

The Triumph of Impunity : Attacks on Freedom of Expression in Liberia 2008



Liberian Journalists march to parliament with petition for passage of Three Draft Media

CENTER FOR MEDIA STUDIES & PEACE BUILDING (CEMESP)



The Triumph of Impunity: **Attacks on Freedom of Expression in Liberia 2008**

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ABOUT CEMESP

Center for Media Studies and Peace Building (CEMESP)

The Center for Media Studies and Peace Building (CEMESP) was founded in March 2000 by a group of Liberian journalists interested in sustaining peace, democracy, human rights, free expression and development in their country.

CEMESP's primary goal is to consolidate peace, freedom of expression, democracy and development and increase the space for participatory governance of the media, in holistic peace building and development at all levels of society. This is being planned through the provision of training and research for the media in peace building, advocacy and development.

The organization finds its objectives in the following challenges facing the media and Liberian society in general:

- The enhancement of the capacity of the media to promote peace, advocate for freedom of the press, consolidate democracy and development at the community and state levels;
- The provision of a platform for participatory governance and the advancement of ideas on media rights and free speech;
- The development of effective and comprehensive early warning mechanisms through the use of the media to prevent the outburst of conflict;
- Researching into lessons and challenges facing the media in resolving conflicts, development interventions and building bridges for peace, growth and development;
- Devising strategies for peace building and de-escalation of conflict at local, regional and national level;
- Serving as resource base for research results, data and information to the mass media, professional organizations, governmental, non-governmental and inter-governmental agencies;
- The provision of training and other support to strengthen the professional capacity and independence of the mass media; and
- Supporting the development, growth and the strengthening of the mass media for peace, democracy and development.

As part of its role in improving the capacity of the Liberian media, CEMESP has conducted a number of training workshops for Liberian media practitioners. These have included:

July, 2008: With funding from the USA based National Endowment for Democracy (NED) The Center for Media Studies and Peace Building conducted a six week journalism skills training course for middle level journalists in Liberia. Members of both print and electronic media houses attended the training.

January 18, 2008: The Center for Media Studies and Peacebuilding with support from the Norwegian Human Rights Fund, conducted a one-day training workshop for Liberian journalists on issues of Economic, Social and Cultural Rights. Topics discussed at the workshop include: Overview of Economic, Social and Cultural Rights as human rights; and the Legal Implications of Economic, Social and Cultural rights, among others.

December 15, 2007: The Center for Media Studies and Peacebuilding with support from the Norwegian Human Rights Fund, conducted a two-day advocacy workshop for journalists and community members in Sasstown, Grand Kru County on popular understanding of Economic, Social and Cultural Rights

August 03, 2007: The Center for Media Studies and Peace Building with support from UNESCO conducted a training workshop on Preparing Women for Leadership Roles in the Liberian Media. Thirty participants were selected from the print and electronic media and mass communications departments of the University of Liberia, African Methodist Episcopal University and the United Methodist University. Topics considered at the workshop include: Media Women in Democratic Societies, Women in Media and Leadership, Reporting Gender and Development Issues, Balancing Family and Work, Managing Change, Media Law and Ethics, News Writing, Interviewing techniques, among others.

August 2007: In continuation of its Capacity Building Program for Liberian journalists, and improving the performance of Liberian media as a whole toward firmly implanting the media in the democratization of Liberia, the Center for Media Studies and Peace Building (CEMESP) conducted a six-week intensive training of Media Managers and Senior Editors from media institutions in Liberia. The workshop conducted in Monrovia was also part of CEMESP programs sponsored by the United States based National Endowment for Democracy, NED. It was aimed at helping the participants to brush up their skills in the management of their respective media outlets. In addition to the following management topics explored by facilitators of the workshop {Management-Purpose & Function, Innovation-Market Survey, Leadership for Innovation, Business Side of Media}, the training also considered technical issues such as Editing

Skills, Roles and Responsibilities of Editors or Media Managers, Feature and Editorial Writing, Language Skills, Media Laws and Ethics, and Online Investigative Journalism.

November 2006: The Center for Media Studies & Peace Building (CEMESP) with support from the National Endowment for Democracy (NED) held a six-week journalism training course in Monrovia for beginner journalists in the country.

Twenty five practicing journalists, including 11 females, from more than 10 print and broadcast media institutions across the country, were selected from more than 75 persons who applied for the course. Media Situation in Liberia, Basics of Journalism, Issues relating to Freedom of Expression, News Concepts and Interview Techniques, Language Skills, as well as basic writing exercises for News & Script Writing, Writing Features, Editorials & Commentaries and Broadcast Presentations & Productions were among topics treated by the workshop.

As part of our institutional mandate we have also been engaged with series of research works. In September of 2008, the center published a report entitled "Radio Works in Liberia: the Listeners' Perception." This report was an audience survey of the listeners of various radio stations in Liberia. The survey was done in collaboration with the Institute of Applied Media Studies of the Zurich University of Applied Sciences

In 2007, CEMESP conducted a study on Quality assessment of radio news in Liberia in partnership with the Media in International Cooperation, Institute of Applied Media Studies, Zurich University of Applied of Sciences. This research was intended to assess the quality of news reporting of some radio stations in Liberia.

In 2006, CEMESP conducted a study on Religious Broadcasting in Liberia in partnership with Panos Institute West Africa.

In 2006 also, CEMESP carried on an Evaluation of the Public Awareness & Education Campaign for the Small Arms Control and Micro Disarmament on behalf of the Small Arms Control Program, United Nations Development Program; Monrovia, Liberia.

The full text of all of these research reports can be seen on our website: www.cemesp-liberia.org.

CEMESP is currently involve in a Conflict Journalism Research with focus on eight radio stations (three community radio and five regular radio stations) and four newspapers in Liberia.

In 2005 with support from Panos Institute of West Africa, we developed a media directory for Liberia. In the same year with support from UNESCO CEMESP launched an online media documentation center.

In 2005 also, CEMESP developed a community radio country report for Liberia on behalf of the World Association of Community Radio (AMARC).

In 2008 CEMESP conducted a study of Plan International work with the media in Liberia.

In 2008 CEMESP in partnership with the Lagos based Media Rights Agenda embarked on the conduct of a research on Access to Information in Liberia. The two- phased project is being sponsored by the Ford Foundation and is part of a larger project on Access to Information being implemented in five countries of West Africa. In the first phase we engaged a legal consultant to conduct a comprehensive research on all existing laws and regulations in Liberia which specifically prohibit and/or constrain access to information.

CEMESP currently co-chairs the West African Network for Peacebuilding (WANEP) –Liberia. We head and host the Secretariat of the Liberia Coalition for Free Expression and also host the Secretariat of the West African Civil Society Forum (WACSOFF) Liberia chapter.

The Center hosts and coordinates activities of the Liberia Media Law and Policy Reform Working Group. The Liberia Media Law and Policy Reform Working Group was responsible for the drafting of three media Laws presently before the Liberia National Legislature, the three draft Laws are: The Freedom of Information Act, An Act to Establish an Independent Broadcasting Regulator for Liberia, and An Act to transform the State Broadcaster (LBS) into a Public Service Broadcaster.

CEMESP is presently the only Liberia member of the International Freedom of Expression Xchange (IFEX). We report, document and publish regular alerts on attacks on the press and free expression in Liberia. In January of 2008 we published a book titled "The Perennial Tragedy of Democracy". This book is basically a compilation of various attacks on the press and free speech in Liberia for the period of 2006 and 2007.

Partners/Consultancy

Secretariat, Liberia Media Law and Policy Reform Process
World Association of Community Radio (AMARC)
Institute of Applied Media Studies (IAM) Zurich
UNESCO BREDA

Media Rights Agenda
Norwegian Human Rights Fund
Center for International Media Ethics (CIME)
International Media Support (IMS)
International Freedom of eXpression Exchange (IFEX);
West African Civil Society Forum (WACSOF)
Conference of NGOs in Consultative status with United Nations (Congo);
Liberia Coalition for Free Expression
Network of African Freedom of Expression Organization (NAFEO)
Article XIX

**The Triumph of Impunity :
Attacks on Freedom of Expression in Liberia 2008**

**Published in Liberia By
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Foreword

“Decency, security, and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen... If the government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy.”

With these words of the venerated American jurist, Louis D. Brandeis (1856-1941) in the case, *Olmstead v. United States*, 1928, I like to open the 2009 summary of freedom of expression violation and abuses in Liberia under the heading: *The Triumph of Impunity: Attacks on Freedom of Expression in Liberia – 2008*

Triumphantly, impunity is stealing into Liberian politics, society and government. The Truth and Reconciliation Commission (TRC), organized to bring forth issues from the past that led to conflict and destruction, and to find resolution for them, seems to be toothless and without support to ensure success. Key actors come forth, lie without fore or hind thought, threaten commissioners for pressing too hard, and there are no clear attempts to get justice for thousands of others affected by acts of terrorism, murder, etc during the years of war. Conclusively, there may not be justice for people, whose right to express themselves are denied, suppressed or censored.

The innate anarchy had been the life of Liberia for a period that is variously quoted as between 14 and 25 years. Whichever number one chooses, the fact remains that that period saw Liberia in the most disfavored scenes that mankind ever invites. These have been because at one point or another across the time some people felt disenchanting, not being allowed the opportunity to participate for one reason or another. The resulting violence, while altogether unacceptable, was a natural result from the disenchantment, and dearly cost our country invaluable, whether in human resource, materials, history, development or otherwise.

With the decision of 2005, and the support being provided by the international community to ensure success for this regime, it is certainly foolhardy for anyone to consider that Liberians need to rerun that route of violence and anarchy.

President Ellen Johnson Sirleaf has stated over and over again that there is going to be a fundamental departure from the past. For us in the media, one way that that can be reflected is if and when government officials and other functionaries consider, like Justice Hugo L. Black (1886-1971) that “only a free and unrestrained press can effectively expose deception in government.”

For this edition our attention is paid to the fact that nothing was done whatsoever to reprimand those who transgressed the media. Among other things, this edition notes that transgression included threats of closure by the Ministry of Information, one actual closure and eventual seizure of a media house by a local government official, as well as the barring of journalists from a public function. In all of these offenses, nothing has been done to bring relief to the victims.

Also across 2008, there were three imprisonments of people for expressing their opinions. A war crimes activist suffered the illegal action of preventive detention because he wanted to petition the visiting US president; a legislative assistant was imprisoned for expressing his views on a bribery scandal and two journalists were detained briefly for taking photographs. No one was questioned about these acts.

Violence, and without reprimand, also had a toll on freedom of expression, as Police beat up some journalists, while security brutalized others at an airport ceremony when they attempted speaking with visiting Sierra Leone President Bai Koroma. In a rollover of this latter incident, some journalists accused a colleague of using the airwaves to justify the brutality meted out against them. This led to a huge uproar, and eventually ended as an out-of-court settlement. Similarly, nothing came out of this.

The year also saw several scenes of power, as lawmakers and judges summarily summoned reporters for critical reports. In a particular case, a lawmaker led unidentified people to a radio station. To date, nothing has been done to clarify to these people that they were on the wrong side.

Threats of violence, including death also made up the pile. In one case, a suspect more or less admitted that he was on a mission to eliminate the editor. In the usual show of impunity, that case went under the carpet. The editor regrettably showed no further interest in the matter.

In cases that claimed the attention of all, the Chief Justice seized the camera from a journalist at a formal event, a senator seized a reporter's equipment during a regular Senate session, and a Superintendent took control of a community radio station. While the senator and the Chief Justice later returned the equipment after unfavorable public condemnations, the Superintendent of Grand Gedeh to-date maintains the community owned Smile FM as a private propaganda piece. To crown it, no one dares say anything, including the government in Monrovia.

These are among the issues that this year's summary of attacks on free expressions seeks to point out to the public.

In addition to these threats to the freedom of expression, there are also commentaries by various actors on the Liberian media scene about issues in free expression. It is our hope that these comments would serve as further education to those who believe in the right of all people to freely express themselves, and as inspiration to those who have not considered the validity of this right before.

