS



CYBER-DISSIDENTS TARGETED

The regime, determined to block any independent news, turned its attention to the Internet in 2007. Surveillance of Internet cafés was stepped up in February and the government ordered their owners and also the managers of computer clubs to report when users visited banned websites. They must also keep a record of all customer traffic for a year, supposedly to fight cyber-crime but in fact as a way to narrow this last window of freedom. The regime controls access to the Internet through the monopoly of the national telecoms firm Beltelecom but cybercafés had been the only

place where Belarusians could post their opinions without risking arrest.

President Lukashenko said during a visit to the offices of the state-owned daily *Sovietskaiia Bielroussiya* on 2 August that he would “put an end to the anarchy” online and would “not allow humanity’s great technical achievement to become a news sewer.” Deputy information minister Alyaksandr Slabadchuk announced a few weeks later the setting up of a working group to improve “legal regulation of the Internet.” He approvingly mentioned China, which is very good at cracking down on cyber-dissidents.

BELGIUM

Area: 30,528 sq.km.

Population: 10,392,226.

Languages: Dutch, French, German.

Head of government: Prime minister Guy Verhofstadt.

Belgium has a good record of press freedom but two cases of censorship – one concerning a publisher and the other the closure of a blog under pressure - spoiled it in 2007.

The national constitution says “the press is free and censorship cannot be imposed” (article 25) but a court in October 2007 banned the broadcast of part of an *RTBF* programme that used a hidden camera to show that Nick Rodwell, the administrator of the firm Moulinsart, which holds the rights to cartoonist Hergé’s character Tintin, maintained a blacklist of people he did not like.

Rodwell and Yves Février, a Moulinsart consultant, won a last-minute court order forbidding its broadcast on pain of a €10,000 fine. *RTBF* refused to cut the sequence and decided not to show the programme at all and to appeal the ruling.

COMMUNITY BLOG FORCED TO CLOSE DOWN

Mehmet Koksal, a journalist for *Courrier international*, *La Tribune de Bruxelles* and *Journal du mardi*, and also a member of the board of the Belgian journalists association, *AJP*, shut down his outspoken blog in October after physical attacks and threats by Turkish extreme nationalists. The blog (<http://allochtone.blogspot.com>) had for several months covered events in the Turkish community in Belgium and had also annoyed mainstream political parties because of its revelations about some of their immigrant officials.

After being physically attacked on 21 October by members of the extremist Turkish group *GreyWolves* as he was covering an unauthorised demonstration in front of the US embassy in Brussels, his blog began to be flooded with hate mail. He was threatened and insulted, his family exerted pressure on him and he was abused in cafés and by community associations. He then shut down the blog.

EUROPEAN HUMAN RIGHTS COURT BACKS WHISTLEBLOWER

Belgium was once more condemned in late November for violating the European Convention on Human Rights (article 10) by not respecting the secrecy of journalistic sources and was ordered to pay German reporter Hans-Martin Tillack €40,000 damages. Police ransacked Tillack’s home and office in March 2004 and seized his files after he wrote articles about corruption in European institutions and about an investigation by *OLAF*, the EU’s anti-fraud body.

OLAF got the police to act in an effort to find Tillack’s sources and also accused him of bribing an EU official. The scandal occurred as the Belgian parliament was debating a bill to protect journalistic sources, which has since become law and is one of the best in the European Union.

BULGARIA

Area: 110,910 sq.km.
Population: 7,700,000.
Languages: Bulgarian, Turkish.
Head of government: Sergei Stanishev.

The poorest member-country of the European Union (with a third of the population living below the poverty line) still has to make efforts to fight corruption and organised crime. Press freedom needs attention too.

New EU member-state Bulgaria started 2007 badly, with a threatened acid attack on journalist Maria Nikolayeva, of the weekly *Politika*, who was co-authoring a report that a construction project was endangering the country's biggest nature reserve, the Strandzha Park. Two men got past security at her office on 9 February and made the threat to her in person. Despite a previous incident in 1998, when acid was thrown in the face of journalist Anna Zarkova for exposing human trafficking, Nikolayeva's report was printed fully the following week.

But the issue could not be distributed in Burgas, the main town in the Strandzha region, on the Black Sea, because all copies were bought up by an unidentified person at the wholesalers. Nikolayeva's co-author, Assen Yordanov (also the son of a well-known poet), was beaten up by four thugs in Burgas in December.

The leader of the ultra-nationalist Ataka party, Volen Sidorov, and one of the party's MPs, Dimitar Stoyanov, burst into the Sofia offices of the daily *24 Chasa* and the weekly *168 Chasa* in February with about 50 party activists and threatened *168 Chasa's* editor, Nikolai Penchev, and other journalists present. A hundred Ataka members were also in the street outside. The paper had printed a report the day before that the party had received funding from one of its political rivals, the DPS (Movement for Rights and Freedoms). The Ataka leaders demanded a right of reply which appeared on 2 March denying the *168 Chasa* report.

The names and addresses of the editors and journalists of the two papers were publicised by an Ataka TV station and all of them subsequently got

threats and insulting messages. A complaint was filed with police and they were given temporary police protection. This violence did not stop Ataka getting 14.2% of the votes at the European Parliament elections in May, winning three seats, one of them occupied by Stoyanov.

A photographer from the daily paper *Express*, Emil Ivanov, was arrested in May and beaten up by police outside a Sofia court as he was waiting for a rich businessman, Mladen Mihalev, who had given evidence at the trial of the murderers of one of his colleagues. Mihalev's appearance was under heavy security, with traffic diverted, his own security guards present and journalists searched as they went into the courtroom. Media organisations protested at the beating but interior minister Roumen Petkov said the police were not guilty and would not be punished. Ivanov may take the case to the European Court of Human Rights.

The editor of *Express*, Danka Vasileva, was also threatened, when a senior anti-gang police official went to her office on 24 October and accused her of "a crime against government authority" (article 273 of the criminal code) by publishing that day the first part of a list of candidates in local elections who had belonged to or collaborated with the former secret police (the *Darzhavna Sigurnost*). He demanded that she sign a promise not to print the rest of the list. She was then interrogated to get her to say how she had obtained it. She was also told she was being legally investigated.

The entire list was made public the next day by a state commission, as required under a law passed in December 2006 opening old secret police files and also under EU law.

FRANCE

Area: 551,500 sq.km.

Population: 61,226,063.

Language: French.

Head of state: Nicolas Sarkozy.

Nicolas Sarkozy's election as president in May 2007 substantially affected relations between government and media, but changes were few in the legal field and raids on media premises and arrests and questioning of journalists continued.

French journalists were unsure how to respond to new President Nicolas Sarkozy's attitude to the media. Some were charmed by the unusual informality with a head of state that he offered but others were concerned about his ties to powerful media proprietors. As soon as he took office on 16 May 2007, the media was overwhelmed by his crowded agenda. "We can't keep up. We need more staff to cover his movements," one reporter assigned to the Elysée presidential palace told Reporters Without Borders. Many were glad that at last "something is happening at the Elysée." But his close friendship with the country's principle media owners greatly worried journalists and their trade unions, who stressed this could seriously harm media diversity.

The killing by *Le Journal du Dimanche* of a story that Sarkozy's then-wife Cécilia had not voted in the 6 May second round of the presidential election fed this concern. The editors of the weekly paper, owned by the group headed by Arnaud Lagardère, whom Sarkozy has called "a brother," denied giving in to pressure but admitted "some phone calls" had been received claiming the news was "very private and personal." Reporters Without Borders joined with *Journal du Dimanche* staff in urging journalists to resist all forms of pressure. A month later, the organisation supported journalists from 27 media outlets in a call to Sarkozy to ensure the independence of the media.

SOURCES BADLY PROTECTED

The judiciary continued its failure to fully respect the rights of the media in 2007. A judge visited the satirical weekly *Le Canard enchaîné* in May as part of legal action against it for "revealing legally confidential material" in the Clearstream corruption case involving top government officials. The paper's editor said staff were "alarmed" by the visit and had refused to allow the judge in, obliging him to leave. Four journalists from *France 3 Sud* and *Le*

Midi Libre were summoned in May by police detectives in Montpellier who wanted to know who had told them about protests by wine growers associations.

Tension increased further on 5 December when the DST secret police broke into the home of freelance journalist Guillaume Dasquié at dawn and in front of his wife and children took him away for questioning. They also searched the house and seized documents. Dasquié was not freed until the following evening, after he had told police the name of one of his sources for an article about the 11 September 2001 attacks in the US.

Protection of journalistic sources is inadequate in France and Reporters Without Borders has made proposals to justice minister Rachida Dati to strengthen it, notably by inserting such protection into the press law and extending rules about searching media offices to cover the homes of freelance journalists. Sarkozy told journalists in January 2008 these changes would be done in the coming year.

FREEDOM OF EXPRESSION GUARANTEED BY COURTS

A Paris court in March acquitted the managing editor of the satirical weekly *Charlie Hebdo* in a lawsuit against him by the main Paris mosque, the French Union of Islamic Organisations (UOIF) and the Muslim World League for reprinting cartoons of the prophet Mohammed that first appeared in a Danish newspaper in 2005. The court said the reprinting was "within the permissible limits of freedom of expression." The UOIF appealed against the decision but in early 2008 the public prosecutor again called for acquittal.

A suspect was arrested in Morocco in January 2007 after confessing he had made death threats on an Internet website against Robert Redeker,

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who strongly criticised Islam in the daily *Le Figaro* three months earlier.

PROGRESS IN POLYNESIA

Progress was made in 2007 in the investigation of the 1997 disappearance in French Polynesia of Jean-Pascal Couraud (known as “JPK”), editor of the newspaper *Nouvelles de Tahiti*. The civil parties in the case managed to get a copy of the case-file,

which strengthened their belief he had been murdered. His family’s lawyer said the discovery of two documents about a bank account belonging to former French Polynesia President Gaston Flosse on the computer hard-drive of Gen. Philippe Rondot, a figure in the Clearstream scandal, showed that JPK had documents that were a threat. Justice minister Dati told JPK’s support committee that her ministry would examine the case very carefully.

GEORGIA

Area: 69,700 sq. km.
Population: 4,433,000.
Language: Georgian.
Head of state: Mikheil Saakashvili.

Political division severely tested press freedom. Journalists in the Abkhazia autonomous region were also under pressure.

Growing tension between the opposition and President Mikheil Saakashvili peaked in late 2007 with demonstrations calling for him to step down and for early parliamentary elections. About 500 people were injured on 7 November when police forcibly broke up the protests. Saakashvili declared a state of emergency, saying Russia was trying to stir up trouble and overthrow him, and development minister Georgy Arveladze shut down all news programmes on independent TV stations, leaving the state-controlled *Georgian Public Broadcaster* (GPB) as the only station allowed to broadcast news.

Imedi, the most popular of the three privately-owned TV stations, with two-thirds of the national audience and run by opposition figure Badri Patarkatsishvili, went off the air when special security forces went to its studios and cut off the power.

The crisis began with the arrest in September of former defence minister Irakli Okruashvili, who had accused Saakashvili of corruption and wanting to get rid of Patarkatsishvili. He retracted his charges after his arrest but in Munich on 5 November he repeated them in an interview with *Imedi*.

POLITICAL TROUBLES OBSTRUCT THE MEDIA

The state of emergency was lifted on 16 November after the government agree to hold early presidential elections on 5 January 2008. But this did not allow *Imedi* to resume broadcasting as a court had suspended it for three months because of statements by Patarkatsishvili.

The station went back on the air on 12 December thanks to a court decision but stopped broadcasting two weeks later in protest against the accusations against Patarkatsishvili and against the pressure from the government. Its head of political programmes said the station would stay off the air until the legal position of Patarkatsishvili was clarified and the political situation returned to normal. Saakashvili won the 5 January presidential election

with 52.8% of the vote, against 27% for combined opposition candidate Levan Gachechalidze, but political tension remained high. The opposition said the election had been rigged and demonstrated in Tbilisi, while the Organisation for Security and Cooperation in Europe (OSCE) called on all sides to accept the results of the election, which it said was up to international standards, despite some irregularities. It urged candidates to observe democratic principles and act responsibly. The early parliamentary elections due in spring 2008 will probably see an even uglier battle between the two sides.

Several journalists in the Abkhazia autonomous region claimed by Russia and which declared for independence in March 2007 met the governor, Sergei Bagapsh, and told him about the problems they were having, including newspaper distribution, heavy and arbitrary taxes, lack of legal clarity and difficult access to public information.

A SHADY AFFAIR

Journalist Shalva Ramishvili, co-founder of the independent TV station *202*, who was sentenced to four years in prison in March 2006 for extortion, remained in jail while his co-accused, David Kokhreidze, was pardoned by the president and freed.

The two journalists had been arrested in August 2005 and accused of trying to extort \$100,000 from a government member of parliament, Koba Bekauri, during an interview they had with him and in which they tried to show that he was corrupt. Bekauri agreed to the interview but secretly filmed the occasion. The journalists had asked him – for the purposes of the programme – for \$100,000 to not reveal what they knew. Bekauri filed a legal complaint and used the film against them.

Ramishvili admitted the methods they used were probably wrong, in a letter published in the media in 2007, but continued to claim he was not guilty of extortion.

GERMANY

Area: 357,030 sq.km.

Population: 82,420,000.

Language: German.

Head of government: Angela Merkel.

Attacks on press freedom in 2007 were mostly threats to undermine the privacy of journalistic sources, with court decisions and moves in parliament.

The constitutional court ruled on 27 February 2007 that police raids in 2005 on the offices of the political magazine *Cicero* were illegal, along with their copying of computer data. The magazine had run extracts in April 2005 of a secret report by police about Al-Qaeda activities and police searched its offices in September. Editor Wolfram Weimer said it was a violation of press freedom and appealed to the constitutional court, which ruled that press freedom was entrenched in the national constitution and that "searches and seizures as part of investigation of a journalist" were "illegal if they simply or chiefly aimed to find out the name of a journalistic source."