But whatever the case, if we must ensure the life of this democracy, we must think of freedom and justice like the late Canadian Prime Minister John G. Diefenbaker (1895-1979) who argued that "freedom includes the right to say what others may object to and resent...The essence of citizenship is to be tolerant of strong and provocative words."

K. Abdullai Kamara
Chairman,
Center for Media Studies & Peace Building
December 30, 2008

Introduction

We are presenting to you the second summary of our work in investigating and highlighting attacks on Freedom of Expression and the Press in Liberia. This activity is being pursued so as to identify the progress we are making in propelling democracy in Liberia, as well as identifying hindrances in that struggle.

In the 2008 edition, we were terrified that despite the gigantic move to democracy through the plebiscite of 2005, and given the years of conflict and violence that heralded that historic event, there were still calculated efforts to reverse the gains. Among those areas was a gross intolerance of the views of others, whether by ignorance of this universally acknowledged right, or through arrogance and disregard for the humanity of others.

With the publication of *The Perennial Tragedy of Democracy: Attacks on Freedom of Expression in Liberia 2006-2007*, we received quite a number of comments from people lauding the effort in the right direction, as well as a number of other comments, which more or less saw our efforts as being partisan. We would agree if you point us out as partisans for democracy, freedom and justice. On the other hand, if we are cited partisans of the government or the opposition, we say no, and really mean no. Nonetheless, we remain reinvigorated by the fact that the government and its functionaries continuously claim to believe in democracy and the rule of law, which includes such basic rights and freedoms as freedom of expression and the right to education. As author Laird Wilcox teaches, "Freedom of expression ... can never be taken for granted, and especially so for writers, journalists, researchers, scholars and librarians,[as these] professions are among the first to feel the chill of repression and experience its personal, professional and legal consequences."

With these comments, whether for the sake of rhetoric, propaganda purposes, or to gain the favor of international actors, CEMESP holds the government for believing in democracy, and pledges an undying support to ensure that this dream does not die.

While in accordance with the government, our work is more so in accordance with the aspirations of the Liberian people, who expressed their desire for a democratic government, first at the Accra Peace Conference of 2003, and again at elections in 2005. It is this theme that we support at CEMESP.

For the summary of the year 2008, we note that the attacks on free speech have continued because there has been little effort to hold off those abusing and violating the rights of others. By this act of impunity, the government has shown approbation for attacks on free speech. We do not expect them to agree, but the facts state so. Further to the government, we have seen that several other actors, including civil society, still do not understand the right people have to freely express themselves. Whether as being practiced by journalist in a free press environment, or by activist wanting to express their thoughts on matters, the world at large needs to be taught that "free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy ... depend," as was outlined in *The Freedom to Read*, A Joint Statement by the American Library Association and the Association of American Publishers in May of 1953.

With this, we present to you *The Triumph of Impunity: Attacks on Freedom of Expression in Liberia - 2008*. CEMESP believes that by presenting the stark details, and providing background information about freedom, readers and the public will understand this campaign, and hopefully join in.

We are also optimistic that government and other actors will take action against those abusing and attacking the press, and ensuring that they do not continue with impunity. For once, we must halt the triumph of impunity in Liberia

Malcolm Wleemogar Joseph
Executive Director
Center for Media Studies & Peace Building (CEMESP)
December 29th, 2008

Jan. 4, 2008

Liberian CPA Threatens Newspaper with Court Action

Monrovia, Jan. 4, 2008: The Executive Director of the Liberia Institute of Certified Public Accountants Sam Mombo has threatened to take the Inquirer Newspaper, one of Liberia's leading dailies to court for alleged libel.

Mr. Monbo who is also Managing Director of the Monbo and Company Auditing Firm in Liberia's capital Monrovia, said he will resort to court action against the Inquirer if he does not get a redress from the Press Union of Liberia.

In a letter of complaint to the PUL, Mr. Monbo accused the Inquirer Newspaper of publishing what he called defaming and malicious articles from his wife who is based in the United States of America.

The Managing Editor of the Inquirer Newspaper Philip Wisseh told CEMESP that Mr. Monbo reserve the right to go to court, to express his displeasure with the advertisement supplement published in his Newspaper recently.

In a paid Advertisement supplement carried in the Inquirer Newspaper, the first wife of Mr. Monboe accused her husband of committing bigamy. The announcement came few weeks after Mr. Monboe wedded another woman at a colorful ceremony held in Monrovia .

Information Minister Threatens To Close Media Outlets, Punish Others For Playing "Vulgar Music"

14 January 2008: CEMESP is appalled by repeated threats by the Minister of Information, Rev. Laurence Bropleh, to shut down legitimately registered media houses on account of their non-payment of taxes and the type of music they play.

This development is reminiscent of the so called dictatorial regime of Charles Taylor and must be challenged and stopped.

At a press conference, Bropleh reported that some 23 media houses are delinquent in the payment of taxes and regulatory fees for 2007, for which he will order their closure. He made similar threats in 2007.

At the same meeting, Bropleh also threatened "tough actions" against radio stations that play what he referred to as "vulgar music," arguing that such music is not good for the Liberian society.

In early 2007, Bropleh shut down the "Independent" newspaper in contravention of a court order (see IFEX alerts of 4 June, 4 April, 28, 21 and 8 March, 28 and 22 February 2007), even though Article 20 of the Liberian Constitution dictates that "no person shall be deprived of . . . privilege or any other right except as the outcome of a hearing judgment consistent with the provisions laid down in this Constitution and in accordance with due process of law."

CEMESP notes that these threats are unlawful and undermine the health of Liberian democracy. Bropleh must accept that other Liberians have a fundamental freedom of choice, which includes the right to disagree, or to think otherwise in determining what is good for them to say or to listen to.

CEMESP agrees absolutely that individuals and business entities must pay taxes on the income that they earn. The non payment of taxes violates the law, and those culpable must face the consequences. CEMESP notes, however, that the Finance Ministry has clear procedures, grounded in law, for the collection of delinquent taxes, and any attempt by Bropleh to enter this jurisdiction would be illegal and overzealous; his threats to shut media outlets down would simply deprive the media of their constitutionally guaranteed right to freely express themselves.

CEMESP is concerned that Bropleh's decision to single out media organisations in his "tax payment vendetta" manifests his frustration with and incapacity to handle government media relations. It is also a blatant reminder of the "hut tax" regime of the past, through which poor, underrepresented citizens, upon whose dispossession the "rich property owners" in Monrovia and elsewhere lived, were targeted for humiliation in the name of tax collection.

Newspaper Editor Allegedly The Target Of Assassination Plot

31 January 2008: Investigations are underway into claims that a bounty of US\$1,000 was offered for the assassination of Sam O. Dean, managing editor of the "Independent" newspaper in Monrovia .

Police have arrested a former rebel general, Godfrey Beyan (alias "Spirit"), as he tried to pay off his accomplice Beyan Kamara (alias "Fifty") for what he thought was a "mission accomplished."

Dean told CEMESP on 30 January 2008 that the plot was uncovered when an individual informed him that a former rebel general had contracted another former combatant to eliminate him.

Dean said this information followed an earlier visit to the offices of the "Independent" by Godfrey Beyan under the pretense that he had come to negotiate for the purchase of advertising space.

According to Dean, he diverted a later call from Godfrey Beyan and instead delegated another staff to conclude the publication arrangements.

Dean said that at this time, he moved to a different apartment and called in the police, who promptly arrested the suspected would-be assassin. The other suspect in the plot was apprehended when he approached his accomplice's hideout, believing that the "mission was accomplished".

Dean said police apprehended Godfrey Beyan and placed him under custody for attempting to pay off the alleged assassination money to Beyan Kamara. Police sources indicated that Kamara admitted receiving an initial \$20 payment toward the total of \$175 for which he was subcontracted.

Dean made headlines early in 2007 when his newspaper published nude sexual photos involving Presidential Affairs Minister Willis Knuckles. Knuckles subsequently resigned, the "Independent" was shut down and Dean followed with claims that he was being hunted (see IFEX alerts of 4 June, 4 April, 28, 21 and 8 March 2007, and others).

Local Government Official Maintains Siege Over Smile FM

February 21, 2008: The Superintendent of Grand Gedeh County has maintained his siege of the local Smile FM by appointing a loyalist management and board.

Superintendent Christopher Bailey announced the reopening of the radio by 7 PM on Wednesday, February 20, but barred the three most senior staffers of the station from entering the premises.

Accompanied by Grand Gedeh Police Commander and three officers, Mr. Bailey stormed the offices of Smile Radio Wednesday morning, ordered the station shut down, and prevented radio staff from entering the premises.

Mr. Bailey claimed that the station was being shut down for improper management.

The action came even as Police should have been investigating a station associate for deliberately blowing off station equipment. Staff at the station claimed that the associate being investigated was allegedly working on behalf of Mr. Bailey and the station manager, who had been dismissed recently.

The matters came to a head when the Board of Advisors dismissed the Station Manager, and Bailey responded by "suspending the Board."

The Board is also reported to have challenged Bailey's power to suspend them. Smile Radio, FM 98.6 is a community radio station in the eastern town of Zwedru , Grand Gedeh, holding affiliations with the BBC and the internationally supported Star Radio.

It was established as a community operated facility, with no government control. Members of the board are appointed by the community.

War Crime Activist Arrested To Prevent Him From Petitioning Visiting US President

22 February 2008: On 21 February 2008, police in Monrovia arrested and briefly detained an activist seeking to petition visiting US President George W. Bush to promote the establishment of a war crimes court for Liberia .

Mr. Mulbah Morlu, Chairman of the Forum for the Establishment of a War Crimes Court for Liberia , was held at police headquarters for more than four hours, at which time he was to have presented a petition to President Bush.

Morlu told a news conference early in the week that he had received endorsements from the United States Embassy in Monrovia to present his petition during Bush's visit.

He had earlier announced that he would be leading a 50,000-strong demonstration to present the petition.

In text messages forwarded to various media houses on 21 February, Morlu said the police arrested him on "fake and fabricated" claims of "sabotage and hindering law enforcement".

In a 2006 incident, the government resisted a similar petitioning program during the visit of then United Nations Secretary General Kofi Annan. Mr. Annan, however, granted Morlu an audience.

Morlu and his team are seeking the establishment of a war crimes tribunal for those whom he claims "bear the greatest responsibility for the war in Liberia ". He has on various occasions accused President Ellen Johnson Sirleaf and key members of her government of being among those responsible.

Morlu has circulated his petition to various international and media organizations.

Legislative Assistant Sentenced To Prison For Expressing His Views On Bribery Scandal

28 February 2008:(MFWA/IFEX) - Without a legal counsel, Darius Dillion, assistant to Senator Jewel Howard-Taylor, was on 26 February 2008 sentenced to six months' imprisonment by the Liberia House of Representatives, for expressing his views on a bribery scandal in the Lower House.

Dillion's plea for a lawyer was ignored by the Lower House even though Liberia 's laws guarantee the right of an accused to legal counsel. The Media Foundation for West Africa 's (MFWA) correspondent reported that the plenary found Dillion guilty of "legislative contempt".

In 2007, the representative for electoral district no. 5 in Montserrado County , Edwin Snowe, was removed as Speaker as a result of an alleged bribery case. The Lower House rejected an independent probe into the matter and instead launched an internal probe, conducted by the House Judiciary Committee.

Dillion has been a strong advocate for an independent probe into the bribery allegations. An independent investigation was also called for by representatives of many partners in Liberia , including the United Nations, the European Union and the United States of America .

Dillion participated in several talk-shows at numerous local radio stations, including Star Radio, and disclosed that the Judiciary Committee intends to expel former speaker Edwin Snowe. Dillion also alleged that the committee intends to suspend the Representatives who initially disclosed that each Representative of the Lower House received US\$5,000 to ensure Snowe's removal.

The Plenary considered the statements as pre-judging the outcome of the probe and cited Dillion for contempt of the Legislature.

Radio Journalist Beaten By Police Officers, Detained Briefly

3 March 2008: - Officers of the Liberia National Police assigned to the provincial city of Tubmanburg in Bomi county on 1 March 2008 flogged and briefly detained journalist Edwin Clarke of Truth FM Radio, located in Liberia 's capital Monrovia .

Journalist Clarke, who had gone to Tubmanburg to follow-up on a news story regarding a stolen child, was ordered beaten by the Commander of the Women and Children Protection Unit of the Liberian National Police in Bomi county.

Clarke told CEMESP that he was beaten by five plainclothes Police officers following a directive by the Police commander.

As a result of the flogging, journalist Clarke sustained injuries on his left hand and parts of his body.

The journalist also told CEMESP that his US\$50, a wrist watch and waist belt were seized from him by the Policemen.

Clarke was later released from detention following the intervention of Bomi County Parliamentarian Tarnue Cooper.

A formal complaint according to the journalist has been filed to authorities at the Liberia National Police.

Meanwhile the Center for Media Studies and Peace Building (CEMESP) has condemned the flogging and subsequent detention of journalist Clarke and described the action of the Police officers as an affront to free expression.

CEMESP is therefore calling on the Leadership of the Liberia National police to act swiftly in investigating the matter, and subsequently bring the perpetrators to justice.

Newspaper Threatened With Lawsuit Over Alleged Defamation

7 April 2008: "The National Chronicle", one of Liberia's daily newspapers, has been threatened with a lawsuit by a member of President Ellen Johnson Sirleaf's inner circle.

Liberia Petroleum Refinery Company Managing Director, Harry Greaves threatened to drag the newspaper to court if it fails to retract a story attributed to him in its 31 March 2008 edition, captioned: "For Greed of Power and wealth: Harry Greaves Financed Taylor's war-Killed 250,000 Innocent Liberians."

According to the Dunbar and Dunbar Law offices, representing the legal interests of Mr. Greaves, the allegations against their client are false.

In a 31 March letter addressed to the Management of "The National Chronicle" newspaper, the Dunbar and Dunbar Law offices claimed the publication was a deliberate attempt by "The National Chronicle" to defame the good name and reputation of its Client Harry Greaves

Mr. Greaves and his lawyers have given "The National Chronicle" up to seven days to retract the story or face a law suit.

But the Managing Editor of "The National Chronicle" newspaper, Emmanuel Akyempong told CEMESP that his newspaper stands by the story. He said they have no intention to retract a story that was written on the basis of truth.

Editor Akyempong said his newspaper will not concede to Mr. Greaves' letter from his legal counsel, saying "we are prepared to go to court following the seven-day ultimatum".

CEMESP especially calls against this suit because it is "politically motivated and intended to intimidate the media outlet/journalist from criticizing Mr. Greaves".

"The National Chronicle's reference to Greaves' involvement is not a new issue, considering that similar claims had been brought to the fore by a former official of the rebel National Patriotic Front of Liberia (NPFL), indicating the involvement of President Sirleaf, Greaves and other members of the establishment in the formation of the rebel group in the 1980s (<http://www.theliberiandialogue.org/articles/c091505tws.htm>).

Mr. Thomas Woewiyu, Defense Minister of the NPFL, challenged President Sirleaf, Greaves and others to appear before the Truth and Reconciliation Commission (TRC) to explain their role in the civil war. To date, these claims remain unchallenged.

Staff Members Of Critical Newspaper Summoned To Court For Reporting Judge's Statement: "A Calculated Attempt To Intimidate," Says Editor

24 April 2008: The editors and a reporter of "The Public Agenda", one of Liberia's best investigative newspapers, has been summoned by the First Judicial Circuit Criminal Court A for Montserrado county, to answer to charges of contempt of court over an article published in its pages.

According to a writ of summons issued to the newspaper, a copy of which is in the possession of CEMESP, the court ordered its editors and reporter Ora Garway to appear before it on 23 April 2008, to show cause, if any, as to why they should not be held in contempt of the court for a publication in the 21 April edition of "The Public Agenda", entitled: "Judge Frustrated".

The article in question quoted the Presiding Judge of Criminal Court A, Peter Gbeneweleh, announcing in open court that he was frustrated over the slow pace of the treason trial involving two former armed forces officers. The newspaper further quoted Gbeneweleh as urging lawyers in the ongoing trial not to allow the trial to run into the May term of court.

The political editor of "The Public Agenda", Sherman Seequeh, told CEMESP that the action by the court is a calculated attempt to intimidate the newspaper.

Seequeh said he wonders why a judge would make such a remark in open court and then turn around to summon a newspaper for reporting it.

"The Public Agenda" is the second newspaper to have reported the statement by Gbeneweleh. The first was "The Analyst".

Seequeh further described the court order as an attempt to silence "The Public Agenda", an institution in the vanguard of exposing the ills of Liberian society.

CEMESP is closely following the case.

Lawmaker Lead Unidentified Individuals to Storm Radio Station

May 1, 2008: A member of the House of Representatives of Liberia on Thursday May 1, 2008 led a number of unidentified individuals to storm the news department of Truth FM Radio station in Monrovia, in an apparent dissatisfaction over a report aired on the station.

Truth FM on the afternoon of May 1, quoted some women of District Number one in Montserrado county expressing disappointment over the failure of their Representative Alomiza Ennos Barr to use her office to prevail on the House of Representatives to ensure that an autopsy was conducted on the remains of a little boy of the district who was allegedly kicked to death by an adult.

Representative Barr, her husband and about ten unidentified individuals while at the Radio station rained insults and threats at the station's News Director Zenu Miller and other members of the department.

The Center for Media Studies and Peace Building (CEMESP) and the Press Union of Liberia, the umbrella organization of journalists in Liberia have categorically condemned the attack on the Radio station by the Parliamentarian.

The two organizations said it was unfortunate that a lawmaker could storm a radio station and throw insults and threats at staffers on the eve of world Press Freedom day, simply because the journalists had performed their traditional duty by informing the public of happenings in the society.

Chief Justice Summons Newspaper Editor

Monrovia, May 21, 2008: The Editor-in-Chief of the Independent National Chronicle Newspaper Jonathan Savage, has been summoned to appear before the Chief Justice of Liberia Cllr. Johnnie Lewis at the Temple of Justice in Monrovia on Thursday May 22, 2008.

The summon of the Editor –In –Chief was in connection to an article published in the May 16, 2008 edition of the National Chronicle Newspaper captioned” US \$ 1.5 million transferred from Judiciary’s Accounts- Chief Justice Allegedly linked”.

The article quoted a communication written by one of the decision makers of the judiciary branch of government, Bensonville Stipendiary Magistrate, Peter Gonsahn, which was addressed to the Speaker of Liberia’s House of Representatives Alex Tyler.

The communication notified the Speaker about unfolding developments at the judicial branch of government not limited to the alleged transfer of US\$ 1.5 million from the judiciary account to the personal account of Chief Justice Johnnie Lewis..

Editor Savage told CEMESP that the National Chronicle stands by its story.

He said the Newspaper is in possession of the written communication from the stipendiary Magistrate.

Savage said the Chronicle has evidence to prove that the office of the Chief Justice was contacted before the publication of the story.

The National Chronicle has in recent times been very critical of the government of President Ellen Johnson Sirleaf.

Two Journalists Detained Briefly For Taking Photographs

18 June 2008: - Two Liberian journalists working for the “New Democrat” newspaper were arrested and detained for several hours on 16 June 2008 by officers of the Liberia National Police in Monrovia .

According to the police, news editor Othello Garblah and staff writer Festus Porque were arrested at the request of the Monrovia Transit Authority for “unprofessional photography.”

The two journalists had gone to the premises of the Monrovia Transit Authority, a public transport company, following a tip-off that some of the buses being managed by the entity were down due to gross mismanagement.

Upon arrival, the journalists identified themselves to the security guards assigned at the compound and were allowed in. They then asked to talk to the management of the entity but were told that none of the senior managers was present. It was after being told that none of the managers was present that they decided to take photographs of some of the out-of-use buses parked in the compound. This apparently infuriated the security guards, who arrested them for allegedly trespassing and called in the national police from the nearby depot.

Upon arrival at the scene, the police took the two journalists to their depot and charged them with the crime of “unprofessional photography.” (The journalists were reportedly obliged to destroy their photographs.)

However, the journalists were released the same day after spending several hours in detention.

CEMESP views the detention of the two journalists while they were trying to corroborate the allegations of transit mismanagement with photographs as an attempt to impede their work and deny the public information which they have a right to.

CEMESP believes that the security guards’ allegations of trespassing are groundless for two reasons: the facility of the Monrovia Transit Authority, being a public entity, should be accessible to the public, including journalists; as well, the guards themselves allowed the journalists in, and only interfered when they began taking photographs.

Seizure Of Journalist’s Equipment Sparks Debate On Reporters’ Right To Record Informal Discussions, Arguments In Senate

29 August 2008: On 25 August 2008, the recording equipment of journalist Julius Kanubah, of the independent radio station Star Radio in Monrovia, was temporarily seized by River Gee

County Senator Fredrick Cherue. Cherue claimed that he seized the equipment in reaction to the recording of private discussions by journalists covering the Liberian Senate.

The incident began when legislative reporters started recording a heated argument between the senate's Acting President Pro-Tempore, Lahai Lansana, and another River Gee County Senator, Isaac Johnson.

The argument began when Lansana instructed Johnson to take his seat and stop roaming the senate chamber, which angered the River Gee County Senator.

According to some of the journalists present, it was at this point that Senator Cherue forcefully seized Kanubah's equipment and gave it to Lansana, who at that moment was briefly presiding over the senate session due to the late arrival of Liberian Vice President Joseph Boakai.

Although the recording equipment was later given back to Kanubah, several senators, including Johnson, Cherue and Sumo Kupee, briefly debated the media's coverage of senate sessions, saying that journalists should only record official statements from the senate's plenary sessions and not arguments and side discussions.

However Gbapolu County Senator Theodore Momo differed with his colleagues, saying that the public has a right to information about any statements made during the Senate sessions, and therefore journalists have the right to record and report on them. He cautioned his colleagues not to do anything that would be detrimental to press freedom and freedom of expression.

Print Journalists Barred From Main Senate Chambers

4 September 2008: The Liberian Senate has moved to ban print journalists from having access to its main chambers. The move is said to be upon the recommendation of the Senate Committee on Rules, Order and Administration.

According to a communication addressed to the Press Union of Liberia by some print journalists covering the Liberian Senate, they have been prevented from covering open deliberations at the Legislature's Upper House.

They complained that some time ago, they were "bundled out" of the Senate Chambers by the Sergeant at Arms (security officer) while attempting to enter on reportorial duties. But the Senate has contended that its deliberation chambers are too small to host both print and broadcast journalists covering its sessions. It further suggested that print journalists follow its proceedings from the balcony.

However, some of the print journalists have counter-argued that their exclusion is meant to stop them from having first-hand information, especially photographs of the Senators who, on a number of recent occasions, have almost resorted to fistfights during sessions.

Meanwhile, CEMESP has condemned the action against print journalists by the Liberian Senate. CEMESP views the exclusion of print journalists from the main deliberation chambers as a means of censoring certain members of the media.

Some members of the Liberian Senate have recently moved to censor journalists covering their activities. On 25 August, River Gee County Senior Senator Cllr. Frederick Cherue temporarily seized the recording equipment of journalist Julius Kanubah of Star Radio, an independent Monrovia-based station. Though the journalist was recording Senate proceedings in session, Cllr. Cherue claimed he was "recording private conversations". The "private conversations" were part of an argument between another River Gee County Senator Isaac Johnson and the Senate's acting president, Lahai Lansana.

Newspaper Managing Editor And Reporter Receive Death Threats

15 September 2008: Moses Sonkarley, the managing editor of Liberia's newest newspaper "The Renaissance", and Nathaniel McClin, a reporter for the paper, have complained of threats against their lives following the publication of a front page story in the 10 September 2008 edition of the paper about an alleged coup plot against the government.

Sonkarley told CEMESP that at about 1:00 a.m. (local time) on 11 September, he received an anonymous call on his mobile phone warning him of dire consequences for having published the story.

According to Sonkarley, the anonymous caller accused "The Renaissance"'s management of being paid to publish the story against what the caller described as "prominent sons of the land". The caller later said, "You will feel the weight of your action."

Sonkarley said he received three anonymous threatening calls. The managing editor's family has expressed concern for his safety.