Despite the ruling, 17 journalists were prosecuted in 2007 for "involvement in disclosing state secrets" (article 353b of the criminal code). They included journalists on *Berliner Zeitung*, *Die Zeit*, *Welt*, *Der Spiegel* and *Süddeutsche Zeitung*, in Berlin, Munich and Hamburg. The lawsuits were filed in August after the leaking of confidential material from a parliamentary commission investigating the role of the BND secret services in the fight against terrorism. The national journalists association DJV says 180 suits alleging "complicity in betraying state secrets" have been brought against journalists in Germany since 1986. All the investigations

have been dropped by the end of the year. Berlin was the last one on the 20th of december 2007.

The issue will remain a major one for journalists in 2008. The lower house of parliament in November 2007 passed a proposal by justice minister Brigitte Zypries requiring telecommunications firms to keep records of their customers for six months. The measure (effective 1 January 2008 but not until 2009 for online traffic) brings German law into line with European Union directive 2006/24/EC, under which EU countries have to keep data needed for investigations and prosecutions for between six months and a year. It will enable message senders and recipients to be identified, as well as the date and type of message, the equipment used and the location of mobile phone users. The law also gives lawyers, MPs and religious figures protection journalists do not get. Examining magistrates will be able to force journalists to disclose their communications if considered in the interests of the investigation.

The measure sparked strong protests from civil society and 30,000 people signed a petition to appeal it to the constitutional court, which cannot hear it before the law is officially promulgated in the official gazette. Media organisations also voiced opposition to the measure.

ITALY

Area: 301,340 sq.km.

Population: 59,500,000.

Language: Italian.

Head of government: Romano Prodi.

Journalists in Italy, as elsewhere in Europe, saw their right to protect their sources come under fire in 2007 and parliamentary measures threatened to curb media access to some public-domain material. Organised crime also continued to threaten the lives of journalists who dared to expose its activities.

The lower house of parliament (Chamber of Deputies) passed a government-sponsored bill on 17 April 2007 regulating media publication of the results of government phone-tapping, including an obligation to destroy all tapes five years after a court decision in the case and a ban on publishing or broadcasting a tape after a case was closed. Infractions would carry heavy fines of up to €100,000 and also several days in prison. The bill still has to be approved by the senate.

The national journalists union, FNSI, called a protest strike for 30 June and the president of the Order of Journalists, Lorenzo del Boca, underlined that “the threat of prison for journalists, who would be punished for simply doing their job, will set us back more than a decade”. Italian newspapers often print entire pages of transcriptions of court-tapped phone conversations to put pressure on prominent people.

JOURNALISTS TARGETED BY ORGANISED CRIME

Two men were disturbed by police in Palermo (Sicily) on 2 September as they tried to attach a bomb to the car of Lirio Abbate, a crime specialist with the *Ansa* news agency who also works for the daily paper *La Stampa*. The attempt came just a few days after Abbate had returned to Palermo and after several months of threats

after publication of his book about organised crime and the support crime boss Bernardo Provenzano enjoyed from national politicians.

Abbate, 38, was given a permanent police escort, the first time this had been done for any Palermo journalist, and drove in an armoured vehicle constantly accompanied by two bodyguards. But these measures hindered his ability to do his job, which depends on meetings with people who wanted to remain anonymous, and also unknown to the police.

Writer-journalist Roberto Saviano, 28, correspondent for *l'Espresso* and author of a book about the Neapolitan mafia, has meanwhile lived under police protection in Naples since October 2006 because of threats received since his book came out.

SECURITY OF SOURCES THREATENED

Police searched the Naples home of Giuseppe d'Avanzo, of the daily *La Repubblica*, on 13 December a day after he revealed that city prosecutors were opening an investigation of alleged corruption by former prime minister Silvio Berlusconi. D'Avanzo cited phone-tapping results that Berlusconi had offered a centre-left senator, Nino Randazzo, a deputy minister's post if he would help him overthrow prime minister Romano Prodi's government.

KAZAKHSTAN



Area: 2,724,900 sq.km.
Population: 15,200,000.
Languages: Kazakh, Russian.
Head of state: Nursultan Nazarbayev.

As well as the usual problems journalists get when they expose corruption or criticise President Nazarbayev, the media was the victim of power struggles inside the regime. Three opposition journalists died in suspicious circumstances and coverage of the August 2007 parliamentary elections was biased.

Kazakhstan's economic growth depends heavily on exports of oil and natural gas, which benefits only a small part of the population, so media exposure of corruption and embezzlement brings reprisals against journalists.

The independent twice-weekly paper *Uralskaya Nedelya*, which had been under pressure from the authorities since it ran a series about official corruption in July 2006, faced serious problems in January 2007 about where to print as the regime put great pressure on printers who had signed contracts with the paper. Many of them gave in and the paper did not appear several times. It was also ordered to pay 300,000 tenge (€1,600) in damages to a metallurgy firm it had accused of using public money for a private project. Before the paper could appeal, the money was deducted from the paper's bank account, in open violation of the law that says damages are not to be paid until all legal procedures have been completed.

Also in January, a journalist from the news website *kub.kz*, Kazis Toguzbayev, was given a two-year prison sentence, along with probation, for posting an article accusing the regime of protecting the killers of opposition leader Altynbek Sarsenbayev, which the justice ministry found insulting to the dignity and honour of President Nursultan Nazarbayev.

THE MEDIA A VICTIM OF THE PRESIDENT'S FAMILY SETTling THEIR SCORES

Power-struggles and score-settling in the president's family had heavy consequences for the media in 2007. In May, Nazarbayev's son-in-law Rakhat Aliev, the Kazakh ambassador to Austria and the Organisation for Security and Cooperation in Europe (OSCE), was dismissed and an international arrest put out for him. He was

accused of running a gang and ordering the kidnapping of top officials and an employee of Nurbank, of which he is part-owner. He was arrested and freed on bail of more than €1 million. He said he was hounded from the moment he told Nazarbayev he wanted to stand in the next presidential election.

Aliev's disgrace affected the media outlets he owns. The weekly *Karavan* (print and online versions) and the TV station *KTK* were ordered to shut down in May by a commercial court in Almaty. The two offices were closed by police and the editors were arrested a few days later. Access to the website of the news agency *Kazakhstan Today*, owned by Aliev's media group Alma Media, was then blocked by the national telecommunications firm Kazakhtelekom.

Pressure quickly spread to media outlets that had reported on Aliev's misfortunes. Three websites that carried articles about Rakhatgate were hounded before being blocked by Kazakhtelekom. *Inkar*, a web-based radio station that broadcast an interview with Aliev, was cut off for a few days in October, when several opposition papers, including *Svoboda Slova*, *Respublika* and *Vsgliad*, which had reported the case, were harassed by the authorities, with broken contracts with printers, tax inspections and searches by treasury police.

SUSPICIOUS DEATHS

Three independent journalists – Saken Tazhanov (of news websites *zonakz.net*, *dialog.kz*, and *kub.kz*), Yuri Halikov (TV station *CTC*), and Tolegen Kibatov (TV station *Oytar*) – died in suspicious road accidents in 2007. Regional press freedom organisations urged the authorities not to rule out murder. At least seven independent or opposition journalists have died in similar circumstances in recent years.

KAZAKHSTAN



Salavat Bolgonbaev and Almaz Oralbaev were jailed for respectively 16 and 17 years on 30 April 2007 for the murder of French journalist Grégoire de Bourgues, found dead in his apartment in Almaty on 2 August 2006. A third suspect was still being sought. They allegedly killed him during a burglary that went wrong. De Bourgues had been in the country for three months doing an advertising feature ordered by the Kazakh government from the firm SML Strategic Media.

BIASED COVERAGE OF PARLIAMENTARY ELECTIONS

The 18 August 2007 parliamentary elections, overwhelmingly won by the president's Nur-Otan party (which now holds all the seats), confirmed the authoritarian relations between the regime and the media.

Media coverage of the elections, which were criticised as undemocratic by the OSCE, was heavily influenced by the regime, with many examples of

pressure, self-censorship, violations of the electoral law and biased articles praising the government and attacking the opposition. Reports about the president's party on the state-run TV stations *Kazakhstan 1* and *TV Khabar* were all positive and far more common than those about other parties.

On election day, *Kazakhstan 1* showed a one-hour documentary glorifying Nazarbayev in violation of the electoral law banning any election day campaigning (article 27.2). The biggest opposition party, the ANDSP, was very poorly covered (just 3-4% of election coverage). Distributors of opposition newspapers reported massive purchases by strangers to prevent them reaching the general public. The state-run TV stations several times refused to show ANDSP campaign clips titled "It's time to give the country back to the people."

All this did not prevent Kazakhstan, which ranks 125th out of 169 countries in the Reporters Without Borders worldwide press freedom index, from being chosen to chair the OSCE in 2010.

KYRGYZSTAN

Area: 199,900 sq.km.
Population: 5,200,000.
Languages: Kyrgyz, Russian.
Head of state: Kurmanbek Bakiyev.

The instability set off by the March 2005 “Tulip Revolution” continues to plague the country and journalists are often roughed up by government and opposition activists at meetings and demonstrations. Alisher Sayipov became the first journalist to be killed in Kyrgyzstan for several years in October.

Physical attacks on journalists increased in spring 2007. Kayrat Birimkulov, of the pro-government *State TV*, was beaten by two thugs on his way home in a suburb of the capital, Bishkek, on 16 March. Daniyar Isanov, news presenter for the independent TV station *NTS*, was beaten up by four men and hospitalised with serious facial injuries on 27 March. Talantbek Sopuyev, a reporter for *TV September*, was hospitalised on 31 March after being set upon by 40 men and women as he was covering a pro-government meeting in Djalal-Abad.

The editor of an independent weekly, *Novaya Gazeta* (unconnected with the Russian paper of the same name), received anonymous death-threats by phone in April warning him not to report on opposition meetings. A journalist with the weekly *Zhany Zaman Akyikaty*, in the southwestern town of Osh, got a phoned death-threat after articles appeared criticising local officials. At least four journalists were injured on 14 April by thugs in the centre of the capital on the ninth day of a series of opposition protests. The government also seized copies of several newspapers, including *Agym*, *Kyrgyz Ruhu* and *Apta*.

Police joined demonstrators in May to forcibly prevent journalists from covering a meeting in the southern village of Aksai. An explosion destroyed the offices of the newspapers *Ekho Osha* (Russian-language) and *Osh Saodasi* (Uzbek language) in the centre of Osh, the country's second biggest town, on 30 May. Nearly all the archives of the two papers were lost.

A MURDER BETWEEN TWO COUNTRIES

Uzbek journalist Alisher Sayipov, was killed in Osh on 24 October, near the offices of *Radio Free Europe*, where he worked. Sayipov contributed to several publications and in 2007 had founded the newspaper *Sayasat*. He was also involved with the Uzbek community in southern Kyrgyzstan and the Uzbek secret police had often threatened him for his criticism of Uzbek President Islam Karimov. A few days before his death, he told the *BBC* stringer in Central Asia, Natalia Antelava, that a price had been put on his head.

Kyrgyz officials openly said they suspected the Uzbek secret police were involved and interior minister spokesman Bakyt Seitov repeated the accusation on 30 October. But then the explanation was that Sayipov supposedly had links to terrorist movements.

Sayipov's colleagues, along with human rights activists, gathered in front of government offices in Bishkek on 4 December to demand that the killers be named. They planted a tree in his memory and invited bystanders to decorate it with ribbons. Police then moved in, demanded the names of the organisers and uprooted the tree. The city police chief said the protest was illegal and ordered it to disperse. Kyrgyz journalists observed a minute's silence in honour of Sayipov during their congress on 8 December.

POLAND

Area: 323,250 sq.km.
Population: 38,150,000.
Language: Polish.
Head of State: Lech Kaczynski.

The criminalisation of press offences, the government's defiance of the media and the need for delicate handling of the country's Communist past all affected press freedom in 2007.

The year began with the threat of imprisonment for journalist Andrzej Marek, editor of the regional weekly *Wiesci Polickie*, for supposed libel in a 2001 article about corruption. He had been given a three-month prison sentence in 2002 that was suspended in 2003 if he agreed to apologise. He refused and asked the constitutional court to rule on the legality of the clause of the law used to convict him. The court declined to rule in November 2006 but international pressure produced a presidential pardon just before he was due to be jailed in June 2007 in the northwestern city of Szczecin.

This victory did not change the legal restraints on press freedom, notably article 212.2 of the criminal law which allows prison terms for journalists. The government refused in October 2006 to repeal the article, which punishes "public humiliation" with up to two years in prison. The constitutional court said a person's dignity and honour were more important than freedom of expression.

Jacek Brzuszkiewicz, of the daily *Gazeta Wyborcza*, was given a six-month suspended prison sentence in July 2007 and fined 5,000 zlotys (€1,300) for libelling a Lublin administrative court judge in a series of articles in 2003 criticising his handling of a case involving high-rise tenants and the owner of a nearby laundry using toxic products. The journalist said he hoped his disproportionate punishment would make people aware of the need to bring the country's press law up to European standards.

Editor Tomasz Sakiewicz of the national weekly *Gazeta Polska* and his deputy Katarzyna Hejke were ordered detained for two days before their 14 December trial for libelling the privately-owned TV station *TVN*, to ensure they turned up.

They had reported in 2006 that a *TVN* manager, Milan Subotic, had collaborated with the Communist secret police. The suit was withdrawn at the last minute and they were not detained.

DIFFICULT "DECOMMUNISATION"

The decommunisation law, presented as one of the big achievements of the rule of Lech and Jaroslav Kaczynski, and concerning more than 700,000 people, was a serious threat to press freedom.

The law came into effect on 15 March and required journalists to say, on pain of losing their job and being banned for working for 10 years, whether or not they had collaborated with the Communist-era secret police. Not answering the question was punished more heavily than collaboration itself. The law was a violation of basic rights because it would have created, with state blessing, a category of people without freedom of expression and drew many protests in Poland and abroad. The constitutional court in May struck down several of its clauses, including those involving journalists, school principals and university rectors.