McClin told CEMESP that at about 5:00 p.m. on 10 September, he also received an anonymous call from an individual who said, "This is your second time writing such (a) story on sensitive issues and you must be prepared for anything."

According to an investigation conducted by CEMESP, George Dweh, former transitional government speaker and a former member of the disbanded rebel group Liberians United for Reconciliation and Democracy (LURD), had complained to "The Renaissance"'s management about the fact that Sonkarley and McClin had linked him to the alleged coup plot in the article.

CEMESP categorically condemns the alleged threats on the lives of the two journalists by the unidentified callers. The organisation calls on whoever feels aggrieved by the publication to channel their grievances through the Ethics and Grievance Committee of the Press Union of Liberia.

Football Club President Threatens To Have Sports Journalist Flogged

15 September 2008: Sports reporter Roland Mulbah of "Sportsmax" newspaper, has complained of death threats issued by Tugbeh Chien Tugbeh, president of the Liberia Football Association's (LFA) second division club side 72nd FC.

In a letter of complaint to the Sports Writers Association of Liberia (SWAL), a copy of which was sent to CEMESP, Mulbah said he is convinced that the threats are linked to his recent reports on the boycott of the on-going LFA 2008 national league by some aggrieved members of the LFA family. Tugbeh is the spokesperson for the LFA members who are boycotting the league.

Mulbah told CEMESP that "Sportsmax" has been using Tugbeh's photograph each time the paper reports on the league boycott, simply because Tugbeh is the group's spokesperson, not because of any malice.

The SWAL has acknowledged receipt of Mulbah's complaint. SWAL President Numinee Williams informed CEMESP that initial contact with Tugbeh, aimed at resolving the issue, has proven futile.

According to Williams, Tugbeh told the SWAL leadership that he will not relent in his efforts to have Mulbah flogged for constantly publishing his photograph in the newspaper.

SWAL says it is studying the matter and will issue a position statement shortly.

CEMESP has described the alleged threat on Mulbah's life as a calculated attempt by Tugbeh to frighten the journalist and subsequently silence the Liberian sports press. In an interview with the press, CEMESP Executive Director Malcolm Joseph condemned the attack on the reporter and called on Tugbeh to refrain from making such barbaric statements as, "paying thugs to beat the journalist to death if he does not refrain from publishing his photograph in his newspaper."

Joseph then advised Tugbeh to follow due process if he feels offended by the publication of his photograph in connection with the boycott story.

Journalist's Camera Confiscated By Chief Justice

26 November 2008: On 20 November 2008, the chief justice of Liberia, Johnny Lewis, ordered a camera belonging to a local journalist seized and confiscated after the journalist attempted to take a photograph of Lewis.

Journalist Sando Moore said that Chief Justice Lewis ordered United Nations Mission in Liberia (UNMIL) soldiers to seize his camera while he was attempting to take photographs on the grounds of the Temple of Justice in Monrovia. The Temple of Justice is the Chief Justice's office building. Moore works for the "Daily Observer" newspaper in Monrovia.

According to Moore, when the Chief Justice noticed that a photograph was being taken of him, he stopped to inquire as to why the journalist was taking his picture. The journalist told Lewis that because he is a "public figure" he decided to have his photograph for future use, an explanation that apparently did not satisfy the Chief Justice. After these exchanges, Lewis ordered his UNMIL assigned bodyguards to forcibly seize the journalist's camera. A tussle ensued between the journalist and the UNMIL soldiers who succeeded in confiscating the camera. The incident took place in the presence of associate justices of the Supreme Court of Liberia and several lawyers.

Lewis later returned the camera to Moore after the Press Union of Liberia, the umbrella group of journalists in the country, intervened. In a 21 November statement, the Press Union threatened the Chief Justice with an unspecified action and gave him a 48-hour ultimatum calling for the return of the camera.

In a 22 November meeting with Moore, the Managing Director of the "Daily Observer" and a host of other journalists, Lewis said he regretted the situation and returned the camera.

BACKGROUND: Lewis has become a persistent threat to the Liberian press. In October 2007, he ordered a number of editors whom he had called for a meeting to write down his name as HIS HONOR CHIEF JUSTICE JOHNNY LEWIS in his full view and read it aloud several times. He contended that the local press does not put the title HIS HONOR before his name when he is featured in the media. He threatened any journalist who would not abide by this rule with detention at the Monrovia Central Prison.

CEMESP sees this latest action of Chief Justice Lewis as a continual attempt by public officials to tame the local press.

The Press Union of Liberia threatened to implement a media blackout of judiciary activities if the Chief Justice continues to intimidate the local press.

For further information on the October 2007 incident involving Lewis, see: <http://www.ifex.org/en/content/view/full/87208>

Police Assaults Journalist, Damage his Camera

December 3, 2008: Journalist Abbas Dulleh of The New Democrat Newspaper was on December 2, 2008 assaulted by some officers of the Liberia National Police after attempting to photograph commercial motorcycle drivers who were being arrested by the police.

Reporter Dulleh whose digital camera got damage during the incident told CEMESP, that a group of policemen immediately descended on him after he directed his camera towards the scene at the new bridge area on Bushrod Island.

The commercial Motorcyclists were protesting alleged police extortion.

This is the fourth time that Liberian police officers have damaged cameras belonging to the New Democrat Newspaper and manhandled its journalists.

Liberian police officers are usually uneasy about being photographed on duty for fear that certain unprofessional acts, such as demanding bribes from victims, could be documented.

Journalists Dulleh told CEMESP that Liberia's President, Ellen Johnson promised to ensure that the camera is paid for.

Editor Received Death Threats from Government Official
December 5, 2008

Journalists Lyndon Ponnio of Liberia's most investigative newspaper public Agenda has received death threats from an official of Liberia's Ministry of Foreign Affairs.

Ponnio told CEMESP that at 4PM on December 4,, 2008, he received a phone call from the Financial Controller at the Ministry of Foreign Affairs Maxwell Jones threatening to kill him.

"Hello , is this Lyndon Ponnio of the Public Agenda, who is writing all this nonsense about me? Watch out for me, I will kill the shir... out of you' were the exact threats from Controller Jones to the journalist'.

Jones' call to Ponnio came minutes after the Public Agenda Boss called one George Manneh, said to be the Assistant Accountant at Foreign Affairs Ministry.

Mr. Ponnio had called Manneh to inquire from him about his alleged role in a scandal involving one Jackson Davies at the Liberian Embassy in the Kingdom of Morocco.

Ponnio also inquired from Manneh about information which linked Jones to several financial frauds at the Ministry of Foreign Affairs.

The life threatening case according to Ponnio, has being reported to the Ministry of National Security. He also promised to make formal complaints to the Ministry of Justice and the Press Union of Liberia.

Meanwhile the Center for Media Studies and Peace Building CEMESP, an advocate for press freedom and free speech in Liberia has condemned the threats issued on the life of Journalist Ponnio by the Foreign Ministry official, and called on the journalist not to relent in exposing corruption in the Liberian society.

CEMESP Letter To The Truth & Reconciliation Commission

January 5, 2008

The Chairman
Truth & Reconciliation Commission
Monrovia, Liberia

Mr. Chairman:

We write to introduce the Center for Media Studies & Peace Building (CEMESP), a media development and peace building organization, which has been working especially to promote the free gathering and dissemination of news and information in the nation building process in Liberia.

We welcome the announcement of the pending commencement of Public Hearing component of the Truth & Reconciliation Commission (TRC), but like to particularly differ with requirements for the accreditation for journalists "wishing to cover the TRC Public Hearings." CEMESP believes accreditation, especially when targeted at a given sector of the public, for a public event is unnecessary, unduly bureaucratic, discriminatory, and would eventually expose journalists to hassles. It goes without saying that accreditation goes hand in hand with dis-accreditation, and should not be required for any event that must necessarily be observed by all Liberians.

Unless the TRC can convince us that the accreditation is meant to provide special privileges for journalists covering the trial, CEMESP wants the TRC to cancel media accreditation to this "public hearing," and permit all persons to attend without undue restrictions. As the TRC has also invited other citizens and residents like "marketers, traditional leaders, students and the public..." to the hearings, CEMESP believes that journalists should be accorded similar status, and not one that would eventually restrict their freedom in reporting the hearings.

CEMESP uses this medium to renew its fullest agreement with the TRC Process, including aspects of the public hearings that encourage "respect for one another" and discourage booing and jeering, as these could impact upon the hearing. CEMESP also agrees with requirements for guests to observe timeliness and restrictions on weapons at the venue.

We look forward to a timely and favorable response to these queries.

Kindest regards,

Sincerely yours,

Malcolm W. Joseph
Executive Director

Cemesp: Media Accreditation For Public Hearings Unnecessary

Monrovia , January 5, 2008:The attention of the Center for Media Studies & Peace Building (CEMESP) has been drawn to an announcement from the Truth & Reconciliation Commission (TRC) requiring accreditation for journalists “wishing to cover the TRC Public Hearings,” and likes to note that this is unnecessary and unduly bureaucratic.

In a letter to the TRC, CEMESP noted that once the hearing is as “public” as the TRC wants the public to believe, requiring “accreditation” would be unnecessary, discriminatory and unduly exposing journalists to hassles. It goes without saying that accreditation goes hand in hand with dis-accreditation, and should not be required for any event that must necessarily be observed by all Liberians.

Unless the TRC can convince us that the accreditation is meant to provide special privileges for journalists covering the trial, CEMESP wants the TRC to cancel media accreditation to this “public hearing,” and permit all persons to attend without undue restrictions.

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Cemesp Calls For Further Investigation Of Murder Plot Against Journalist As Details Emerge Of Corruption And Bribery During Probe.

Monrovia, February 13, 2008: The Center for Media Studies and Peace Building (CEMESP) is concerned about emerging trends in the reported assassination attempts against Independent Newspaper Editor Sam Dean, and wants further investigations in the matter.

CEMESP recalls the arrest of the perpetrators and does not understand why further investigation and prosecution have not commenced, despite the “confessions” of the perpetrators, in the full view of the media and police.

CEMESP’s concerns follow recent publications of a catalog of attacks on media, and we believe the government must act promptly and professionally in disabusing the public of the notion that the government is targeting elements of the press for elimination.

CEMESP notes that the discovery on one of the “assassins” of a Government of Liberia ID card is further reason why this investigation must continue.

All the same, CEMESP is stunned by the clear show of apathy being demonstrated by Mr. Dean in a matter that was seen to border around his life, as he worked in the interest of the state.

CEMESP’s disgust is backed by information, corroborated by Dean, that the culprits have since been released from further detention with his (Dean’s) full knowledge and acquiescence.

This development is troubling and brings back to the fore allegations of cover-ups and bribery that have dominated activities of the current government.

That government functionaries would bribe out victims after threats to their lives is disgusting and a show of wanton disregard for human life and dignity.

Emerging reports of the collusion of Dean in this matter is disappointing, shameful, brings journalism in Liberia to an all time low, and questions his beliefs in the sanctity of his very life.

Further, CEMESP is concerned that the degeneration of a corruption report to life threats, cover-ups and bribery explains the decadence of Liberian

society that needs to be corrected.

CEMESP now calls upon the Liberian media and the Ministry of Justice to follow-up this investigation of corruption, death threats and bribery and ensure justice and sanity in this country.

CEMESP Protests Closure of Community Radio

February 20, 2008: CEMESP has challenged the closure of the community Smile Radio upon the orders of Grand Gedeh Superintendent Christopher Bailey, and called for the immediate restoration of the station's rights.

Bailey is reported to have blamed his action on confusion at the station. By this action, Bailey has clearly jumped over his bounds by utilizing state resources to disrupt the peaceful work of the station.

CEMESP is informed that Mr. Bailey, accompanied by Grand Gedeh Police Commander and three officers stormed the offices of Smile Radio Wednesday morning, ordered the station shut down, and prevented radio staff from entering the premises.

The action came even as Police should have been investigating a station associate for deliberately blowing off station equipment. Staff at the station claimed that the associate being investigated was allegedly working on behalf of Mr. Bailey and the station manager, who had been dismissed recently.

The matters came to a head when the Board of Advisors dismissed the Station Manager, and Bailey responded by "suspending the Board."

The Board is also reported to have challenged Bailey's power to suspend them. Smile Radio, FM 98.6 is a community radio station in the eastern town of Zwedru , Grand Gedeh, holding affiliations with the BBC and the internationally supported Star Radio.

It was established as a community operated facility, with no government control. Members of the board are appointed by the community.

THREE DRAFT MEDIA LAWS ADVANCE THROUGH LEGISLATURE: CEMESP URGES THEIR APPROVAL AS WORLD PRESS FREEDOM DAY APPROACHES

1 May 2008 (CEMESP/IFEX) - On the occasion of World Press Freedom Day, CEMESP welcomes the introduction in the House of Representatives of three draft media laws, presented to that body on 17 April 2008 by a coalition of media and civil society organisations.

Liberia 's House of Representatives introduced three draft Liberian media laws (An Act to Transform the Liberia Broadcasting System into a Public Service Broadcaster, An Act to Establish an Independent Broadcast Media Regulatory Commission and a Freedom of Information Act) during its regular plenary session on 29 April.

The laws, produced under the banner of the Liberia Media Law and Policy Reform Working Group, itself an outgrowth of the internationally sanctioned Partnership for Media Development and Conflict Prevention in West Africa, have been four years in the making, during which there was a series of consultations involving civil society, the media, government and the international community.

After the 29 April reading in the House of Representatives, the bills were referred to the House's Committee on Information and Broadcasting for review and are expected to be returned to the floor of the House within two weeks.

Malcolm Joseph, coordinator of the Media Law and Policy Reform Working Group, sees this development as very positive and a sign that the legislature is determined to ensure that Liberians benefit from this basic freedom. Mr. Joseph noted that the action of the House could be a better present for the media community on the occasion of World Press Freedom Day, which is to be observed on 3 May.

Meanwhile, Mr. Joseph has renewed calls to members of the House and Senate, civil society and media groups to remain committed to the cause of media reform in Liberia and ensure that these laws are enacted at an early date.

As we observe World Press Freedom Day, it is CEMESP's ardent desire that the government of Liberia will move swiftly and ensure the passage of these three draft laws.

Aside from allowing the media greater freedom in its work, the reform process will provide additional incentives for citizens to take advantage of Article C of the Liberian Constitution, which asserts that ". . . there shall be no limitation on the public right to be informed about the government and its functionaries."

A society which operates within this context stands to benefit from greater accountability and transparency in the operations of its institutions, to the effect of providing better opportunities for the people. It is a known fact that the more information people have about the functions and activities of their government, the more they participate in its activities, and the more responsive governments are to their needs and demands.

The legislature must see this action as making the Liberian democracy a living instrument, where the people will petition their representatives to move on issues bearing on our domestic and international relations, in a forum guided by ideals and consensus, and free of fear.

CEMESP is still concerned that the majority of Liberians still do not understand the basic and fundamental freedoms we all enjoy in expressing ourselves. This is a foremost right that is still violated and abused daily- not only by government actors, but also by civil actors and, to some extent, the media.

This trend needs to be corrected, and education is the best means by which this can occur. There is no reason whatsoever why someone should be denied of the right to say what he thinks, so long as his self-expression does not actually harm anyone.

Updates alert on the three draft media reform laws: <http://www.ifex.org/en/content/view/full/92683>, www.cemesp-liberia.org.

New National Free Expression Coalition Launched On World Press Freedom Day

7 May 2008: CEMESP and four other freedom of expression advocacy groups in Liberia have come together under the banner of a coalition.

The Liberia Coalition for Free Expression was launched in Monrovia on 3 May 2008 as part of the activities commemorating World Press Freedom Day.

The other four members of the coalition are the Press Union of Liberia, the Liberia Media Center, the Liberia Women Media Action Committee and the Institute for Media Development and Dignity.

The objective of the coalition is to enable excluded groups and communities in Liberia to freely articulate their concerns, needs and rights without resorting to violence.

According to a memorandum of understanding signed at the launch of the coalition, the five groups pledged to collaborate in the promotion of freedom of expression in Liberia, in sharing perspectives and in educating the public on issues related to this fundamental freedom in Liberia.

The secretariat of the coalition is being housed at the offices of CEMESP, while the Press Union of Liberia is expected to appoint the coordinator.

**STATEMENT DELIVERED BY:
MALCOLM W. JOSEPH, EXECUTIVE DIRECTOR
CENTER FOR MEDIA STUDIES AND PEACE BUILDING (CEMESP)
AT THE LAUNCH OF THE BOOK THE PERENNIAL TRAGEDY OF DEMOCRACY ATTACKS
ON FREEDOM OF EXPRESSION IN LIBERIA 2006-2007**

January 21, 2007

Today is a high point in the life of the Center for Media Studies and Peace Building (CEMESP). Over the years of our existence, we have been collaborating with various groups to study issues in the media. In most instances, these studies have been at the behest of our partners, and not necessarily what we propose. All the same, these ideals have been directed at promoting media pluralism in Liberia. In the last two years, we have reviewed the public awareness component of the UNDP-Arms for Development Program, carried out content analysis of various radio stations in the Monrovia area, in collaboration with the Institute for Applied Media Studies at Zurich University; etc.

Over this period, we have also been taking note of the attacks upon the media in Liberia. These have included threats, harassments, and even brutality from government functionaries and their co-conspirators. But regrettably, some of these attacks came from "civil society" activists. We also took note of journalists been attacked by Sports officials. These instances obstruct the fundamental and universal right of free expression. These actions show gross intolerance for the views of others, effectively undermining the growth of democracy in Liberia.

It is this account of attacks that we have cataloged for two full years. We have supplemented them with references from media activists, and have come to present them to the public.

Our argument in this publication is to alert the community about the tragedy that has befallen our years of struggle for democracy and human rights. We believe that of all times, the right to disagree should be particularly upheld in Liberia today.

It is quite ironic that the United States would be projecting President Ellen Johnson Sirleaf as an unhindered fighter for freedom, while state security and officials, regularly brutalize the simple messengers, in their search to inform the public about happenings in our society.

Today, we are putting forth this publication as a challenge to the government and people of Liberia to stand tall for democracy, as for too long we have wept, shed our blood and killed ourselves for democracy.

For far too long we have insisted that democracy is the way forward for Liberia, and for far too long we have flagged off leaders, who do not respect dissent. This is the time that we change, and at CEMESP we will not relent in the campaign to sensitize this community to respect this universal right.

As part of further efforts to ensure that this right is better understood, CEMESP has been at the center of a process to reform the media environment in Liberia. By this, we hope to transform the Liberia Broadcasting System into a public service broadcaster, whereby the state will pay for the station as it works for the people. We also hope to arrange a freedom of information Law, whereby the government will be authorized to provide for any citizen any government information that they require, so long as the provision of any such information will not directly threaten national security. We are also seeking clear regulations for the broadcast sector, such that media houses will not be denied frequencies

and authorization to broadcast, simply because some official disagree with them.

We are hopeful that such reform process will contribute seriously to the growth

of free expression and democracy in Liberia.

And so, we like to express our best regards to all of you who have come in this morning to join us in launching this publication.

We are hopeful that by your presence, you also agree with us that people should not be harassed, threatened and brutalized because you do not agree with them.

Like the heads of the World Association of newspapers (WAN) and the World Editors Forum, two media rights groups wrote to Chief Justice Johnnie Lewis last year, "If you do not agree with the journalists or media, do not patronize their business".

However, we will again argue, if the advert is government based, and the value falls within the realm of the public procurement law, you cannot legally leave out the media.

Defaulting in tax payment is no ground for closing a newspaper. Until the Minister of Information can prove otherwise, we see his comments as threatening, and a replay of the chicanery by past regimes.

Before closing, I like to recognize the support of three organizations in the work of these alerts. The first is UNESCO, which funded the initial operations of the CEMESP website, the basis of the catalog of alerts. Next is the International Freedom of Expression Exchange (IFEX), which provided initial salary and equipment for the collation of the alerts. Lastly, and most importantly, we like to note the role of the National Endowment for Democracy, which has since supported salary payment for the alerts officer and payment for the printing, in addition to supporting other administrative and program costs for CEMESP.

Media Working Group Presents Draft Media Reform And Access To Information Laws To Legislature

16 April 2008: On 17 April 2008, the Liberia Media Law and Policy Reform Working Group, with support from the Partnership for Media and Conflict Prevention in Liberia, will submit three draft laws to the National Legislature of Liberia for consideration.

Media professionals, civil society actors and interested individuals will assemble at the headquarters of the Press Union of Liberia beginning at 9:00 a.m. (local time) to march to the Capitol Building to petition the legislators and to present the proposed laws.

The draft laws to be submitted are: the Freedom of Information Act, an Act to Establish the Independent Broadcasting Regulator, and an act to transform the state broadcaster (Liberia Broadcasting System) into a public service broadcaster.

The Liberia Media Law and Policy Reform Working Group says it feels fulfilled now that these laws have finally been drafted, with the help of its partners, after three years, but said it is counting on the combined efforts of the public and government for the passage of the bills to ensure greater openness and accountability in the Liberian society.

The Working Group says that, although the Liberian media will be credited for initiating the reform of the media landscape in the country, the laws will benefit the state and the entire population.

Meanwhile, the Press Union of Liberia is calling on the public to join the media as they petition the National Legislature to pass the draft laws.

**STATEMENT AT THE PRESENTATION OF PETITION TO THE NATIONAL LEGISLATURE
FOR THE ENACTMENT OF THREE DRAFT LIBERIAN MEDIA LAWS BY THE LIBERIA
MEDIA LAW & POLICY REFORM WORKING GROUP.**

April 17, 2008

**Honorable Members of the Liberian Legislature
Distinguished colleagues from civil society
Men and women of media organizations
Students and well-wishers
Ladies & Gentlemen:**

I like to begin by congratulating the thousands of us who have marched through the blazing sun across most parts of Monrovia to gather here for this historic event. The event here is historic in many measures, including the fact that private citizens, in recognition and respect of their constitutionally provided rights have prepared a petition to their government - voted by their perseverance, paid by their taxes – to make laws in line with our aspirations. This activity is in further manifestation of our freedom to associate for our common good, also guaranteed by the constitution. We are also doing all this to ensure that the government will heed our petition and pass these laws.

Our gathering here today is thus in appreciation of these constitutionally guaranteed rights, and in furtherance of a general resolve of the people of Liberia to lead the reconstruction of our dear country. At the close of active warfare in 2003, there was a general call for the reconstruction of Liberia which, among other things, required that we take measures to ensure that the circumstances which caused the war in the first place be curtailed and prevented from recurring. This required finding appropriate means through legislation and policy measures that would promote peace and understanding in our country.

For too long we have been at the throats of each other, for too long we have destroyed our country, reducing opportunities for growth and development, destroying schools, keeping health services below the minimum, and denying people the fundamental rights to disagree, while others looted our taxes for their personal gains, unabated. These circumstances caused the war and its ramifications. Our duty now is to correct these situations and ensure that they do not recur.

From the media environment, our concerns remain the limitations of people to freely express themselves on matters that affect their personal and national wellbeing; and the limitation of opportunities for people to seek information for their professional, educational and political growth; some by law, some by long practice and others from a generally ignorant or arrogant stance.

These restraints have limited not only journalists, but also students, commercial and ordinary citizens in the full enjoyment of their rights.

Today is therefore a new day, as we have now taken our role to a new level. Nearly four years ago, with support from the internationally sanctioned Partnership for Media Development and Conflict Prevention in West Africa, we engaged a process of reforming the media landscape in Liberia. As an outgrowth of the peace process, we engaged all sectors of society, including the government, civil society, media, youth and women groups in ensuring that whatever reforms are made here would be representative of all Liberians. Nearly four years later, we have held several rounds of discussions, which have culminated into draft legislations that have also been validated by a diverse group of interested Liberians.

At this point, we think we are on the right path, and we like to take advantage of the rights guaranteed by the constitution to convey to our elected representatives what we think about ensuring peace in our country.