Relations between the government and journalists remained tense, especially after press revelations in August of former interior minister Janusz Kaczmarek's testimony to a parliamentary commission on the security services, accusing the then justice minister Zbigniew Ziobro and prime minister Jaroslav Kaczynski of tapping the phones of journalists critical of the government. Kaczmarek said the security services were ordered to look for compromising material about the owners of the major privately-owned TV stations *Polsat* and *TVN* and *Gazeta Wyborcza*.

RUSSIA

Area: 17,075,400 sq.km.
Population: 143,221,000.
Language: Russian.
Head of state: Vladimir Putin.



Two major elections in 2007 served as a run-up for the presidential vote in March 2008. Much pressure was exerted on the independent media, with journalists arrested on the edge of opposition demonstrations, independent newspapers shut down and some journalists were forcibly sent to psychiatric hospitals – all bad omens.

The two parties backing President Vladimir Putin – United Russia and Just Russia – unsurprisingly won local elections in March 2007 and parliamentary ones in December. The elections increased the marginalisation of the opposition but the government and security forces still did all they could to stop the media reporting on Putin's opponents.

Protests led by the opposition Other Russia coalition were attacked by police, who also targeted journalists, in St Petersburg and Nizhi Novgorod in March, and then in St Petersburg and Moscow a month later. The national Civil Court (which advises the President) condemned this behaviour and urged the interior ministry to "speedily investigate the dangerous trend towards using force against journalists." Reporters from the daily *Kommersant*, the twice-weekly *Novaya Gazeta* and *Vedomosti*, which take an independent editorial line, were also attacked, along with journalists from German public TV stations ARD and ZDF and a Japanese photographer, who were beaten and/or arrested. All of them had official press cards.

Three reporters from *Kommersant* and the REN-TV station were arrested in May in Samara (900 kms southeast of Moscow) while interviewing an organiser of a protest march against the European Union / Russia summit due to be held in the city. The local offices of *Novaya Gazeta* and the *Regnum* news agency were searched twice on the excuse that the journalists might have unlicensed software. Two journalists (including the local bureau chief of *Novaya Gazeta*, Sergei Kurt-Adjiev, father of one of the protest organisers) and two demonstration leaders were then arrested and held for four hours. The Samara and Nizhni Novgorod editions of *Novaya Gazeta* have not appeared since. Staff said in November the Samara office was closing because it could not

bring the paper out because its computer had been seized. The paper's editor said the authorities clearly wanted to "strangle the paper in the run-up to the elections."

Journalists were arrested in Moscow in the week before the December 2007 parliamentary elections during opposition protests even though they had told police they would be present to do their job. They included a reporter for the independent radio station *Moscow Echo*. The co-founder of the St Petersburg weekly *Novy Petersburg*, Nikolai Andrushenko, was given a two-month prison sentence after writing that he would march with the demonstrators and for printing the opposition's manifesto. The paper stopped coming out because it could no longer find a printer.

A MEDIA OBLIGED TO SUPPORT THE REGIME'S ELECTION CAMPAIGN

Security forces also exerted pressure on the editorial line of media outlets. Mikhail Baklanov, head of the country's biggest independent radio network, RSN, was dismissed in mid-April after 12 years in a serious blow against press freedom. His replacements, Vsevolod Neroznak, news editor of the national TV station *Pervyi Kanal*, and Alexander Shkolnik, *Pervyi Kanal's* head of children's programmes, ordered staff to see that "good news" was at least half of all the news broadcast. The opposition was no longer heard on the station.

The BBC's Russian-language service disappeared from the FM band in Moscow when its last partner, *Bolshoi Radio*, was forced by the authorities to end its retransmission contract.

The three main public TV stations – *Pervyi Kanal*, *Rossiya* and *TV Tsentr* – and the two main privately-owned ones – *RenTV* and *NTV* – heavily

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favoured the authorities during the parliamentary election campaign. A survey by the Center for Journalism in Extreme Situations (CJES) showed that three-quarters of all their news programmes were about the ruling parties and that the opposition had been excluded (*Pervyi Kanal* even refused to broadcast a Yabloko party campaign clip).

INTERMENT IN PSYCHIATRIC HOSPITALS AND BEATINGS

At least two journalists were forcibly sent to psychiatric hospitals in 2007, a frequent practice during Soviet days to discredit those with “undesirable” views and to discourage people from openly opposing the regime. They were opposition activist Larissa Arap (detained for six weeks) and an independent journalist and pro-democracy leader from late Soviet times, Andrei Novikov (held for 11 months). They had criticised local authorities in print and were arrested illegally and ill-treated. An international campaign led to their release.

Documentary filmmaker Natalia Petrova was badly beaten up by police in the republic of Tatarstan (720 kms southeast of Moscow) in September. Her two young daughters and 70-year-old mother were also attacked when they tried to protect her. She was beaten both at home and at a police station and later fled the country. Police have since hounded family members who stayed behind.

Three *RenTV* journalists and a member of the human rights organisation Memorial were kidnapped by security forces in the Caucasian republic of Ingushetia in late November. Their clothes and equipment were taken away and they were beaten up and made to undergo simulated execution before being released. Two of them had to be hospitalised.

LITTLE PROGRESS IN FIGHT TO PUNISH KILLERS OF JOURNALISTS

At the end of August 2007, prosecutor-general Yuri Chaika said a dozen suspects had been charged in the October 2006 murder of pro-opposition investigative journalist Anna Politkovskaya, and said people “trying to destabilise Russia from abroad” were involved. A few days earlier, Alexander Bastrykin, a Kremlin aide heading the special enquiry into the killing, said the government had six theories about the crime. But the next few months saw a series of contradictory statements and denials.

Shamil Burayev, a losing candidate in the 2005 presidential elections in Chechnya and an opponent of Akhmad Kadyrov (father of the current Chechen president), was charged in September with involvement in the murder. Prosecutors said they thought she was killed by Chechen gangsters working with security forces and that the mastermind could be abroad. But no trial was announced and weeks of confusion among investigators threw doubt on official determination to proceed. It was feared that only the hitmen would be punished.

The trial of the accused killers of Paul Klebnikov, editor of the Russian edition of *Forbes* magazine, who was shot dead in front of his office in July 2004, was adjourned several times in 2007. The prosecution could not get all the suspects together for the trial, which is to be held in secret.

The official investigation of the very suspicious death of Ivan Safronov, a military expert with the daily *Kommersant*, who fell from a fourth-floor window of his apartment building on 3 March, said it was suicide. Friends and colleagues maintained he had no reason to kill himself and that he was about to publish an article on the sensitive topic of Russian arms sales to the Middle East.

SPAIN

Area: 505,990 sq.km.

Population: 44,200,000.

Languages: Spanish (Castilian, Catalan, Basque, Galician, Valencian, Aragonese).

Head of government: José Luis Rodríguez Zapatero.



Press freedom was slightly curtailed by the law protecting the image of the monarchy and strict application of defamation law had serious consequences for some journalists. The media were caught up in political party disputes, which led to a boycott of some media outlets.

Three newspapers were prosecuted for tarnishing the image of the royal family. The satirical weekly *El Jueves* ran a cover cartoon in its July 2007 issue of Crown Prince Felipe and his wife having sex, as a way of ridiculing the government's family planning policy of giving new parents €2,500 per child. The prince is shown happily telling his wife: "You realise that if you get pregnant, this is the nearest I'll ever've come to knowing what it feels like to work."

A judge ordered all copies of the magazine seized on 20 July and two of its journalists – Guillermo Torres and Manel Fontdevilla – were fined €3,000 each on 13 November for insulting "the king or any of his ascendants or descendants" under article 491.1 of the criminal law. The public prosecutor had asked for double that amount. The journalists appealed against the verdict, which they said was "incomprehensible."

The managing editors of the newspapers *Gara* and *Deia* appeared in court on 30 July in connection with an October 2006 photomontage in *Deia*'s satirical supplement *Caduca hoy* showing King Juan Carlos hunting a drunken or drugged bear. The pro-independence Basque daily *Gara* reproduced it on 2 November. The authors of the cartoon appeared in court on 17 September 2007 accused of "insulting the king."

A heated debate on the government's anti-terrorist policy affected the media in March. The head of the *Prisa* media group, Jesus Polanco, publicly deplored the problems caused by the very tense political atmosphere and called the opposition People's Party protests against the government "pure Franco-ism." The party immediately called for a boycott of *Prisa* titles, including the daily *El País*, the radio station *Cadena Ser*, the sports daily *AS* and the TV station *Cuatro*. *Prisa* also has shares in the French daily *Le Monde* and in Sogecable, the

Canal Plus operator in Spain. The party said it would not take part in programmes, debates or interviews by any of the group's media outlets until Polanco "publicly and unreservedly" withdrew his remarks. The dispute has since calmed down.

Journalists are still being targeted by the Basque terrorist organisation *Euskadi ta Askatasuna* (ETA). After the arrest in December of ETA member Gorka Lupianez, suspected of being the new head of the Vizcaya Commando responsible for the murder of two policemen in the southwestern French town of Capbreton, police found photos of journalists at his home. ETA has been on the Reporters Without Borders list of predators of press freedom since 2001. Its threats to journalists are one reason for Spain's 33rd place in the organisation's worldwide press freedom index. Journalists who work in the Basque Country or report on Basque issues are often forced to use bodyguards or armoured vehicles to guard against attempts to kill them.

REGIONAL IDENTITY

Protection of journalistic sources also came under attack in Spain. Legal officials tried in September to get photographer José Ribot to hand over pictures he took during a Catalan nationalist demonstration in Gerona during which effigies of the king were burned and after which 11 protesters appeared in court. Ribot at first refused then complied after being threatened with a charge of "serious disobedience towards the judiciary," punishable by between six months and a year in prison.

The autonomous government of Valencia shut down on 10 December one of the three transmitters of the regional TV station of *Acció Cultural del País Valencia* (ACPV), which has relayed programmes of the public Catalan station *TV3* in the region for the past 20 years. ACPV was also fined

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€300,000 for “seriously violating” the telecommunications law. *TV3* has not had a licence to broadcast in Valencia since December 2005 or an assigned digital terrestrial broadcasting frequency. Catalonia and Valencia officials have been negotiating for several months to allow the stations to broadcast. About 500 people demonstrated against the closure of the transmitter and in favour of freedom of expression.

Regional languages remain a sensitive issue. The public Catalan station *Catalunya Radio* dismissed one of its journalists, Cristina Peri Rossi, in October, for speaking in Castilian but then reversed the decision. Many intellectuals, including philosopher Fernando Savater, had criticised her dismissal.

A judge renewed an international arrest warrant in April 2007 for three US soldiers involved in the April 2003 death in Baghdad of Spanish cameraman José Couso, of the TV station *Telecinco*, in a US attack on the Palestine Hotel. The Spanish supreme court had reopened the investigation in December 2006. The judge, Santiago Pedraz, confirmed the warrant (after the three had been charged) despite an appeal by the public prosecutor. The US embassy in Spain said the US army had already (in 2003) investigated Couso’s death and concluded that the soldiers had complied with combat regulations. The first arrest warrant issued by Pedraz in October 2005 and his two requests for hearings came to nothing after a Spanish court closed the case in March 2006.

SWITZERLAND

Area: 41,285 sq.km.

Population: 7,508,739.

Languages: German, French, Italian.

Head of state: Micheline Calmy-Rey.

The country was 11th in the 2007 Reporters Without Borders worldwide press freedom index. However this good ranking is marred by article 293 of the criminal law about official secrets and the power of military courts to try journalists and other civilians for violating military secrecy.

The editor of the Zurich weekly *SonntagsBlick*, Christopher Grenacher, and two of his journalists, Sandro Brotz and Beat Jost, were accused on 6 February 2007 of violating military secrets by a military court under article 106 of the military criminal law. The paper had reproduced on 8 January a fax from the Egyptian foreign ministry to the Egyptian embassy in London mentioning the existence of secret CIA prisons in Europe. The prosecution asked for Grenacher to be fined €4,000 and Brotz and Jost €1,200 each. But the court acquitted them on 13 April and even awarded them €12,000 each in damages.

The European Court of Human Rights supported Switzerland's criminal law article 293 about official

secrets on 10 December, saying the government's right to keep diplomatic documents secret sometimes overrode the right to freedom of expression.

The court had supported journalist Martin Stoll in April 2006 for publishing two articles in January 1997 containing extracts of a confidential report by the Swiss ambassador to the United States about ongoing negotiations between Switzerland and the World Jewish Congress over World War Two Jewish assets in Swiss banks. It said Switzerland had violated article 10 of the European Convention on Human Rights on freedom of expression by fining him €800 in 1999. The reversal of this ruling makes it more difficult to challenge article 293.

TAJIKISTAN

Area: 143,100 sq.km.

Population: 6,590,000.

Languages: Tajik, Russian.

Head of state: Emomalii Rahmon.

The country's journalists were optimistic in early 2007, but at the end of the year President Rahmon was still hostile to press freedom. New rules were introduced hindered news distribution and the law was amended, further restricting press freedom.

The Organisation for Security and Cooperation in Europe (OSCE) reported at the end of 2007 that 97% of the country's newspapers were not profitable, undermining their independence, mainly because of the high cost of newsprint and printing and low revenue. Tajikistan officially has more than 200 newspapers, some owned by the government, which has a major direct or indirect stake in the nationally broadcast media. The regime also has power over the media through its control of printing and distribution.

President Emomalii Rahmon signed into law on 23 August a parliamentary bill extending protection against defamation (articles 135 and 136 of the criminal law) to online publications and allowing imprisonment of those convicted, as in the print and broadcast media. Punishment ranges from a fine of up to 1,000 times the minimum monthly wage to two years in prison or 500 hours of forced labour. The culture ministry said the amendments were needed to make online journalists and bloggers act responsibly. The Internet is increasingly used to criticise the country's leaders. The press law has been amended four times since it

was passed in 1990, each time reducing freedom of expression.