We therefore come to you today with three draft acts that have the propensity to promote individual freedom in Liberia, curb corruption and promote peace in Liberia. At the passage of these laws, any Liberian, irrespective of being journalist or otherwise would have the opportunity of seeking whatever information he/she wants without fear of being rejected. We also hope that the new broadcast regulatory body will provide clear guidelines through which people can

organize broadcast entities without fear of being denied because you think otherwise. The transformation of the Liberia Broadcasting System into a Public Service Broadcaster would ensure that all tax payers, regardless of whether they agree with the government or not, would have easy access to the station being supported by their taxes. This is why we are here, and this is a reason that we have come to seek your support.

It is our hope that after your kindest review in the shortest period possible, we will have these laws passed and working.

Honorable members of the Liberian Legislature distinguish ladies & gentlemen, this is our plea.

PRESS FREEDOM IN LIBERIA

By: P. Alphonsus Zeon
Senior Producer
BBC World Service Trust

James D. Wolfensohn, the World Bank's ninth President sees a free press in this perspective: 'A free press is not a luxury. A free press is at the absolute core of equitable development, because if you cannot enfranchise poor people, if they do not have a right to expression, if there is no searchlight on corruption and inequitable practices, you cannot build the public consensus needed to bring change.'

(1) In the Government of Liberia Interim Poverty Reduction Strategy paper of 2006, the drafters pointed to two factors as the origins of the civil war in Liberia: First, significant portions of society were systematically excluded and marginalized from institutions of political governance and access to key economic assets. ...Political power was concentrated essentially in Monrovia and primarily at the Presidency. The over-concentration of power and a closed political system bred corruption, restricted access to the decision making process, limited the space for civil society participation in the process of governance, and fuelled ethnic and class animosities and rivalries over time.

(2) The question that reverberates is whether there has been any meaningful change at all after the realization and whether the press as the mirror of society and the campaigner of the people's views and aspiration is after all free. Some see free press in the fact that there are more than twelve tabloids being conveyed in the arms of vendors in the streets of Monrovia or better still because there are twelve radio stations beaming from the capital, with few well received all over the city. They reasoned that the fast developing community radio sector in the interior of the country means that Liberia has a free press or because no journalist is in detention and a media institution perpetually closed.

Press freedom is tied to how much the diversity of news content is influenced by the structure of the news industry, by legal and administrative decisions, the degree of political influence or control, the economic influences exerted by the government or private entrepreneurs and then through easily visible incidents like censorship, harassment, and physical threats to journalists.(3)

CEMESP, the publisher of this report in its maiden edition of its ... 'Perennial Tragedy of Democracy: Attacks on Freedom of Expression in Liberia 2006-2007' reported 46 cases in which individuals or institutions, most of them agents of the state had tried to break the pen or smash the microphone.(4)

Just December of 2008, the Minister of Justice and Attorney General of Liberia wrote the local Roman Catholic Church run Radio Veritas citing the management of the station to his office to provide evidence of a news story alleging corruption in the office of the President. The Minister who was a consultant at the Governance Commission knew his action breached the norms of a free press. That the abuse of free speech can be challenged in a court of law is a maxim of democratic rule.

When a government agency refuses to advertise with a paper simply because of its critical stance or on the other hand demands a newspaper's registration documents as a prerequisite for paying legitimate advertising debts, one can realize that you need to 'cooperate' in order to get the advertising cash inflow constant to stay on the market.

The New Democrat, one of Liberia's leading dailies says this '...is just one ugly beginning in a bad direction'

When political appointees overseeing a state radio, memoed journalists to seek clearance before broadcasting corruption allegations against officials of government, one does not need to ask whether censorship exists on the basis of protecting political interest. This is the case with the state-owned Liberia Broadcasting system. Media Foundation for West Africa warned that the memo may lead to censorship. MFWA, in a statement issued expressed concerns that the 'memo

has been issued at a time when major legislative reforms are underway to transform the state-owned broadcaster into a public service entity that is independent of government control.'

What is even more troubling is the thought of the Executive Mansion to select media institutions that should cover the presidency. The issue of how one informs the people as to what the President does is not up to the Mansion to determine. The warning of the Press Secretary, 23 August 2006 to institute selective coverage of the Presidency is principally a ploy to beat critical media into submission and water down their analyses in favour of the Presidency. This cannot be press freedom. So Liberia still lags behind in mounting the podium of countries like Mali and Benin in our region and far away nations like New Zealand pronounced better in terms of guaranteeing press freedom. The change is still not here, perhaps not now.

THE ROLE OF MEDIA IN NATIONAL RECONSTRUCTION AND DEVELOPMENT

MEDIA THEMATIC WORKSHOP ORGANIZED BY CARTER CENTER, PRESS UNION OF LIBERIA AND THE TRC

October 30, 2008

Colleagues of the Media; Members of the TRC

Officials of Government

I greatly appreciate this opportunity to share my thoughts on the role the media can play in the reconstruction and development of Liberia. There could be no better time than now to discuss the role of the media in the reconstruction of Liberia. This is because reconstruction is at the heart of contemporary Liberia, whether through the Truth and Reconciliation process, by which we should be reconstructing the history of our country to determine what went wrong and how we can redefine the path to our future; or through the Poverty Reduction process, whereby systematic efforts are being made to ensure that the people propel themselves out of the stagnant poverty that has held them back.

Within this context, let me hasten to state that the media can indeed play a strategic role in national reconstruction and development, but that would only be possible if the media is itself reconstructed and developed. Like all other sectors of Liberia, the media was completely devastated, resulting into poorly equipped and motivated manpower – both individual and institutional;

Politically motivated mechanism has also taken the media away from objectivity and professionalism. All is however not lost because the media in Liberia is not unique in this circumstance. This is also about media wherever conflicts have impacted their work.

In a report on “Developing Media in Stabilization and Reconstruction Operations,” Yll Bajraktari of the Kennedy School of Government at Harvard University and Emily Hsu of the Center for Post-Conflict Peace and Stability Operations recall that the development of independent, pluralistic, and sustainable media in war-torn societies is critical to fostering long-term peace and stability. Post-conflict civilian populations are particularly vulnerable to manipulation by mass media as tensions run high and the possibility of violent relapse remains strong. Many civilians harbor deep skepticism and mistrust of the media, being accustomed to platforms that are controlled either by the state or by political groups looking to further their political agendas.

Yll and Emily note further that “an effective media strategy can mitigate postwar tensions by elevating moderate voices and dampening extremist ones, but regrets that a poorly developed media strategy can be detrimental in a war-ravaged country still rife with violence. A hastily conceived plan may reinforce divisions between warring parties or create a weak media sector that is vulnerable to exploitation by warlords, political patrons, and spoilers. Media development efforts also fail when the public does not trust them to establish a credible source of information.

Media and Reconstruction

The role of the media in the reconstruction of Liberia evolved from the donor conference of 2003, wherein countries of the world came to assist the reconstruction of Liberia. Subject to the terms of the donor conference, a group of national and international media development and freedom of expression organizations organized the Partnership for Media and Conflict Prevention in West Africa, with a mandate to assist the reconstruction and development of the media.

Among other things that evolved from the discussions were the media law and policy reform working group that was tasked with the responsibility of collating media related laws, and to convene forums whereby these laws would be reviewed and revised in line with internationally acceptable standards. To date, this process continues with a diversity of approaches, including consultations, development of legislations, and lobbying with the legislature to ensure the passage of these laws.

The Liberia Media Center grew out of these consultations, in the hope that there would be practical and direct benefits visible to the ordinary person. With creativity and integrity, the team has driven this project from a resource center to a community servicing media development consultancy. The role of this project in the development and reconstruction of the media has not been in small measure. This has ranged from sensitization of forestry reforms to monitoring reports of PRS and TRC, and included deriving popular perception of the government information mechanism. Partners have included the University of Massachusetts, Media Foundation for West Africa, MRA, International Media Support, INFORMOTRAC, Free Voice, International Center for Transitional Justice (ICTJ), the Truth & Reconciliation Commission (TRC), among others.

In all of these activities, the overriding concern has been the reconstruction of Liberia.

Journalism Education (Curriculum Development): At current rating, education in journalism is a waste of time, and the curriculum for journalism education in Liberia is a slur. The context of the curriculum is severely inadequate, with virtually no response to contemporary issues in journalism. This may feed into the larger questions about the overall Liberian educational program, which needs a total overhaul. Someone may ask? Who are you to raise such issues? My plain and simple answer is based on the fact that I am an observant and conscientious product, and witness to the evolution of journalism education, including what happens in other climes.

I recently had a unique opportunity of leading other Liberian journalists to the African journalism and new media showcase – Highway Africa - at Rhodes University, South Africa, where I was particularly honored to attend a session of journalism trainers. There, the story was not much different across most of Africa, but I there and then realized that Liberian journalism trainers are far removed from new trend in the profession and its education.

Within the last five years, UNESCO developed a model curriculum, but as far as I may recall there is no school in Liberia that has made any attempt to move in that direction. Issues that have come up in that curriculum – new media,... - have at most been utilized in short term seminars organized by media development organizations.

In direct terms, Liberian training organizations have not been part of any of the regional or other consultations geared towards improving the curriculum. This may be due to the lack of support, but it is also in line with a careless laissez-faire attitude towards development.

New Media: Considering that the media is itself a product of technology, reconstruction in the media cannot be successful in the absence of technology. Technology is changing at a pace that tends to bury entire generations of gadgets, once people do not adopt to change early enough. Of course, the media is critical to this. This has also brought forth a new generation of media, which shows a high degree of interactivity.

With this development, the government knows immediately what the people think about situations unfolding in parts of the country. Notwithstanding this development, there are no policy regimes that would ensure that these developments are sustainable and supportive of the future. The government was not a part of the WSIS process and has yet to show any interest in closing the digital divide or other issues highlighted in the Geneva Plan of Action or the Tunis Commitment, despite the fact that these instruments are crucial for the promotion of other governmental precepts as transparency and accountability.

Laws and Reform: In all of these, there must be a background (environment) upon which the media must thrive – that is reasonably a policy and law regime. At current practice, the laws informing and regulating the media are not responsive to the freedom regime which is universal information for media plurality and development.

At current state, there is an international community supported Media Law and Policy Reform Working Group, which has been making efforts to ensure that the laws conform to international conventions. There have been consultations upon consultations involving government officials, civil society actors, and of course the media stakeholders. These have been followed by drafting sessions, validation sessions, etc. all in the hope of ensuring that the end result would put Liberia on a better footing as far as freedom of the expression are concerned. This has yet to be

successful. Similar to other African states, the drafts are spending longer time at the legislature, and the government does not publicly express its support for the process, even though members of this government had shown support over the years.

All of these activities have been supported through Media Development organizations. The spark represented through this sector has become a source of hope that the media may remain cardinal in the nation rebuilding process. These organizations are keen on becoming sources of training and advocacy in the media landscape, and are increasingly becoming active in the provision of support and capacity building. Over the last few years, we have seen Mercy Cops and International Alert set up community media across the country; INFORMOTRAC and Star Radio are developing them with new equipment and training, and lately the JHR is hoping to provide training support and other form of capacity building in the coming five years.

These are in addition to myriads of reorganization supported by CEMESP, IMEDD and others.

PUL – stagnation, growth and future – elections: Media development can however not be discussed outside of the role played by the Press Union of Liberia (PUL) over the years. As a force in the fight for democracy in Liberia, especially from the middle 1980s, the PUL was revered because its members opted to be the conscience of society. Through its dedicated Edward Wilmot Blyden Forum, the PUL gave expression to public opinion such that issues of national concerns and considerations have been debated in the national context. We will recall that it was at such a forum that the venerated Liberian politician Gabriel Baccus Matthews warned that a war would impede Liberian progress for many years. The media reported this widely, yet this was misunderstood by the military junta as a call to trouble, and “other opposition” figures as an attempt to betray the “revolution.” The revolution that today resulted into the complete devastation of our country, requiring total reconstruction. Again, the media discussed the ensuing debate.

Given the PUL's role in alerting the public, the media again has a role in the reconstruction of the country. This role can only be played if the PUL is afforded the environment to freely debate issues as they unfold. The media must be seen as a participant in this process, and not just as an instrument, because when conflict breaks up, bullets do not discriminate between media practitioners and war lords or politicians. Bullets also do not seek to spare religious parsonages or children. We all are victimized!