The state broadcasting commission ordered four cable TV stations to shut down at the end of the year because they did not have operating licences. Askar Nyazov, the head of one of them, *TV Ensan*, said he had asked for permission (with full documentation) when he set up the station in 2005 but was simply told his application was being considered. Five other privately-owned TV stations are threatened with closure for the same reason.

Also at the end of the year, a working group of journalists told a press conference they had sent a list of 80 proposals to the government to improve freedom of expression and press freedom, including abolition of having to call the president "worthy" and "reliable" every time he was mentioned. They noted that under the national constitution, all citizens were equal. The working group was set up after a draft law proposed by the local OSCE office in 2002 was rejected by parliament because it had been "presented by a foreign organisation."

TURKEY

Area: 774,820 sq.km.

Population: 73,922,000.

Languages: Turkish, Kurdish, Armenian, Greek, Arabic.

Head of government: Recep Tayyip Erdogan.

2007 began very badly, with the murder of Turkish-Armenian magazine editor Hrant Dink. It was a tough year for press freedom, with authoritarian behaviour and nationalist violence.

Hrant Dink was shot dead on 19 January 2007 in front of the Istanbul offices of the privately-owned bilingual Turkish-Armenian weekly magazine *Agos* he edited. The killer, Ogün Samast, from Trabzon, a bastion of Turkish nationalism, was arrested hours later and investigations soon showed he had ties to the security forces, which had been warned several times Dink was going to be killed. But officials refused to prosecute the police suspects and evidence was reportedly destroyed. The trial of the 19 suspects began in Istanbul in July amid tight police security and because Samast (17) was a minor, was held in secret. The second hearing mentioned the police involvement. The next hearing was set for 11 February 2008.

ARTICLE 301, THE ENEMY OF PRESS FREEDOM

When the hitman was arrested he expressed no remorse and said Dink deserved to die for insulting Turks. Dink had been prosecuted several times for calling the Ottoman Empire massacre of Armenians “genocide,” a term that Turkey rejects. Article 301 of the criminal code provides for between six months and three years in prison for anyone “openly denigrating” the government, courts, police or armed forces. Dink was given a suspended six-month prison sentence in 2005 under this article and was prosecuted again in September 2006 for calling the Armenian massacre “genocide” in an interview with *Reuters* news agency. His son Arat and two other *Agos* staffers were given year-long suspended prison sentences in October 2007 for reprinting the interview in the magazine.

A few days earlier, newly-elected Turkish President Abdullah Güll told the Council of Europe’s Parliamentary Assembly that he favoured amending article 301. The EU’s annual progress report on Turkey’s application to join the EU said very serious efforts were still needed to improve freedom of expression. Justice minister Mehmet Ali Sahin said on 6 November the government would

amend article 301 and that the cabinet would give priority to proposals based on calls from civil society groups. Prime minister Erdogan made similar promises a year earlier.

THE ARMY AS A THREAT TO THE MEDIA

Nationalism was behind many attacks on press freedom. Yasin Yetisgen, owner-editor of the Kurdish paper *Coban Atesi*, was thrown in jail for printing an article on 2 August saying the town of Antep was in “northern Kurdistan,” an officially-illegal term. Journalists were several times forbidden to report on Turkish military operations in Iraqi Kurdistan against PKK rebel bases, officially so as not to demoralise the population with “negative” news but in fact to preserve the image of the army. This desire for control was shown in March when two reports, from the the military high command and the prime minister’s office, were leaked to the media. They revealed that media outlets and journalists were classified as to how far they agreed with government policies and that official accreditation was used to either exert pressure on a media outlet or journalist or to reward those that backed the armed forces.

Three French journalists – Guillaume Perrier of *Le Monde* and two photographers for the *Capa* photo agency – were arrested on 24 October at the Harbour border-crossing between Turkey and Iraq for refusing to show their film to customs officials, who roughed one of them up. They were held for questioning with no reason given, separated and interrogated. They were freed by the town prosecutor the next day but their film and equipment was not returned.

Many Kurdish media outlets were shut down, sometimes more than once, mainly for supposed “terrorist propaganda,” and most often the newspapers *Gündem* and *Güncel*. *Gün TV*, broadcasting in the southern region of Diyarbakir and the only

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station allowed to put out Kurdish-language programmes, ran into many problems, including when it broadcast Kurdish songs.

Columnist Aydin Erdogan was dismissed in October by the daily *Cumhuriyet* for criticising,

during a TV debate, planned constitutional changes and for advocating a peaceful solution to the Kurdish conflict. He was also not allowed to present his own books put out by Cumhuriyet Publishing at the Tuyap book fair as had been planned.

TURKMENISTAN



Area: 488,100 sq.km.
Population: 4,900,000.
Language: Turkmen.
Head of state: Gurbanguly Berdymukhamedov.

The death of President-for-life Saparmurad Niyazov on 21 December 2006 raised hope for the liberalisation of one of the world's most repressive regimes. But a year later, his successor had given only contradictory signals and the opening-up of the country, if it happens at all, will clearly take a long time.

Gurbanguly Berdymukhamedov, vice-premier under Niyazov and acting head of state since his death, was elected president on 11 February 2007 with more than 89% of the vote in the country's first nominally multi-candidate election.

He said during the campaign that he favoured more freedom of expression. A few very small steps were taken that did not amount to any real increase. Cybercafés were allowed to open in February and the country reportedly now has five, including at least two in the capital. This was seen as encouraging since Internet access in Turkmenistan is one of the most tightly controlled in the world, with only 1% of the population able to get online.

Internet users were also given a chance to leave comments on one of the official news websites, www.turkmenistan.gov.tm. This came soon after the 9 October visit of Javier Solana, the European Union's High Representative for the Common Foreign and Security Policy, and Pierre Morel, its special representative for Central Asia.

Portraits of the late Niyazov disappeared from the corner of TV screens during news broadcasts. The amnestying in August of 11 political prisoners, including two allegedly involved in a failed bid to kill Niyazov in 2002, was not followed, as had been hoped, by a large-scale release of the estimated several thousand political prisoners in the country.

AN UNCERTAIN FUTURE

Berdymukhamedov's policies are contradictory and pragmatic. He said he wanted to continue in Niyazov's path but would introduce reforms. He visited the United States and Europe in the autumn in a strong position thanks to the country's huge oil and natural gas reserves, and thus was able to dismiss questions about human rights when he addressed students at Columbia University in New York.

Government reshuffles suggested he had substantial power. He dismissed the interior and national security ministers and the head of the presidential guard, which is a paramilitary body independent of the MNB secret police and the interior ministry. The new regime's direction will probably depend on what international allies Berdymukhamedov can find. An economic opening-up will help ease the country's isolation and its dependence on Russia. Then the international community could press for more democracy.

The president has not responded to repeated appeals to set up a commission of enquiry into the prison death of *Radio Free Europe* journalist Ogulsapar Muradova in September 2006. There is also no news of Annakurban Amanklychev and Sapardurdy Khajiev, who were sentenced to seven years in prison in August 2006 for helping to make a documentary about the country for the French TV station *France 2*.

UKRAINE

Area: 603,700 sq.km.

Population: 46,710,000.

Languages: Ukrainian, Russian, Romanian.

Head of state: Viktor Yushchenko.

Political pressure on the media has decreased since President Viktor Yushchenko came to power in 2005 but polarisation of the press and society does not make it easy to take an independent editorial stand.

The country is chronically unstable. The president dissolved parliament in April 2007, then dismissed prime minister Viktor Yanukovich. Parliamentary elections in September saw the return of Yulia Tymoshenko, a leader of the "Orange Revolution," as prime minister, the post she held in 2004 and 2005.

The state-run TV station *UT-1* suddenly dropped its year-old political discussion programme "Toloka" in March 2007 a few days after the show featured opposition figures Tymoshenko and Vyatcheslav Kirilenko. The station director claimed the presenter was unprofessional and denied he himself has acted under government pressure. Several members of parliament criticised the move as a return to censorship.

The editor of the independent daily *Gazeta 24*, Vitali Portnikov, resigned in October, saying in an open letter that he had been told by one of the paper's main shareholders that he intended to direct its editorial line, especially on the political pages.

The independent weekly *Dzerzhinets*, in Dneprodzherzhinsk, was shut down in January and its property seized to pay a fine of 140,660 hryvnias (€19,000) for libelling a local police chief accused of corruption. Editor Margarita Zakora was unable to attend court because she only learned of the hearings afterwards. She discovered the paper had been closed when she went to its offices and found the court order posted on the door. The authorities refused to allow an appeal, saying the legal time-limit had expired.

The car of the editor of the online version of the newspaper *Ostriv* (in Donetsk) was burned in September. The paper was very critical of the government and the editor said the arson was a reprisal.

JOURNALISTS EXPOSED TO VIOLENCE

Journalists physically attacked in the course of their work are not always supported by the courts. Vlad Isayev, a photo-journalist for the twice-weekly paper *Rivne Vechirne*, was threatened by businessman Anatoli Pekhotin in February while he was covering a dispute between Pekhotin and the employees of a parking lot he said he owned. Pekhotin opened fire, damaging cars, and when he saw Isayev taking photos he aimed at him, then put the gun to his neck and threatened to kill him if he continued to write about him. Isayev filed a formal complaint but the prosecutor rejected it on 15 March saying there was insufficient evidence, despite several witnesses and the photos Isayev took.

A photographer from the daily paper *Sevodnia* was beaten while covering a meeting of Tymoshenko's opposition bloc in Odessa in August, three days after the paper's offices had been evacuated because of a bomb alert and after several weeks of phone threats. Editor Igor Guzhva said the threats were linked to the paper's lawsuit against Olexander Turchinov, of the main opposition party ByuT, who had accused Guzhva of printing lies about Tymoshenko.

GONGADZE MURDER TRIAL STILL WAITING FOR VERDICT

Little progress is being made seven years after the September 2000 murder of Georgy Gongadze and three years after President Yushchenko promised to make solving the case a symbol of the new regime. The trial of three policemen accused of killing him opened in January 2006 but has been plagued with obstacles and constantly adjourned. On 24 July 2007, the prosecutor's office ordered new medical tests to be done on the policemen before the case could continue.

UKRAINE

Meanwhile former prosecutor-general Mikhail Potebenko, who had refused Gongadze's request for protection in 2000, was personally decorated by Yushchenko with the nation's highest honour, the Order of Yaroslav the

Wise. Potebenko had said the Melnyshenko tapes, which implicated former President Leonid Kuchma in the murder, were forged and he has consistently opposed efforts to get at the truth.

UNITED KINGDOM

Area: 242,910 sq.km.

Population: 60,600,000.

Language: English.

Head of government: Gordon Brown.

One journalist was jailed, and another was detained and faces trial. Despite progress in January in the investigation of the murder of journalist Martin O'Hagan, another Northern Ireland journalist received a death threat on the sixth anniversary of investigative reporter Martin O'Hagan's unsolved murder. However, the government lifted a threat to dilute freedom of information laws.

Last January, Clive Goodman, royal affairs editor of the *News of the World* newspaper, was jailed for four months – the first journalist jailed over his work in Britain for 40 years – for illegally accessing royal mobile-phone records. The Regulation of Investigatory Powers Act, 2000, was used to search his offices. Press-freedom campaigners saw this as a potentially disturbing trend.

In November, Sally Murrer, a reporter with the *Milton Keynes Citizen* newspaper, was charged with abetting misconduct in public office – an offence carrying possible imprisonment. She is awaiting trial. She is alleged to have received leaked information from a policeman. In May, she was detained overnight and her home and office searched. Notebooks and a computer were seized under the Police and Criminal Evidence Act. The government is considering toughening this law – giving police greater powers to seize journalistic materials. Currently, these powers are restricted: officers must first satisfy a judge that the information sought relates to serious offences. In Northern Ireland, a provincial version of the tougher law was passed in 2007. Journalists protested, fearing that police will use enhanced search and seize measures to mount “fishing expeditions” in their files.

In May, two civil servants were jailed for three and six months under the Official Secrets Act for leaking an account of 2004 talks between UK prime minister Tony Blair and US president George Bush which included a suggestion to bomb the Arab satellite TV station *Al-Jazeera*. The trial judge banned the media from mentioning the contents.

Several media outlets appealed. The gagging order was quashed in July.

In September, on the sixth anniversary of Martin O'Hagan's murder – apparently by paramilitaries – a Belfast journalist, Robin Livingstone, editor of the *Andersontown News*, received a death threat from paramilitaries: an envelope containing a bullet bearing his name, address and car number-plate. At least 10 other Northern Ireland journalists are said to be working under paramilitary threat. The original investigation into O'Hagan's shooting failed, amid allegations – denied by police – of a cover-up of collusion between security forces and paramilitaries. O'Hagan had been investigating such alleged collusion. In late 2006, police said they suspected eight men over his murder but lacked evidence. In 2007, two fresh inquiries were launched: an internal review by police, which has examined new evidence, and an investigation by the region's police ombudsman. Both will be completed soon.

The new Freedom of Information Act (FIA) faced a double threat in 2007. The government had planned rules that would restrict press access to official information, but dropped these in October, and instead announced it would consider extending the FIA to open up the records of some private bodies undertaking public work. Ministers will also examine ways to protect and extend freedom of assembly and expression and the right to know. A proposal by some MPs to exempt parliament from the FIA was defeated after opposition in the upper house.

UZBEKISTAN

Area: 447,400 sq.km.
Population: 26,981,000.
Languages: Uzbek, Russian.
Head of state: Islam Karimov.



Pressure increased on the country's few remaining independent journalists in the run-up to the December 2007 presidential election won by outgoing President Islam Karimov (88% of the votes) and featured intimidation, prosecution, forced public confessions and internment in psychiatric hospitals.