Governmental (Presidential) support for PUL Headquarters : Developments in the Press Union have over time been very illusive, considering that the minute grant of \$30,000 provided for operations by the NED basically covers administration and the Blyden Forum. The absence of an effective mechanism to cultivate programs in media development has kept the PUL in bay for years. This has especially worsened in the last few years, as there has actually been no strategic direction (NED Evaluation).

This has made it ever more significant for the union to seek alternative sources of funding. One support base that has suddenly come up in the wake of widespread controversy is a \$100,000 contribution provided by President Ellen Johnson Sirleaf. The controversy has been flown from every angle - others for accountability, others for ethics, and yet some of the critics are in terms of political opportunism or opposition. As all stakeholders are duly entitled to their opinions, it still remains a matter of people (especially the media) stating the context of their contribution, or at least to lay out their plan.

The contribution had come in the wake of the PUL withdrawal from a high profile investigation, where the organization was basically invited upon the basis of its assumed integrity, raising additional questions.

Further, the contribution is not defined. This is certainly not from the government budget. The source remains anonymous, making the smell really outrageous. As much as the president seeks out support for the reconstruction of Liberia , she is definitely being ethical in this search. This holds that the PUL should likewise be ethical. I like to repeat quite emphatically that there is absolutely nothing wrong with the government supporting the PUL through legitimate budgetary transfers. The PUL is a national organization, working in the interest of a large population, including thousands of taxpayers, and is entitled to governmental support, whether through budgetary allotment or other grants.

In the event that no budgetary arrangements have been made, it would be appreciable to have the government (the president or anyone else) source support from friends – Clinton Foundation, Scott Family, Soros Foundation – and countless other named sources, as is done in many instances. When this source is not stated we begin to think, where did this come from? Hope not Delta Steel or LISCR in its quest to quiet the investigations, hope not Blaise Campoare or Yahya Jammeh, with the blood of colleague journalists on their hands (and against the interest of the suffering masses in fellow African states).

The PUL, after years in the vanguard, should not be too desperate as to build a new and much needed headquarters without inquiry, and perchance with the blood of poor and suffering masses.

While we see the contribution of the government in good faith, we think it is but fair for the president, in support of good governance, to ensure fair disclosure by stating the source of the funding. Otherwise, the president is coercing the poor and perhaps unenlightened media community to undermine the media reform process, which includes a bill of freedom of information and access to information. If we accept that the president owes us no obligation to explain the source of the support, we are also saying, “Madam President, do not sign the freedom of information bill.” In effect this undermines the media reconstruction process that was directed by the international community.

In conclusion, I like to note that the media role in the reconstruction of Liberia must begin with the reconstruction of the media, which is based on the reforms that will affect the media. If the media is not empowered to demand information while pursuing corruption in government, the media’s role in the fight against corruption is already short circuited. If the media cannot explain the source of its support, it is also in no position to demand that of others. This can only be made possible through a nationally endowed reform process.

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Liberian Media Development Consultant

THE FUNDAMENTAL RIGHTS OF FREE SPEECH AND EXPRESSION IN THE CONSOLIDATION OF DEMOCRACY IN LIBERIA: THE ROLE OF THE MEDIA AND THE CIVIL SOCIETY

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Introduction

Liberia is a transitioning state struggling to heal wounds of a protracted civil conflict that resulted from a culture of marginalization, (attempts to alienate inalienable rights) suppression of inalienable rights, and opaque system in government transactions - underpinned by a system of bad governance. The people's views were suppressed and crushed, thereby keeping them a distance from the administration of their country. This promoted imperial leadership, undermined democracy, and all values of transparency and accountability. The gross suppression of the views of the people, their rights to associate and express themselves freely, left them with no definitive role in the nation-building process, but to sit as passive observers. Unfortunately, while the people went through such political-dehumanization, the state was theoretically claiming to be run under a democratic system. But the overwhelming demands of the people have been popular participation and equality before the law. This surely can not take place in the absence of a propitious and enabling environment that will guarantee their rights to free expression and free speech.

In this post-conflict era democracy has been welcomed and its tenets promulgated in all corners of the country mainly by local and international civil society groups. Freedom of Expression and freedom of Speech are the pillars on which a durable democratic state stands. Practically, in the absence of a system that guarantees and promotes these rights, the people become separated from their state, vis-à-vis, their own destiny with fears and act of intimidations. Constructive and challenging competitions for leadership become non-existent, and policy decisions are made for a selected few.

The institutions of society and the state that guide and watch the activities of the state and the people to promote the tenets of democracy, the rule of law, and the inalienable rights of the citizens are the media and the civil society groups. These groups have pivotal roles in all aspects of the socio-economic and political developments of the state.

This paper will examine the essence of upholding the values of free speech and free expression in post-war Liberia not only as fundamental rights, but as *sine quo non* to fostering democracy and making it a culture and system of governance. It argues that if democracy is to be a system of governance in Liberia, the people must be free to speak and express themselves, they must have unlimited access to the media (both private and public media), participate in constructive dialogues and debates; and the people must also be conscientiously aware of the dangers associated with the abuse of those fundamental rights.

The paper also asserts that the civil society and the media are the most appropriate vehicles through which the citizens express themselves, reach their government. Considering the critical aspects of the role of the civil society and the media in terms of values and objectivity, the paper concludes with a call to civil society and media groups to remain critical and independent in the performance of their roles as watchdogs.

The Rights to Free Speech and Expression

The rights to free speech and free expressions are inalienable rights given to mankind by his creator. The two are absolutely inextricable. Governments and civil society are created to protect those rights because it is those rights that set the foundations upon which democratic governments are legitimized and popularly supported. Attempts to have them suppressed or abrogated are potential causes for mass civil unrest, dishonesty, underdevelopment, and ultimately war. Several wars and unwanted revolutions have provided the absence of free speech, democracy and injustice as justifications. The Liberian Civil War, the fight Against Apartheid in South Africa, and the ongoing crisis in Zimbabwe are examples.

The building of democracy in Liberia will not just be dependent upon the holding of periodic elections for public officials. A genuine and functional democratic society is constructed by the participation of the people in a system of unhindered freedom to determine their own destinies singularly or in association with others through processes of dialogue and opportunities to provide alternatives for the operations of government and where necessary. In the 1986 Constitution of Liberia, Article 15 (a) declared the state's commitment to its citizens in protecting their rights to free expression by providing that: *'Every person shall have the right to freedom of expression, being fully responsible for the abuse thereof. This right shall not be curtailed, restricted or enjoined by government...'*

The above provision of the 1986 Constitution draws a balance sheet which needs to be promulgated and properly interpreted for the people at all levels. That balance sheet is the point where the people's rights as to be guaranteed by their government and their (people) responsibilities to those rights meet. A responsible government protects and strengthens the inalienable rights of the people, protects them from fears, relies on their views to make informed policy decisions, and maintains power by their general consent. On the other hand, a responsible citizenry gives loyalty to the state and supports its programs, and live under its laws. In a society where both sides honestly and transparently perform their shares of the responsibilities, democracy is strengthened and solidly consolidated, and the potentials for fears, corruption and injustices are considerably minimized.

In addition to the rights of free speech as part of free expression, the rights to freedom of religion and conscience, freedom of association and assembly, and the right to equal protection before the law are all complimentary in building and sustaining democracy in any civilized society. The suppression or attempt to abrogate any undermines the existence of all. These rights therefore, must in no way be limited to demands of constitutional provisions or statutes, but as natural gifts to mankind that are indispensable to the pursuit of happiness and liberty in society. Governments also must in no way legislate or decree in any form that will place restrictions on citizens from practicing those rights.

The state of democracy in Liberia today remains a function of extensive dialogues through symposia and conferences that ended the civil war, and called for elections which was freely held to inaugurate the present government. The democratic credentials of the present government, as have been declared by study groups, are 'Good' (World Bank, 2007). Liberia is a party to numerous international conventions and protocols that assert the basic fundamental rights discussed above. But the threat the country currently face in its transition to democracy is the looming illiteracy problem. As it is widely stated that democracy is for a conscious society, so is the requirement that consciousness goes with information through average literacy. The state must now work in programs to promote mass literacy which will not only build consciousness and awareness on fundamental rights, but will indeed promote growth and save succeeding generations from the scourge of bad governance and misrule that are extremely counterproductive to democracy.

The Media and Democracy

The role of the media is indisputable in generating and building a culture of democracy that extends beyond the political systems and becomes a way of life of the people as their consciousness increases. The media, as the name presents it, stands as a bridge that links the people to each other and their government. It is through the media that the government gets the thinking of the people and vis-à-vis the people get informed about the government and its activities, and also information from amongst them. The media as a channel of information also synthesizes and objectively presents to both the people and their government balanced reports to ensure that decisions are taken in the public interest.

By definitions, the media is the channel through which messages and information flows, and democracy is a system of government by the people in which the supreme power is vested in the people and exercised directly by them or by their elected agents under a free electoral system.

As stated above, freedom of speech and expressions are basic pillars of democracy. The common fact that the people can only express themselves or freely speak out their views through

the media, makes it (media) an indispensable element of a democratic society. In the affirmative, no democracy exists without a vibrant media.

As the media's role has been declared sacrosanct in the consolidation of democracy, its viability is essential in maintaining independence. The Liberian media community, like a typical African community, has struggled with tyrannical and oppressive regimes, and it still struggles to gain full independence from the ruling political establishment. Adding to the challenges posed by political influence-peddling in the media that undermines objectivity and credibility are the economic constraints and professional and technical inadequacies of practitioners and institutions in Liberia. Durable democracy in Liberia depends on an independent and vibrant media that will continuously provide credible reports, solicit views, and do critical analyses on principles of objectivity. The existence of such media community in a democratic state can transcend the role of message and information carrier in the eyes of the people to building trust and confidence among them and for their government. Those are the threads that hold the fibers of democracy together.

A state craving for democracy must not only have media institutions to use as channels for mere message carrying, but must ensure a propitious environment for the development and emergence of more institutions that will promote the tenets of democracy independent of government and political manipulations. The Liberian state must therefore ensure structural and functional viability and stability of media houses by enforcing laws of the media, promoting free speech and free expression, and legislating statutes where necessary to further strengthen the role of the media in the consolidation of democracy. It will be a resounding step forward if the current government can effectuate the passage of the three media laws drafted by the Liberia Media Law and Policy Reform Working Group: The Freedom of Information Act, the Act to Establish an Independent Broadcast Regulator for Liberia, and the Act to Transform the LBS into a Public Service Broadcast System.

Article 15 of the 1986 Constitution of Liberia supports the above requirements. In section (B) it outlines several rights to the citizens including 'the right to hold opinions without interference and the right to knowledge', the 'right to free speech, academic freedom to receive and impart knowledge and information', the right to libraries to make such knowledge available', the 'privacy of usage of the mail, telephone and the telegraph' and the 'right of citizens to remain silent'.

To have the above proclaimed rights fully exercised by the people, Section C states that '*...there shall be no limitation on the public right to be informed about the government and its functionaries*'.

The Role of the Civil Society

The civil society is the largest portion of the society representing all forces out of the government. Governments are functions of the civil society because it is from the civil society that all free governments are formed and operated. The civil society therefore has a pivotal role in ensuring that democracy is consolidated in Liberia. According to the Ministry of Planning and Economic Affairs there are over four hundred civil society organizations operating in the country. The goals and objectives of most of these groups are nearly the same, and sometimes they form coalitions to implement programs.

The history of effective contemporary civil society organizations in Liberia can be traced to the 1970s when pressure groups from around the country bounced on the national scene and began advocacies and agitations for multi-party democracy. These groups, the Movement for Justice in Africa, Progressive Alliance of Liberia represented people mainly from the destitute masses that were marginalized in political activities. The advocacy then could be done in no robust way in the absence of a democratic system that values and protects the rights of the people to express themselves by associating or socializing, and the right to speak out without intimidations.

Much of the works of mass public sensitization and awareness on governance and rule of law issues are done by the civil society. The media is more or less left as a one man army to inform and educate the people at the same time fearing reprisals for reports unfavorable to the political establishment. The civil society is now leading the campaign of mass awareness and civic education all directed at consolidating democracy as a way of life from the grassroots level. It is

the civil society that leads the campaign against human rights violation, and the freedom of the press, and the freedom of the people to freely express themselves.