Journalist and human rights activist Umida Nyazova was arrested in late January 2007 on her return from several weeks in Khirgizia and accused of entering Uzbekistan illegally and possessing banned material, for which she risked between five and 10 years imprisonment. The news website *uznews.net* said police found on her laptop a Human Rights Watch report and witness statements about the bloody May 2005 anti-government uprising in Andijan. She was sentenced to seven years in prison on 1 May 2007, later suspended after she publicly confessed and, under intense pressure, criticised the work of the organisations she was working with.

Another rights activist, Gulbahor Turayeva (a doctor and mother of four), got similar treatment and was given a six-year sentence in April for supposedly trying to overthrow the government, for insults and for distributing subversive material. She was freed in June after being forced to name journalists (now living abroad) who had been with her at the Andijan uprising.

STRINGERS FOR FOREIGN MEDIA TARGETED

The regime went after four local stringers working for the German state-funded radio station *Deutsche Welle* in the first half of 2007, even though the German government favours easing international sanctions against Uzbekistan. The move was seen as a tough warning to all independent journalists and regime critics. Natalya Bushuyeva was targeted in March by the Tashkent prosecutor for tax evasion and failure to get accreditation. Facing almost certainly up to three years in prison, she fled to Sweden.

Another stringer, Yuri Chernogayev, was suspected of helping Bushuyeva flee and was accused in March of tax evasion and then three other offences ("insulting the president," "insulting the coun-

try" and "producing and distributing subversive material"). But an international campaign in favour of the stringers saw charges against all of them dropped in June.

A February 2006 decree banned foreign media journalists from criticising government policy in the form of interference in "internal affairs" and insulting "the honour and dignity" of Uzbeks and provided for cancellation of press cards. Local stringers for these media must get accreditation from the foreign ministry, which is extremely hard and sometimes for a shorter time than legally required. These applications force journalists underground. The decree (clauses 22 and 23) also bans foreigners and Uzbeks from working with non-accredited journalists, or face prosecution.

Said Abdurakhimov, of *Uznews.net*, and Alexei Volosevitch, of *Ferghana.ru*, were arrested by soldiers for no apparent reason on 23 July 2007 and lengthily interrogated. *Uznews.net* and *Ferghana.ru* are two independent anti-government news agencies. Access to their sites is blocked inside the country and their journalists do not usually get permission to work inside Uzbekistan.

The government information office ordered on 31 July the closure of the independent weekly *Odamlar Orasida*, which had reported on various sensitive topics such as prostitution and homosexuality.

Independent journalist Jamshid Karimov, the president's nephew, forcibly detained in a psychiatric hospital since 2006 after denouncing corruption, managed in August to smuggle out news that he had become very ill, with serious memory loss and failing eyesight. Doctors said he was in a "balanced and stable condition" however and he was not freed.

UZBEKISTAN



STATE MEDIA UNDER CONTROL FOR PRESIDENTIAL VOTE

As the 23 December 2007 presidential election neared, President Islam Karimov tightened his control over the media. A survey by Reporters Without Borders showed that the state-controlled press and broadcast media parroted every word of the election news put out by the official *UzA* news agency. Their coverage of Karimov and the four candidates allowed to stand against him heavily favoured Karimov, who was featured everywhere as the great hero, and his opponents (who included no significant figure) were not to be seen. Any mention of unfortunate or even nega-

tive events was removed from the media. Karimov, who is on the Reporters Without Borders worldwide list of predators of press freedom, was declared reelected as head of central Asia's most populous country with 88.1% of the vote.

This did not prevent the European Union (EU) softening its stand when it started human rights talks with Karimov in Tashkent on 8 and 9 May. Four Uzbek officials banned from the EU were allowed to travel there again. Sanctions imposed after the Andijan uprising, when rights groups say about 800 people were killed (187, according to the regime), had already been eased in November 2006.



© AFP PHOTO / JAMAL ARUZI

April 2007 demonstration in the West Bank city of Ramallah to demand the release of British journalist Alan Johnston.

2008 Annual Report MIDDLE EAST AND NORTH AFRICA

BETWEEN REPRESSION AND SERVILITY

Journalists are among the first witnesses, and also the first victims, of the instability that plagues the Middle East. The political and religious divisions in Lebanon, the spectre of civil war in Iraq and the Israeli-Palestinian conflict have deep repercussions on media workers, beyond national borders. The region's chronic instability is used by political leaders as a permanent excuse to silence journalists, whose every criticism is seen as wilfully destabilising their regimes.

The violence in the region has made Western democracies surprisingly unenthusiastic about denouncing human rights violations committed or tolerated by their economic partners there. Defending freedom of expression was apparently not an issue during the visit to France of Libyan leader Muammar Gaddafi or during the trips to the region of US President George Bush and French President Nicolas Sarkozy. Iran's aggressive foreign policy and the bogging-down of the US army in Iraq have also downgraded the human rights issue in the two countries.

THE LAW OF SILENCE

Some countries in the region have started to modernise but a complete opening-up of political life is out of the question. Jordan's King Abdallah II, King Mohammed VI of Morocco and Egyptian President Hosni Mubarak all talk of more democracy but with some control over the media. Journalists in these countries are accused of crimes and brought to court when they tackle sensitive matters, such as religion, or dare to criticise the monarchy or the regime. A dozen Egyptian journalists were prosecuted in 2007 after complaints filed by members of the ruling party. A journalist in Morocco faces a possible five years in prison in 2008 for criticising a speech by the king and a former member of parliament in Jordan was sentenced to two years in prison in October for criticising abuses in the country on his website.

Press freedom is in no way guaranteed in Syria, Tunisia, Libya and Saudi Arabia and journalists there know they must censor themselves on pain of serious consequences. The authorities exert heavy pressure on journalists and especially media owners. Journalists who cross the line are quickly dismissed or even imprisoned in a total denial of justice. Flattery is still the best way to keep one's job and freedom. The Tunisian media has accepted this and the press gushes with praise for President Zine el-Abidine Ben Ali, who celebrated his 20th year in power in 2007. Syrian President Bashar el-Assad's regime imprisoned several journalists and political activists who called for more democracy.

In the Gulf states, the freedom of expression enjoyed by some satellite TV stations, such as the Qatar-based *Al-Jazeera* and Saudi Arabia's *Al-Arabiya*, were offset by their soft treatment of the governments that host and fund them. An increasing number of prosecutions of print-media journalists in 2007 endangered a budding diversity.

IRAN, BOTTOM OF THE REGIONAL LIST

Iran comes last in the region in the Reporters Without Borders worldwide press freedom index. Evin prison, overlooking Teheran, is the region's biggest jail for journalists and at the end of the year, five journalists were still languishing there for "undermining national security" by simply being outspoken. Only journalists in media outlets close to the regime's leaders (and thus protected by them) are allowed to criticise President Mahmoud Ahmadinejad's government. Independent or community media outlets do not get the same favourable treatment. A Kurdish journalist was condemned to death for allegedly making "separatist propaganda."

NO REFORMS IN 2007

Needed changes to press laws in the region have still not been made and legislators seem in no hurry to decriminalise press offences. Most parliaments in the region have very little power and no reforms will be made as long as regimes want to keep control of the media. The only encouraging sign during 2007 was when United Arab Emirates prime minister Sheikh Mohammad bin Rashid al-Maktoum said in September (as an appeals court struck down a prison sentence against two journalists for libel) that he favoured a new press law. Meanwhile, negotiations in Morocco between the communications and justice ministries on one side and journalist unions and media owners on the other reached deadlock.

Journalists were also prosecuted and convicted under the criminal law in Iran, Morocco, Syria and Tunisia. A constitutional reform in Egypt seems likely to immobilise political opponents but also independent or critical journalists.

WAR REPORTING

Arab journalists work in very dangerous conditions and 56 media workers were killed in Iraq in 2007, all but one of them Iraqis. Violence has still not diminished there nearly five years after the fighting began and has forced most foreign journalists to flee. Those who have stayed keep to their highly-protected offices and rarely go into the field, which has meant fewer casualties among them. Reporting is mainly done by Iraqi colleagues and nine who worked for US media outlets were killed in ambushes. These journalists have become the favourite target of armed Islamist groups. Twenty-five journalists were also kidnapped in 2007. The authorities took no action to prevent attacks on journalists and 207 media workers have now been killed in Iraq since fighting started in 2003.

Journalists in the Palestinian Territories were also victims of the fighting between President Mahmoud Abbas' Fatah party and the supporters of Hamas and former prime minister Ismael Haniyeh. The June 2007 takeover of the Gaza Strip by Hamas endangered journalists working for pro-Fatah media outlets and all those who criticised Hamas and its leaders. Many journalists fled to the West Bank, where pro-Hamas colleagues were in turn arrested and mistreated by Palestinian Authority officials. The Gaza Strip became virtually out of bounds for foreign reporters. The kidnapping of *British Broadcasting Corporation* (BBC) journalist Alan Johnston for 114 days by a powerful Gaza faction put the foreign media off from sending in any more permanent correspondents and, as in Iraq, reporting was done by local stringers. Along with this inter-Palestinian violence, Israeli army gunfire wounded a dozen journalists covering their operations.

Hajar Smouni
Head of Middle East and North Africa desk

ALGERIA

Area: 2,381,741 sq.km.

Population: 33,351,000.

Language: Arabic.

Head of state: Abdelaziz Bouteflika.

The country's journalists seem to have got a breather in 2007. Prosecutions were fewer and violence less but this did not mean press freedom was any more respected, as the lack of diversity in broadcasting and indirect pressure on journalists demonstrated.

A dozen journalists were brought before courts in 2007, fewer than in previous years, when the Algiers court was nicknamed "the editorial room" because journalists spent so many long hours there each week. But those appearing in 2007 were heard by judges with bad records for independence from the regime. Omar Belhouchet, head of the daily *El Watan* and an old hand in the courts, and columnist Chawki Amari were given two-month prison sentences on 27 May and fined 1 million dinars (€10,635) for supposedly libelling a prefect by saying he was corrupt. Journalists are often targeted for exposing embezzlement by powerful officials, as was Nureddin Boukraa, of the national daily *Ennahar*, who was arrested on 14 November and questioned for 24 hours, two days after writing about links between police and local gangsters in Annaba. Two journalists from the daily *Ech Chorouk* were given suspended six-month prison sentences on 4 April as a result of a 2006 libel suit by Libyan leader Muammar Kadhafi. Arezki Ait-Larbi, a stringer for several French papers, was acquitted after a 10-year libel case brought by a prison official.

HARMFUL SITUATION

Algerian journalists are in a vulnerable position and the authorities continue to ignore their repea-

ted calls for revision of the press law to eliminate prison sentences for press offences. The regime still tries to control the media, including privately-owned outlets. State advertising is a powerful weapon to keep papers in line and the national publishing and advertising agency channels the best part of it to pro-government papers. Broadcasting media are under complete control of the government, which still refuses to open it up to private capital, saying that "foreign competition is increasingly tough."

Journalists who reported on the 2007 bomb attacks in the country were up against often rough-and-ready security officials. Jamal Belkadi, correspondent for *El Watan* in Constantine, was manhandled by the prefecture's head of security official on 16 May as he took photos of the site of the attacks and his equipment was seized. He was charged with "crossing a security barrier" and a month later was given a small fine.

The communications ministry rejected visa demands in 2007 by several foreign TV crews, including the French station *M6*, which wanted to report on children of terrorists born while in hiding.



EGYPT

Area: 1,001,450 sq.km.
Population: 75,440,000.
Language: Arabic.
Head of state: Hosni Mubarak.

Fatwas against journalists and unjustified prosecutions were used to protect regime officials and a dozen journalists went on trial in 2007. President Hosni Mubarak pushed through constitutional amendments criticised by the opposition and potentially dangerous to the media.

Despite the state of emergency and other repressive laws, the country's journalists have fought for the past decade against restrictions imposed on them by President Hosni Mubarak and his government. Privately-owned opposition media and independent media outlets, alongside the official media controlled by the ruling National Democratic Party (NDP), have made significant headway and broken down several taboos despite judicial, bureaucratic and economic pressure. Journalists now dare to criticise Mubarak's policies, including Egypt's relationship with the United States.

A constitutional reform approved by parliament in March 2007 included an amendment (to article 179) that could threaten journalists, giving the authorities power to arrest people suspected of terrorism, search their homes, spy on their mail and tap their phones without a court order.

COUNTLESS PROSECUTIONS

The regime was tougher on journalists in 2007 and a dozen were prosecuted for harming "the country's interests," "national security" and "the reputation of the judiciary."

Four editors were each sentenced in September to a year at hard labour for "putting out false news harming the reputation and interests of the country" and for defamation, and were also fined 20,000 Egyptian pounds (€2,600). A lawyer member of the NDP had sued Ibrahim Issa, of the weekly *Al-Dustur*, Adel Hammuda, of the weekly *Al-Fagr*, Wael al-Abrashi, of the independent paper *Sawt al-Umma*, and Abdel-Halim Qandil, of the weekly *Karama*, for libelling Mubarak, his son Gamal, deputy secretary-general of the NDP, and the prime minister and interior minister in articles that appeared between July and September 2006. Their appeal hearings are set for 2008.

Soon afterwards, Sheikh Muhammad Sayyed Tantawi, the country's grand mufti, who is also rector of the Al-Azhar mosque, used a ceremony attended by Mubarak to issue a fatwa calling for journalists convicted of defamation to be given 80 lashes. He also urged a boycott of newspapers that published "news considered false or inaccurate by the courts." The resulting outcry led him to cancel the fatwa and he said his words had been "distorted."

Issa (of *Al-Dustur*) was also prosecuted for "putting out false news undermining national security" by reporting that there were rumours Mubarak's health was failing. The head of the central bank and the chairman of the stock exchange regulatory body testified that there was no link between the articles and falling share prices. The prosecutor wanted to prove the paper had triggered a flight of several hundred million euros worth of foreign capital. The government-controlled Supreme Press Council set up two commissions to investigate the rumours. Issa faces up to four years in prison.