Civil Society Organizations (CSOs) must therefore build a firm reputation and stand vigilantly as the frontline agent in the advocacy for free speech and free expression. The need for effective internal governance and transparency in the operations of CSOs activities must be the moral ground on which CSOs should stand as campaigners against social malfeasances in society. In the absence of that the civil society by itself will drown into irrelevance, thereby fertilizing the ground for the sprouting of a modern dictatorship or totalitarian regime.

Civil society organizations in our context of free speech and expression must ensure that media institutions remain protected, and must continuously present the case that freedom of expression and access to official information are keys to sustainable human and economic development, democracy development, and the prevention of corruption, which in turn support conditions necessary for economic growth and good governance.

The Media and Civil Society as Partners

The partnership between the media and civil society organizations should be by practice, an ordained marriage of the proverbial 'Roman Catholic' style. In this partnership both compliments the work of the other and stands for the sake of other in all instances. There is absolutely no room for divorce. The campaigns of civil society organizations can not go public in the absence of media coverage and at the same time the media can not afford to work in an environment that has no civil society independent of the government.

In contemporary societies, like Liberia, the media is an integral part of the civil society. And its role as a part of the whole civil society community is being seen through the works of independent media houses that have taken lines of ebullient advocacies for social justice and democracy in reportages that are people-sensitive. Since the return of normalcy in the country, several independent media institutions have emerged and hundreds of civil society organizations have also been formed by conscious-minded citizens. At the same time, some media practitioners have established civil society groups intended for the promotion of free speech, freedom of the press, and the empowerment of local journalists through training.

The results of the collaborations of the media and other civil society groups have been of significant impacts on both sides. The Press Union of Liberia and the Catholic Justice and Peace Commission (JPC) are in a partnership in which the JPC provides free legal services for journalists who during the expeditious execution of their duties are arrested or taken to court. At the same time, the three draft Laws of the Liberian Media that are now before the Legislature for enactments were drafted by a collaboration of government line agencies, several civil society groups, and the mass media, including the Press Union of Liberia, the Center for Media Studies and Peace Building, the Liberia Media Center, and the National Coalition of Civil Society Organizations in Liberia. The Liberia Coalition of Free Expression, another collaborating group comprising of media advocacy groups, other civil society groups and the PUL, is leading a campaign to ensure the speedy passage of the draft Laws.

Many civil society groups in the country are in specific agreements with media institutions for promotional and awareness programs aimed at civic education and the promotion of good governance and democracy. The Actions for Genuine Democratic Alternative (AGENDA) has a special program area intended to strengthen media institutions and civil society groups.

Conclusion

Building a culture of democracy in Liberia and establishing a system of democratic governance must be done simultaneously with the building and consolidating of a culture of press freedom and civil liberty. Democracy can not survive in an unfriendly media environment and an environment where the people's fundamental rights are abused.

Consolidating democracy in Liberia with the media and civil society as active participants requires technical and professional capacity building of both the media and civil society actors. A weak civil society and biased media can pose challenge to the survivability of democracy. The media and the civil society must therefore be strong, unwavering and dedicated in the discharge of their

duties as watchdogs and promoters of good governance. The people, too, the ultimate beneficiaries of a democratic system, must be empowered to participate through mass awareness and education. Article 6 of the Constitution of Liberia recognizes the people's right to be educated as a requirement for national development:

The Republic shall, because of the vital role assigned to the individual citizen under this Constitution for the social, economic and political well-being of Liberia, provide equal access to educational opportunities and facilities for all citizens to the extent of available resources. Emphasis shall be placed on the mass education of the Liberian people and the elimination of illiteracy.

ATTENTION IN THE INTERNATIONAL MEDIA!!!

Liberian Media Confront Threats

afrol News, 24 October - October has been the month of threats for Liberian journalists, especially those in the print who are confronting legal threats and battles.

The latest threat against Liberia's journalists was issued by the country's Chief Justice, Johnnie Lewis who has gone public that he would soon start jailing journalists who violate the Liberian constitution.

Lewis, was enraged by misspelling of his name and consistent attachment of his photographs to stories that have nothing to do with him, disclosed the news during a meeting with five editors of privately-owned newspapers in his office on 22 October.

"This is the last warning; I am calling on you to desist [from the practice] or be charged with contempt, which is punishable by 30 days imprisonment," Media Foundation for West Africa source quoted the Chief Justice as saying.

"May be after spending 30 days at South Beach, you would become responsible journalists," he said, supplying the editors with plain sheets of papers asking them to refer to him as "The Chief Justice of the Supreme Court of Liberia, His Honour Johnnie N. Lewis" in their future publications.

In a separate development, seven journalists and the 'Public Agenda' newspaper have been dragged to court on allegations of libel. The suit was filed after the journalists had sent petition to the Liberia Press Union, seeking an investigation of Ambrose Nmah, Director of Renaissance Communication [a pro-government radio and television service] for commenting against journalists manhandled by security forces.

Nmah has filed a "13-count complaint" against the journalists at the Civil Law Court, claiming that his reputation, character and occupation had been injured by the published statement. He said the petition had also exposed him and his family to "hatred, contempt, degradation and public ridicule."

Nmah accused the petitioners of describing him as a "journalistic serpent", the militia of Charles Taylor's National Patriotic Front of Liberia (NPFL) who justified the wilful killing of his fellow journalists and would have celebrated had they [journalists] died.

In count 8 of the suit, Nmah alleged that the "... defendants, having no reasonable basis to believe same to be true, accused (him) of spreading 'sustained hate media messages, directed against his fellow journalists' in the country."

He is demanding general damages compensation US \$10,000.

Liberian security personnel beat several journalists when they attempted to interview Sierra Leone President Ernest Koroma during a visit to the country.

According to Liberia's Center for Media Studies & Peace Building, Nmah's case grew out a complaint filed by Jonathan Paye-Layleh that Nmah had justified security attacks on journalists on account that they had breached security protocols.

By staff writer
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AFRICA FOI CENTRE CALLS ON LIBERIAN GOVERNMENT TO EXPEDITE PASSAGE OF FOI BILL

The Africa Freedom of Information Centre (AFIC) welcomes the steps taken by Liberia to adopt a Freedom of Information law for the country and calls on the National Legislature to expedite action in passing the Freedom of Information Bill submitted to it last month by a coalition of ordinary citizens, media and civil society organizations.

Rising from its meeting in Kampala , Uganda , the Steering Committee of the Centre commended the Liberian civil society movement for the unprecedented manner in which it mobilized and demonstrated public support for the concept of open and transparent governance as the country strives to reposition itself for post-conflict reconstruction.

Thousands of Liberian citizens representing diverse interest groups marched through the streets of Monrovia to the National Legislature on April 17 with a petition calling on the parliamentarians to review and pass a draft Freedom of Information law "within the shortest period possible." The draft Freedom of Information Act was formally presented to the National Legislature, along with two other draft laws – the Independent Broadcasting Regulator Act and Liberia Public Broadcasting Service Act.

The Africa Freedom of Information Centre pledged to puts its resources at the disposal of the Liberian civil society, the National Legislature and the Government of President Ellen Johnson-Sirleaf to ensure a speedy consideration of the Bill and the adoption of a Freedom of Information Act which meets international standards.

Mr. Edetaen Ojo, Chair of AFIC's Steering Committee said: "We are pleased to see that less than two weeks after the Freedom of Information Bill was presented to the National Legislature of Liberia, it went through the first reading on May 1, 2008 at the plenary session of the House of Representatives, which has now referred the draft Law to its Committee on Information and Broadcasting with a two week timeframe to submit its report. We commend that Legislature for these initial steps and call on it to complete the entire process speedily.

The Centre also recalls that at an International Conference on the Right to Public Information held in Atlanta, Georgia, U.S.A., from February 27 to 29, 2008, at which several members of AFIC's Steering Committee were in attendance, Liberia's Information Minister, Dr. Laurence Bropleh, made a commitment before the international community that the Government of President Ellen Johnson-Sirleaf, fully supports the draft Freedom of Information Act and would ensure its passage into law. Accordingly, the Centre calls on the Liberian Government to live up to this pledge by working with the Legislature to ensure that Liberian citizens have a right of access to information guaranteed by Law in the shortest time possible.

Note to Editors:

The Africa Freedom of Information Centre was established in September 2006 by a network of Freedom of Information advocates in Africa with a mandate to provide technical assistance to civil society organizations in the region involved in various stages of Freedom of Information work, including the drafting of access to information bills, advocacy for their passage into Law, implementation, litigation and monitoring activities. The Centre is managed by the Africa Freedom of Information Trust, a non-profit entity registered under Nigerian Laws.

Steering Committee

Edetaen Ojo

(Media Rights Agenda , Nigeria)
- Chair

Priscilla Nyokabi

(International Commission of Jurists - Kenya Section)

Mukelani Dimba

(Open Democracy Advice Centre, South Africa)

Agnes Ebo'o

(Citizens Governance Initiative, Cameroon)

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Nana Oye Lithur

(Commonwealth Human Rights Initiative, Africa Office, Ghana)

Kaitira Kaindji

(Media Institute for Southern Africa, Namibia)

Maxwell Kadiri

(Open Society Justice Initiative, Africa Office) – Observer



Journalists parade the streets of Monrovia in support of the Three Draft Media Laws



Liberian Women support the enactment of the Three Draft Media Laws



The launch in Monrovia of the Liberia Coalition for Free Expression



One of CEMESP's training workshops for Liberian Journalists

FREE EXPRESSION CITATIONS

Article 15 (Constitution of Liberia)

a. Every person shall have the right to freedom of expression, being fully responsible for the abuse thereof. This right shall not be curtailed, restricted or enjoined by government save during an emergency declared in accordance with this Constitution.

b. The right encompasses the right to hold opinions without interference and the right to knowledge. It includes freedom of speech and of the press, academic freedom to receive and impart knowledge and information and the right of libraries to make such knowledge available. It includes non-interference with the use of the mail, telephone and telegraph. It likewise includes the right to remain silent.

c. In pursuance of this right, there shall be no limitation on the public right to be informed about the government and its functionaries.

d. Access to state owned media shall not be denied because of any disagreement with or dislike of the ideas express. Denial of such access may be challenged in a court of competent jurisdiction.

e. This freedom may be limited only by judicial action in proceedings grounded in defamation or invasion of the rights of privacy and publicity or in the commercial aspect of expression in deception, false advertising and copyright infringement.

Article 9(African [Banjul] Charter on Human and People's Rights)

1. Every individual shall have the right to receive information. 2. Every individual shall have the right to express and disseminate his opinions within the law.

Article 2 (International Covenant on Economic, Social and Cultural Rights)

1. Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

2. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

3. developing countries, with due regard to human rights and their national economy, may determine to what extent they would guarantee the economic rights recognized in the present Covenant to non-nationals.

Article 19 (Universal Declaration on Human Rights)

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

ACKNOWLEDGEMENT

On the publication of the compendium, the Center for Media Studies and Peace Building (ECMESP) likes to note the contributions made by various actors, including funding organizations, media advocacy groups, journalists and others affected by the threat on free expression. The contributions have been diverse for a number of reasons, some including funds, encouragement, attribution for prior publications. While it would be impossible to note each contributor by person, it would also not be prudent should we not list a few very important supporters

We accordingly like to note the following:

- National Endowment for Democracy (NED)
- International Freedom of Expression eXchange (IFEX)
- Media Foundation for West Africa
- Media Rights Agenda
- Institute of Applied Media Studies Zurich University
- International Federation of Journalists
- Committee to Protect Journalists
- World Editors' Forum
- World Association of Newspapers

At CEMESP secretariat, we like to note the role of the following: Calixte Hessou, Mabandu Sherif , Prutus M. Sackie and Rudolph Neufville. Note is also made here of Kenneth G. Bracewell & Joseph Wlawlee-Davis. We will also acknowledge the role of all human rights, especially acknowledged rights. It is our prayers that acceptance of the issues we advocate will make a next edition of this publication unnecessary