Howayda Taha, of the satellite TV station *Al-Jazeera*, was sentenced on 2 May to six months in prison and fined EGP20,000 (€3,500). She had been briefly held for questioning at the beginning of the year as she was completing an investigation of the use of torture in police stations. She has appealed against the sentence.

THE INTERNET, A POLITICAL TOOL

The Internet has enabled journalists and bloggers to report anything that cannot be mentioned in the printed media. The power of the Internet was also shown by the unprecedented arrest and imprisonment of two government officials for torturing prisoners after the results of their actions were shown in a video posted online.



EGYPT

Blogger Abdel Nabil Suleiman (“Kareem Amer”) was sentenced to four years in prison in February for “incitement to hatred of Islam” on his blog and for insulting Mubarak. He became the symbol of online repression for the country’s bloggers. Another blogger, Abdul Moneim-

Mahmud, spent two months in prison accused of belonging to an “illegal organisation,” the Muslim Brotherhood. But his imprisonment was probably because he had posted text and photos online exposing torture by the security services.

THE GULF STATES

BAHRAIN

Area: 690 sq.km.
Population: 737,500.
Language: Arabic.
Head of state: Sheikh Hamad bin Issa al-Khalifa.

KUWAIT

Area: 17,820 sq.km.
Population: 2,620,000.
Language: Arabic.
Head of state: Sheikh Sabah al-Ahmed al-Jaber al-Sabah.

QATAR

Area: 11,000 sq.km.
Population: 848,500.
Language: Arabic.
Head of state: Sheikh Hamad Ibn Khalifa al-Thani.

SAUDI ARABIA

Area: 2,149,690 sq.km.
Population: 23,500,000.
Language: Arabic.
Head of state: King Abdallah ibn Abdelaziz ibn al-Saud.



UNITED ARAB EMIRATES

Area: 83,600 sq.km.
Population: 4,650,000.
Language: Arabic.
Head of state: Sheikh Khalifa ben Zayed al-Nahyan.

The Gulf states are a pillar of US policy in the Middle East and in the present decade have moved towards political and economic liberalisation. The changes include the media, which is less restricted than before, but things have a long way to go.

The Arab world's media has expanded significantly over the past decade. The proliferation of satellite TV stations in Arabic and the growth of the Internet have destabilised regimes that previously controlled incoming and outgoing news with ease. One sign of change was in Saudi Arabia, where censors put away the scissors and markers they used to delete news they did not like. The Internet appeared in the Gulf around 1999 and despite much censorship, has enabled journalists to work more freely and ordinary citizens to talk about their problems through online forums and blogs.

PETTY CONTROL OF THE MEDIA

Press freedom in the Gulf states varies but journalists there have similar problems. Violations get little publicity, self-censorship is widely practised and the media knows the red lines not to cross. The media is severely controlled in Saudi Arabia, much like the society itself. The situation is better in the other Gulf monarchies but arbitrary behaviour is still the rule. Journalists can be arrested and detained for long periods (in Saudi Arabia the legal custody period is six months).

Journalists in Bahrain, Kuwait and Qatar complained about how hard it was to get access to official

information and report on social unrest. Ghanem al-Suleimani and Nur Handawi, of the daily *Al-Rai*, were arrested for questioning for several hours in Kuwait after covering an unauthorised meeting there in January 2007. Police handcuffed and blindfolded them and took them to a police station. Zainab Abdunabi and Seyed Ali al-Najjar, of the Iranian TV station *Al-Alam*, were arrested by plainclothes police in July as they reported on a demonstration in front of United Nations offices in Manama (Bahrain). The journalist and the cameraman were questioned about their work for five hours before being freed. Journalists in Doha (Qatar) said in December they had not been able to report freely on the strikes staged by foreign workers. The Qatar supreme court limited media access to courts in October and journalists must now have a judge's permission to be there.

TABOOS DIED HARD

The reforms begun in Saudi Arabia have had a good effect on both society and the media, according to many Saudi journalists. The royal family and religion still cannot be criticised, but the media's margin for manoeuvre has significantly increased. Newspaper editors are still under pressure to avoid discussing the country's international relations or national security. When "mistakes" are

THE GULF STATES

made, they are usually encouraged to dismiss the journalists considered to be “disrespectful” by the regime. Two journalists of the daily *Al-Wakt* in Bahrain were summoned by the authorities in January for referring to “Bandargate,” a political scandal involving the royal family and regime officials that has been a forbidden topic since 2006.

FOREIGN JOURNALISTS IN DELICATE POSITION

The Gulf states’ media employ very many foreigners, mostly from Arab countries and southern Asia, as in other parts of the society. In Qatar, they have to be sponsored by a local institution or by the information ministry and be accredited with the government’s Foreign Information Agency. To leave the country, they have to have an exit visa and permission from their sponsor. The formalities are far fewer in the United Arab Emirates (UAE), where journalists based in Dubai’s Media City have more facilities. Important media outlets, such as the *BBC*, *CNN* and the French news agency *Agence France-Presse*, have opened regional offices there.

Foreign journalists based in the Gulf states or on assignment there can usually work freely. However, French journalist Aurélien Colly, correspondent for *RFI* and *France 24*, was barred from entering Qatar on 30 November 2007 despite having all accreditation to cover a meeting of the Gulf Cooperation Council. Colly’s residence permit was cancelled without explanation when he was living in Qatar in June 2006. Foreign journalists in Dubai were confronted by state security agents after covering the rape of a French minor by two UAE citizens.

PROSECUTIONS

Gulf states journalists are also under pressure from the judiciary. Even a country like Kuwait, where press offences are not longer punishable by prison sentences, journalists fear huge fines. Ten complaints were filed in 2007 against Mansur al-Muharib, editor of the Kuwaiti weekly *Al-Abraj*,

after he printed articles about corruption. He said the gains the media had made were being threatened by the intolerance of the information ministry.

Moves to decriminalise press offences have been made in Bahrain and the UAE but their parliaments had not taken action by the beginning of 2008. Two journalists from the daily *Khaleej Times*, Mohsen Rashed and Shimba Kassiril Ganjadahrn, were freed by the Dubai appeals court after being sentenced on 24 September 2007 to two months in prison for defamation. The court was clearly swayed by a call a few days earlier by UAE prime minister Sheikh Mohammad bin Rashed al-Maktum for a new press law.

FLAWS IN THE INTERNET

Online freedom is threatened by every complaint filed against online journalists or webmasters. Saudi blogger Ahmad Fuad al-Farhan was arrested in December without explanation and was still in prison at the start of 2008.

Bahrain stepped up its censorship of online publications, especially those concerning human rights. A score of websites dealing with religion or politics were blocked by the authorities in 2007 on the excuse that they mentioned the Bandargate scandal. Bloggers are often arrested, showing that the rules are confused. More than a dozen journalists, bloggers and webmasters were prosecuted between April and October 2007 under articles 365 of the criminal law and article 47 of the press law. Since 2005, websites about Bahrain have to register with the information ministry, making it easier to control them.

The authorities in the UAE emirate of Ras al-Khaimah targeted Muhammad Rashed Shehhi, owner of the website *Majan.net*, who was arrested for an irreverent comment about the royal family posted by an anonymous contributor and spent 2007 appearing in court for defamation. He was sentenced to a year in prison, which was later cancelled after political pressure.

IRAN

Area: 1,633,190 sq.km.
Population: 69,400,000.
Language: Persian.
Head of state: Mahmoud Ahmadinejad.



Iran's leaders still accuse the independent media of being in the pay of the United States or the European Union, which has resulted in long prison terms for journalists from a cowed and complicit judiciary. Reporters based in Teheran and Kurdistan were targeted in 2007, with dozens of arrests, convictions and closures of newspapers.

President Mahmoud Ahmadinejad hit the world's headlines in 2007 with his diatribes against the West and his talk of nuclear development, saying it was "the country's greatest battle" and using it to hide Iran's economic and social problems. Several journalists protected by the regime's hardliners strongly criticised him in print and some papers, with bogus liberalism, opposed government policies. Freelance journalists who did the same, however, were punished and the country remained the Middle East's biggest prison for journalists, with more than 50 journalists jailed in 2007. Ten of them were still in prison at the end of the year.

When asked abroad about human rights violations and imprisonment of dissidents and members of religious and sexual minorities, Ahmadinejad insists that Iranians are "the freest people in the world." But the regime's persecution of journalists and human rights activists continued in 2007.

The March 2008 parliamentary elections are expected to see further restrictions on the free flow of information. Many reformist papers were closed and news websites blocked during the last elections in 2004.

JOURNALIST CONDEMNED TO DEATH

Hundreds of people were executed in 2007 and the supreme court confirmed in November a death sentence on freelance journalist Adnan Hassanpour, accused of "undermining national security," "spying," "separatist propaganda" and being a mohareb (fighter against God). He was arrested on 25 January and has been in Sanandaj prison, in Kurdistan, since 18 July and has refused to sign any confessions. He was probably arrested because of his contacts with journalists working for the US-funded radio stations *Radio Farda* and *Voice of America*.

MEDIA UNDER PRESSURE

More than 50 journalists were prosecuted in 2007 and the independent and opposition media were targets of the usual financial and bureaucratic harassment. The ministry of culture and Islamic guidance, which is responsible for the media, ordered at least four publications to shut down permanently. A dozen papers, including the well-known *Shargh* and *Madaresseh*, were temporarily closed pending a court decision and news websites were also targeted. Iran has the biggest number of threatened cyber-dissidents in the Middle East and dozens of websites are shut down each year.

The Press Authorisation and Surveillance Commission cancelled the publishing licence of the bilingual Kurdish-Persian weekly *Karfto* in December for "failing to publish regularly." The paper has only been able to bring out 62 issues since it was founded in 2005 because of frequent temporary suspensions by the regime and constant official summoning of senior staff, two of whom were still in prison at the end of 2007. One of them, Kaveh Javanmard, was sentenced at a secret trial on 17 May to two years in prison for "incitement to rebellion" and "undermining national security." The other, Ako Kurdnasab, was given a six-month sentence at the end of the year by the appeals court in Sanandaj for "trying to overthrow the government through journalistic activities."

The managing editor of the Kurdistan weekly *Payam-e mardom-e Kurdistan*, Mohammad Sadegh Kabovand, was arrested in July and at the end of the year was still in Teheran's Evin prison awaiting trial for "undermining national security." One of the paper's journalists, Ejlal Ghavami, also arrested in July, was sentenced to three years imprisonment for "incitement to rebellion" and "undermining national security" for covering a peaceful demonstration in 2005, and is being held in Sanandaj prison. The paper was suspended in 2004.

IRAN



Most journalists jailed in Teheran are held in Evin prison's section 209, which is controlled by the intelligence services, and are often put in solitary confinement and have limited medical care. Emadoldin Baghi had a double heart attack on 26 December because of his poor conditions of detention and the stress of being interrogated. He was only allowed one night in hospital before being returned to his cell but was provisionally released on 18 January to continue his convalescence. Said Matinpour, of the Azeri-language Teheran weekly *Yarpagh*, was arrested at his home in the northwestern town of Zanjan on 28 May and sent to Evin prison, more than 300 km from his family.

WOMEN TAKE ACTION

The Internet has become a battleground between the rigid regime and increasingly active militant feminists demanding abolition of discriminatory laws. Two "cyber-feminists" were held for more than a month at Evin prison in December for writing articles calling for equal rights with men. Thirty-three women journalists and activists were arrested in the spring while demonstrating for their rights and four of them were given prison sentences of between six months and a year.

When journalist Jila Banyaghoob was released, she told of very bad conditions of detention, in a filthy cell and being woken up several times at night to be interrogated blindfold. She spent over a week in the notorious section 209.

Two journalists with double nationality were arrested in 2007. The Iranian-American correspondent for *Radio FreeEurope / Radio Liberty*, Parnaz Azima, had her passport seized when she arrived in Teheran in January and only got it back nine months later. She was able to leave the country but charges of "undermining national security" are pending against her because she works for a US-funded media outlet.

A French-Iranian journalism student, Mehrnoushe Solouki, was arrested on 17 February and freed on bail a month later but banned from leaving the country. She was able to return to France in January 2008 after the court lifted the bail on her parents' house. She was accused of "trying to make a propaganda film" in the form of a documentary on the aftermath of the 1988 ceasefire in the Iran-Iraq war. The regime refused to return her notes and the film footage she had shot.

IRAQ

Area: 438,320 sq.km.

Population: 27,500,000.

Languages: Arabic, Kurdish.

Head of state: Jalal Talabani. Head of government: Prime minister Nuri al-Maliki



Iraqi journalists rejoiced at their new-found freedom of expression when Saddam Hussein's regime fell in March 2003, despite the chaotic security situation. Nearly five years later, things are more dangerous than ever. At least 56 media workers were killed in 2007 and journalists faced increasing restrictions imposed by the Iraqi authorities.

Violence has not abated in Iraq and the toll among journalists continues to grow. The UN Security Council resolution (1738) of December 2006 on protection of journalists in war zones did not lead to Iraqi efforts to punish those attacking media workers. At least 47 journalists and nine media assistants were killed during 2007. More than half the recorded physical attacks on the media were in Baghdad despite the huge presence there of Iraqi forces and US troops.

A Reporters Without Borders delegation went to Baghdad in May 2007 bringing money for the families of murdered journalists. The organisation's secretary-general, Robert Ménard, met President Jalal Talabani and asked his government to ensure that killers of journalists were punished.

Foreign journalists have still not returned to Iraq, mainly for safety reasons but also because insurance coverage can cost thousands of dollars a day.

Reporters Without Borders officials went twice in 2007 to Erbil, capital of Iraqi Kurdistan, to encourage and promote a draft law proposed by the journalists union. In December, the Kurdish parliament passed a bill curbing various freedoms, but Kurdish President Massud Barzani, refused to sign it into law and called in January 2008 for it to be amended.

COURAGE OF IRAQI JOURNALISTS

The violence of the past five years has driven very many Iraqi journalists into exile, where safety problems are replaced by administrative and financial ones.

Those who stay behind are taking more precautions – looking under their vehicle every morning, taking different routes all the time, only using dri-

vers they know very well and concealing that they are journalists, even from their neighbours.

Taking a taxi can also be dangerous and journalist Jumana al-Obaidi, of *Radio Free Europe / Radio Liberty* was kidnapped on 4 November 2007 as she went to the environment ministry in Baghdad to do an interview. Her taxi-driver was murdered.

Some parts of the country and neighbourhoods of major cities have become no-go areas for media workers and on-the-spot work must be done extremely carefully. Photographers and cameramen are handicapped by their equipment. Freelance photographer Munjid al-Tumaimi was killed in Najaf (160 km south of Baghdad) on 28 January as he took pictures of patients at a local hospital.

Physical attacks on journalists increased even in Kurdistan, which is fairly safe for the media. Nabaz Goran, who works for several local media outlets, was kidnapped in Erbil in April and beaten for several hours before being freed.

Iraqi journalists again accounted for nearly all media casualties in 2007 and only one foreigner, Russian photographer Dimitri Chebotayev, was killed. He was embedded in a US military unit and died in a bomb explosion in Diyala province, north of Baghdad, on 6 May.

Iraqi journalists mostly died in ambushes set by unidentified armed groups and were victims of political-religious-ethnic faction fighting. The government was unable to protect them, though some deaths, preceded by death-threats, could probably have been avoided. Mahmud Hassib al-Kassab, editor of the weekly *Al-Hawadith*, was shot dead on 28 May in front of his home in northern Kirkuk (250 km north of Baghdad). He had been wounded six weeks before in another bid to kill him.

IRAQ



THE KILLERS' MOTIVES

Hardly anyone ever claims responsibility for the murders of journalists and lack of serious investigation means the motives for them remain unknown. The political or ethnic affiliation of the media outlets they work for seems to account for the choice of most targets. Only media outlets backed by political parties, religious interests or the government continue to operate. Their employees are exposed to the violence and hatred of groups that oppose their employers' affiliation. Two journalists of the official daily *Al-Sabah* were kidnapped on 12 January in front of their office and their bodies, with throats cut, were found next day near a hospital.

Stringers for foreign media have to take extra precautions and nine working for US media outlets were killed in 2007. Salih Saif Aldin, for the *Washington Post*, was shot dead point-blank on 14 October while covering religious fighting between Sunnis and Shiites in southern Baghdad's Saida neighbourhood. His body, covered with newspapers, was found in the gutter. He had worked for the *Washington Post* for three years and had left his home town of Tikrit in 2005 after getting threats. City officials reportedly put a €35,000 price on his head after he investigated their embezzlement.

KIDNAPPINGS CONTINUE

25 journalists were kidnapped in 2007 and most were freed unharmed. Iraqi media are now much quicker to react to help the victims. Muntadhar al-Zaidi, correspondent for the Iraqi TV station *Al-Baghdadiyah*, was held for three days before being

released without a ransom. Iraqi organisations such as the Press Freedom Observatory (a Reporters Without Borders partner) and its TV station put out messages and a special programme about the journalist. The fate of 14 other kidnapped media workers, some of them held since 2006, was unknown and lack of information did not inspire optimism.

ACCESS TO INFORMATION: A NEW BATTLE

On top of the violence, Iraqi journalists face new restrictions imposed by the authorities, including a ban in May 2007 on filming the sites of bomb attacks and another in November on going to the Kandil mountains, near the Iraqi-Turkish border, to talk to Kurdish PKK rebels. Prime minister Nuri al-Maliki several times stressed the importance of the media in fighting terrorism and he seemed to regard the media's role as reassuring and encouraging Iraqis who had fled the country to return home. Local media are under pressure to give a positive image of the country. "We have no problems if we only make constructive criticism," a journalist from Kurdistan told Reporters Without Borders.

Dozens of journalists were arrested either for a few hours or several days. Faisal Abbas Ghazala, of the TV station *Kolsat*, was arrested at the end of the year and held for 31 days in prison in the Kurdish town of Dohuk before being released without charge. The trial began in November of *Associated Press* photographer Bilal Hussein, who has been held by the US military since April 2006. The charges against him have never been clearly stated.

ISRAEL

Area: 21,060 sq.km.
Population: 7,080,000.
Languages: Hebrew, Arabic.
Head of government: Ehud Olmert.

Fighting between the army and Palestinian militants did not spare journalists in 2007, though none were killed. Israeli journalists continue to show their independence of the government, something quite rare in the region.

The Israeli authorities are capable of the worst and the best when it comes to press freedom. Despite military censorship, the media continues to enjoy genuine freedom. However, while getting the best marks in the region (44th in the world) in the Reporters Without Borders worldwide press freedom index, its record is badly marred by Israeli army violence against media workers in the occupied Palestinian Territories.

Sixteen journalists were injured when troops fired real or rubber bullets or percussion or teargas grenades during 2007. Palestinian photographer Abbas Momani, of the French news agency *Agence France-Presse*, received head injuries from a plastic bullet while covering a demonstration against the Israeli "separation wall" at Bilin, on the West Bank, on 25 May. The army reportedly fired on a group of journalists to disperse them. *Al-Aqsa TV* cameraman Imad Ghanem was seriously wounded by Israeli soldiers on 5 July as he filmed an army operation near the Gaza Strip's Al-Barij camp. He lost the use of both legs.

The TV station *Al-Afaq* went off the air on 12 December after its equipment was seized during an army raid on its offices in Nablus, on the West Bank.

GOLAN JOURNALIST DEPRIVED OF HIS RIGHTS

Ata Farahat, correspondent for Syrian public TV and the daily newspaper *Al-Watan* in the Golan Heights, was arrested at his home there on 30 July and reportedly accused of "making contacts with

an enemy country." He is being held at Al-Jalama prison (14 km southeast of Haifa) and has been refused conditional release. His lawyers and the Israeli media have been gagged by a court order banning publication of details of the case. He was still in jail at the beginning of 2008.

In a similar incident, Ron Ben Yishai, of the daily *Yediot Aharonot*, Lisa Goldman, of TV station 10, and Tzur Shizat, of a geographical magazine, were interrogated by police in December for visiting Syria in 2007 without permission. All Israelis must get an interior ministry permit before visiting "enemy" countries.

ISRAEL ARMY SOLDIERS UNPUNISHED

Britain asked in June for the reopening of the investigation into the 2003 death in the Gaza Strip of freelance journalist James Miller. An Israeli autopsy showed he had been killed by a bullet from an M-16 assault rifle fired by an Israeli soldier. The army closed the enquiry in 2005 after 18 months for "lack of evidence." British investigators went to Jerusalem in September 2007 to present their conclusions to the prosecutor-general.

Lawyers for French reporter Jacques-Marie Bourget, seriously wounded by Israeli gunfire in Ramallah in October 2000, are trying to get the authorities to help them hold hearings. A complaint has been filed in a French court for attempted murder. Disciplinary proceedings have reportedly been held in the army but the results have not been disclosed. Bourget is 42% incapacitated.

JORDAN

Area: 89,210 sq.km.

Population: 5,729,000.

Language: Arabic.

Head of state: King Abdallah Ibn Hussein.

State security police have kept journalists under pressure despite King Abdallah II's promises of democratic reform. A new government after parliamentary elections in November 2007 did not produce major changes for the media and self-censorship continues.

Hopes raised after parliament in March 2007 cancelled a law providing for prison terms for press offences quickly faded. However, MPs did drop plans to crack down hard on written "insults" to religion and its leaders. The legal action begun in 2006 against a journalist who reprinted the Danish newspaper cartoons of the prophet Mohammed was abandoned. But these encouraging developments were not enough to reassure journalists ever mistrustful of the authorities, who continued to use interference and hidden pressure to control the press.

Secret police seized video-cassettes from journalist Ghassan Ben Jeddou, of the pan-Arab satellite TV station *Al-Jazeera* on 18 April 2007. On his Open Dialogue programme, he had interviewed the king's uncle, Prince Hassan Bin Talal, and asked him about religious clashes and US Arab policy. Two weeks later, state security stopped the weekly *Al-Majd* from coming out for allegedly "under-

mining national interests." It had planned to run an article about Palestinian President Mahmoud Abbas and his plans to boost his party. Copies were seized at the printers. The privately-owned station ATV, which obtained a broadcasting licence in 2005, has still not been allowed on the air. Station managers had planned to start up during 2007 and had launched a publicity campaign in the press.

The Internet is just as closely watched as the traditional media and the government extended control of news websites in September 2007 by making online publications subject to the press law. Former MP Ahmad Oweidi Abbadi was given a two-year prison sentence on 11 October for posting on his party's website news considered harmful to the government's reputation. He had criticised corruption high up in the regime and passed on details of it to the US government, a regime ally.

LEBANON

Area: 10,400 sq.km.

Population: 3,613,000.

Language: Arabic.

Head of State : vacant. Head of government: Prime minister Fouad Siniora

Political killings continued in 2007, the army and an Islamist group fought in a Palestinian refugee camp and the country's institutions were paralysed. All this affected the media.

Lebanon, at the heart of the standoff between Western countries and their regional allies and Syria and Iran on the other hand, is going through one of the most serious crises in its history. Since the assassination of former prime minister Rafik Hariri in 2004, divisions in the country's various communities have worsened, but despite the political tension, the media is still much freer than elsewhere in the region.

However, many journalists complained about restrictions imposed by the army during clashes with Palestinian militants in the Nahr al-Bared refugee camp in May 2007. The army kept the media away, supposedly for security reasons, and cameramen and photographers were roughed up.

HEAVY FINES

Five journalists were fined, sometimes heavily, for libel in 2007. They included Tawfik Khattab, mana-

ging editor of the daily *Al-Mustaqbal*, and journalist Zahi Webhé, fined 50 million Lebanese pounds (€22,000) in February for "harming the reputation" of President Emile Lahoud, and Maryam Bassam, news editor of the station *New TV*, who was fined three million pounds (€1,320) in December for "harming the judiciary." The court also ordered the station to pay 25 million pounds (€11,000) in damages to justice minister Charles Rizk.

SLOW JUSTICE

Legal investigations continued during the year to find those responsible for killing journalists Samir Kassir and Gebran Tueni and seriously mutilating TV presenter May Chidiac in 2005. Meanwhile, three other prominent Lebanese were murdered in Beirut in 2007. International support for local investigators is still strong and creation in June of a Special Tribunal for Lebanon could be a step towards ending impunity.

LIBYA

Area: 1,759,540 sq.km.
Population: 5,970,000.
Language: Arabic.
Head of state: Muammar Gaddafi.



Thirty years after Muammar Gaddafi seized power, Libya has returned to international respectability and is being wooed by many Western countries. However the regime is deaf to all criticism and remains repressive. Privately-owned media outlets appeared in 2007 but they were fairly tame.

The country continued its return to the international community in 2007, which began four years earlier with the end of UN sanctions. Libya won a UN Security Council seat in October and took its turn as Council president for January 2008. The end of diplomatic isolation has had many effects on its economy but has barely changed political conditions inside the country.

Non-government media were allowed to operate in 2007 for the first time since Col. Muammar Gaddafi came to power but they stayed under the control of his inner circle. The new dailies *Oea* and *Cyrene* and the satellite TV station *Al-Libiya* are owned by the firm Al-Ghad, controlled by Gaddafi's son Seif al-Islam, but they brought a breath of fresh air into the Libyan media. Most of their journalists also work for official media outlets and *Oea* and *Cyrene* are printed on the government's presses along with the information ministry's newspapers. However, the new papers did criticise government ministers, including prime minister Baghdadi Mahmudi. Gaddafi, the "Guide," remains untouchable and criticising him

and the revolution he launched 30 years ago is not allowed.

TWO FORGOTTEN JOURNALISTS

The family of journalist Daif Ghazal, shot dead in 2005, said in July 2007 that a Tripoli court had sentenced three unnamed men to death in the case. The authorities gave no details of the trial or the killers' motives. Ghazal, 32, vanished on 21 May 2005 and his mutilated body was found 10 days later in a suburb of Benghazi. He had written articles on a London-based website strongly criticising the Revolutionary Committees Movement, which are the backbone of the regime and which he once belonged to.

The Gaddafi Foundation for Development, after a 2006 visit by a Reporters Without Borders fact-finding mission, promised to investigate the case of journalist Abdullah Ali al-Sanussi al-Darrat, who has not been seen since he was imprisoned without charge or trial in 1973. Reporters Without Borders still has no word of him.

MOROCCO

Area: 446,550 sq.km. (excluding Western Sahara).

Population: 31,478,000.

Language: Arabic.

Head of state: King Mohammed VI.

Morocco's journalists had a bad 2007 with plenty of nasty surprises, as the government continued to imprison journalists and seize newspapers, while insisting it was going to reform the press law. The king unsteadily juggled his desire to improve his image abroad with a temptation to curb the country's independent media.

The monarchy displayed the limits of its long-vaunted ability to expand democracy, with the jailing of journalist Mostapha Hurmatallah for 56 days in Okacha (Casablanca) prison for writing an article about the army. Some 92,000 copies of the weeklies *Nichane* and *Tel Quel* were seized and destroyed at the printers by the interior ministry because they contained an editorial considered disrespectful to the king. Since Mohammed VI came to power in 1999, 34 media outlets have been censored and 20 journalists given prison sentences.

Abubakr Jamaï, managing editor of one of the country's biggest independent dailies, *Journal hebdomadaire*, was forced to resign in January 2007 to avoid the paper shutting down. He was convicted of supposed libel in April 2006, but could not raise the 3 million dirhams (€270,000) damages awarded against him and which could have been seized by the government from the paper's own funds, which would have forced it to close down.

JOURNALISTS UP AGAINST A FICKLE REGIME

The government always wins its prosecutions of journalists under the press law and a steady stream of cases was heard in 2007, as ever by obedient judges under strong regime pressure to curb dissidents. However, more and more journalists were inclined to dissent and avoid finding themselves in court. But government reactions were unpredictable and most journalists thought it best to censor themselves to avoid any problems.

The communications and justice ministries worked with journalists and editors unions to redraft the press law in 2007, but no final agreement was reached and no new version presented to parliament. The government is not keen

on decriminalising press offences. Many articles of the law imprisoning journalists were removed from the draft reform but the chief ones used in recent years to convict journalists were kept in, so passage of such a reform would not have improved the plight of journalists at all.

Many topics are still banned in the Moroccan media, such as the monarchy, the army, Islam and Western Sahara, and a lot of freelance journalists were legally harassed and websites, such as *YouTube* and sites close to the pro-independence Western Sahara Polisario Front, were censored.

ARRESTS DURING THE SUMMER

Two journalists – Abderrahim Ariri, editor of the weekly *Al Watan Al An*, and journalist Mostapha Hurmatallah – were arrested at their homes in July and questioned for eight days, even as the press law reform negotiations continued, accused of “possessing criminally-acquired written material” after reporting on the story behind the country's official state of alert. One of the articles reproduced a secret police note warning security services of the posting online of a terrorist group video “calling for a holy war against Morocco.” Hurmatallah was imprisoned through his trial and was given an eight-month sentence, while Ariri got a suspended sentence. The appeals court provisionally freed Hurmatallah after 56 days and reduced the sentences of each man by a month. The cases still have to go to the supreme court and have cast a long shadow over the paper's staff.

Ahmed Reda Benchemsi, managing editor of the weeklies *Nichane* and *Tel Quel*, was summoned by national detectives in early August 2007 and questioned at length about an editorial criticising the king. The interior minister ordered seizure of all copies of the papers at the printers, who were

MOROCCO

also questioned. Benchemsi was charged with “disrespect to the king” under article 41 of the press law and faces up to five years in prison. The case has been adjourned several times and is now due to open in 2008.

Apart from the immediate effects on the staff of these papers, the case has left a bad taste in the mouths of the country’s journalists who had hitherto regarded their situation as one of the better in the Arab world.



PALESTINIAN TERRITORIES

Area: 6,207 sq.km.
Population: 3,889,000.
Language: Arabic.
Head of state: Mahmoud Abbas.

Palestinian journalists have been badly hit by the political instability in the Territories, especially in the Gaza Strip. Permanently-based foreign correspondents fled the Strip after British journalist Alan Johnston was kidnapped in March and the June takeover of Gaza by Hamas forced out most employees of media outlets close to the rival Palestinian Authority government.

Journalists suffered considerably in 2007 from the power struggle between Fatah, which controls the Palestinian Authority, and Hamas, which won the 2006 parliamentary elections. The great political tension obstructed the work of journalists who tried to avoid excessively taking sides. An upsurge in violence during the year also affected the media and Suleyman al-Aashi and Mohammed Mattar Abdu, of the pro-Hamas daily *Filistin*, were murdered as they drove to work in Gaza in May.

The Hamas coup in the Gaza Strip in June not only cut the Palestinian Territories in two but also divided their media. "We can't work impartially any more," a journalist with the news agency *Ma'an* told Reporters Without Borders. "Whatever we write, it's going to offend one side or the other. For example, referring to the 'dismissed' government in Gaza of prime minister Ismael Haniyeh is considered siding with the Palestinian Authority."

Rivalry between the two ruling parties is also displayed in the media. After the Hamas victory at the polls in 2006 and just before Haniyeh was installed, government-owned media were put under the control of President Abbas when traditionally they are controlled by the prime minister. But Hamas has its own media outlets which became more important in 2007, especially satellite TV station *Al-Aqsa*, set up by Hamas in 2005. The station was controversial in 2007 for its children's programme *Pioneers of Tomorrow*, which preaches "martyrdom" by young Palestinians.

HOSTILITY TO JOURNALISTS IN THE GAZA STRIP

The 750 people who worked at the national *Palestine Broadcasting Corporation (PBC)* TV station in Gaza could not do their jobs after Hamas barred them from the building as soon as it seized

power on 14 June. A PBC transmitter was also destroyed. A few days later, dozens of Hamas' Ezzedin al-Qassam Brigades militia burst into PBC studios and stopped the station broadcasting. The few journalists remaining had to flee and equipment and archives were destroyed. Since then, the station has only broadcast from its West Bank studios. The attack was a sombre moment for Gaza's state media journalists and those in the Strip's privately-owned media openly supporting Fatah. Many left for the West Bank.

President Abbas formed a new government based in Ramallah and journalists who stayed in Gaza to cover Hamas activities were punished there with a growing number of restrictions. In August, the Islamist leaders said they would apply a 1995 law providing for imprisonment for publication of any news liable to "endanger national unity or incite crime, hatred, division or religious disputes." This was to discourage journalists from reporting "negative" news about the Hamas police and security forces, rather than to actually jail them, though Hamas has never bothered about legal niceties. Hamas also shut down the Gaza branch of the journalists' union after it criticised the Hamas crackdown on the media. Journalists were also ordered to get new Hamas-stamped press cards and dozens of journalists were arrested in Gaza because of this rule.

Journalists had a better time of it on the West Bank but government security officials there roughed up some. Official distrust of the media was just as high as in Gaza and journalists sometimes censored themselves. Pro-Hamas journalists had trouble working on the West Bank. Two reporters of the pro-Hamas TV station *Al-Aqsa* were arrested and held for three weeks in Hebron in November 2007. About 40 journalists were arrested throughout the Palestinian Territories between



PALESTINIAN TERRITORIES

June and the end of the year. Hamas' Executive Force paramilitaries in Gaza and Palestinian Authority forces on the West Bank were given a free hand to stop the media reporting opposition activities and to warn dissident journalists.

FOREIGN JOURNALISTS INVOLVED IN THE GAZA TURMOIL

No foreign reporters are now based in the Gaza Strip, as a result of the 12 March 2007 kidnapping of *BBC* reporter Alan Johnston and his nearly four-month imprisonment by one of the Strip's most powerful factions. Foreign media have switched their offices to the West Bank and use Palestinian journalists to report from Gaza. Johnston was kid-

napped by the Islamist Army, run by the Dogmush family, and his captors threatened his life many times. The episode showed the Palestinian authorities were powerless in the Strip and also could not unite the various security forces.

The large-scale militarisation of Palestinian society has put journalists in growing danger, which will continue as long as the Territories are run by family-based militias with no respect for the rule of law. Two foreign journalists were kidnapped in the Gaza Strip in 2007, down from six the previous year. Jaime Razuri, a Peruvian photographer for the French news agency *Agence France-Presse*, was held for a week in January by kidnapers known to the authorities but not announced to the public.



SYRIA

Area: 185,180 sq.km.
Population: 19,510,000.
Language: Arabic.
Head of state: Bashar el-Assad.

The government continued to carefully stifle all sign of dissent in 2007 though the country is traditionally by turns rebuffed by the international community and then invited back in. President Al-Assad was re-elected in May for seven years by an official 97% of the vote and has still not ended the country's 45-year state of emergency.

The number of media outlets in Syria since President Bashar el-Assad came to power in 2000 has increased and new privately-owned general-interest weeklies and dailies have appeared alongside several entertainment TV stations. But expansion has not brought diversity and the new outlets must still avoid a great number of taboo subjects. Journalists have to tightly censor themselves for fear of being thrown into Adra prison (in suburban Damascus) where most political prisoners, including dissident journalists, are held.

Journalist and human rights activist Michel Kilo, 67, in prison since May 2006, was sentenced on 13 May 2007 (after a sham trial) to three years imprisonment for "weakening national sentiment." Activists Mahmud Issa and Anwar al-Bunni, arrested the same time as Kilo for urging an end to Syrian interference in neighbouring Lebanon, were respectively jailed for three years (also in May) and

five years (in April) on similar charges. Seven members of the opposition pro-democracy National Council for the Damascus Declaration were arrested in December, including freelance journalist Ali Abdallah on 17 December. He was jailed for six months in 2006 for "criticising the emergency laws" and in January 2008 was being held at Adra prison waiting to be told the new charges against him.

Bloggers seemed less restricted in 2007 but filtering of online traffic significantly increased. Three cyber-dissidents jailed since 2006 were freed in 2007, but at the start of 2008, access to about 100 websites was still blocked, including the popular *Hotmail*, *Facebook* and *YouTube* and many human rights websites. The regime uses a filter called Thundercache to spy on Web traffic, eliminate viruses and prevent video pirating. Access is blocked to Arab-language opposition sites and to material about Syria's Kurdish minority.

TUNISIA

Area: 163,610 sq.km.
Population: 10,215,000.
Language: Arabic
Head of state: Zine el-Abidine Ben Ali.



President Zine el-Abidine Ben Ali is expected to be confirmed in office for a fifth term at next year's elections after a two-decade dictatorship. An opening-up seems unlikely and press censorship continued in 2007.

Lawyer and cyber-dissident Mohammed Abbou was freed from Kef prison on 24 July 2007 after nearly two-and-a-half years for condemning online the use of torture in the country. His release, the year's only good news for journalists, did not lead to increased democracy. President Zine el-Abidine Ben Ali repeated his promise to open up Tunisia to "a diversity of opinion" and urged the press to be bolder. But several journalists were physically attacked by police in 2007 while doing their job or brought before a court for bogus reasons. Online censorship remained as tight as ever and many foreign newspapers containing articles about Tunisia were not allowed into the country.

Abbou has not been allowed to leave the country since he was freed and was twice turned back at the airport as he tried to go abroad at the invitation of media organisations and human rights groups. Journalist Abdallah Zouari, of the Islamist paper *Al Fajr*, freed in 2002 after 11 years in prison, had his five-year internal exile in Zarzis (500 kms from his family in Tunis) extended by 26 months without explanation in 2007. He has to report regularly to the police station nearest to where he lives.

JOURNALIST THROWN IN PRISON

A dozen journalists were physically attacked by police in 2007, three media outlets censored and foreign papers such as France's *Le Canard enchaîné* and *Charlie Hebdo* indefinitely banned from the country. Three journalists were prosecuted and two of them given prison terms, including Slim Boukhdar, correspondent for the news website *Al-*

Arabiya.net, who was sentenced to a year for "insulting an official doing his job," "bad behaviour" and "refusal to show ID papers." Tunisian journalists are often convicted for things unrelated to their job so the regime can avoid criticism for censorship. Boukhdar was arrested during an identity check of passengers in a Tunis-Sfax route-taxi after being followed by police. He was refused bail throughout the case and on World Press Freedom Day (3 May) was physically attacked in Tunis by plainclothes police who kicked him and called him a "traitor" and a "spy," a few days after he wrote that an aide of the president had been responsible for the death of several people at a concert in Sfax.

OBSESSIVE CONTROL OF NEWS

The regime allows no social or political protests, newspapers of the legal opposition are monitored closely and seized at the slightest sign of criticism and the authorities are obsessed with controlling the news. All Internet cafés are supervised by the regime and access to the video-sharing website *Dailymotion* is regularly blocked. An issue of the French weekly *Courrier International* was not distributed in the country in March because it contained a piece by Tunisian journalist Taoufik Ben Brik bitterly describing the poor Hay El-Akrad neighbourhood of Tunis. Foreign journalists can get into the country fairly easily but are closely watched. A group of Swiss journalists who came in November 2007 to report on the festivities marking President Ben Ali's 20 years in power were not allowed to talk to ordinary Tunisians and were escorted everywhere by an official of the government's external communications agency (ACTE).

YEMEN

Area: 527,970 sq.km.

Population: 21,620,000.

Language: Arabic.

Head of state: Ali Abdallah Saleh.

Independent and opposition journalists battled major restrictions and prosecution in 2007, with a dozen arrested and others physically attacked in the street.

Journalists in the capital, Sanaa, have renamed as "Freedom Square" an intersection near government buildings. Since the regime blocked access to several Internet websites in June 2007 and banned mobile phone news services, freedom of expression activists have met every Tuesday at the spot to protest. Several gatherings have been harshly repressed by police.

At least a dozen stringers for foreign satellite TV stations were banned from sending out material on social unrest and opposition activity in the last quarter of 2007. They included Hammud Munasser, of the Saudi station *Al-Arabiya*, who was arrested, had his videotapes seized and was interrogated for an hour on the road between Sanaa and Khamer, where about 18,000 people protested on 18 November about the government's economic policies. A crew from the Qatari station *Al-Jazeera* was stopped on 10 December from travelling to the southern province of Lahj to cover an opposition rally.

JOURNALIST TARGETED BY THE REGIME

Abdulkarim al-Khaiwani, former editor of the weekly *Al-Shura* (suspended in 2005) was arrested in June and held for a month before being freed for health reasons. He was prosecuted before the state security court (which specialises in counter-terrorism) for "putting out news likely to undermine army morale" and faces the death

penalty if convicted. He is accused of having links with Shiite rebels in the north and has appeared in court with 14 others charged with terrorism. The last hearing, on 25 November, was adjourned and by 1 January 2008 a new date had not yet been set. Al-Khaiwani was questioned by a judge with little affection for journalists, about (unpublished) articles criticising top government figures.

After he was freed, he continued to string for independent and foreign media. Following a story about prison conditions he wrote in the weekly *Al-Nedaa*, he was briefly kidnapped on 27 August and beaten by heavily-armed men who were apparently state security agents.

VIOLENT INCIDENTS

A dozen armed men arrived in military vehicles at the offices of the weekly *Al-Sharaa* on 30 July and threatened to kill editor Naif Hassan, who was not there. The attack came two weeks after the defence ministry filed a suit against the paper after it printed articles about the fighting in the northern province of Saada. The paper was founded in June 2007.

Ali al-Assadi, editor of the weekly *Al-Adwaa*, was beaten unconscious in Sanaa on 12 December by thugs with sticks and pickaxes. He said his attackers wore army uniforms.