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# E U R O P E

## Turkey, Belarus, Hungary Cause Particular Concern

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By Steven M. Ellis, Press Freedom Adviser

The International Press Institute (IPI) is concerned at media freedom developments in Europe in the first six months of 2011, particularly in Central and Eastern Europe.

While the region overall had one of the lowest death tolls in the world for journalists in the first half of 2011, with two murdered in Russia, it saw ongoing harassment of journalists in countries like Turkey and Belarus, and backsliding on safeguards for media independence in countries like Hungary.

Impunity for attacks on journalists remained a major issue from Russia to the Balkans, and bright spots like the release of jailed journalist Eynulla Fatullayev in Azerbaijan in May were often overshadowed by a climate of repression.

Former Soviet-bloc countries continued to experience difficulty ensuring that governments view media as independent, and not as a tool for the dissemination of propaganda. Across Europe, self-censorship was exacerbated by archaic criminal defamation laws that remained on the books, setting both a negative example and actually serving as the basis for prosecutions of journalists in Italy.

Turkey presented one of the worst pictures on the continent. According to the Freedom for Journalists Platform, an umbrella group representing national and local groups in Turkey, the government holds approximately 70 journalists in jail, apparently more than any other country in the world. A study released in April by the Organization for Security and Co-operation in Europe (OSCE)'s Representative on Freedom of the Media, Dunja Mijatović, found that the country was then holding at least 57 journalists in prison, most under anti-terrorism laws or laws against membership in an armed criminal organization.

While the majority of detained journalists were held for alleged ties to outlawed Kurdish or Marxist organisations, many were jailed on accusations that they were part of the so-called Ergenekon plot to create chaos through attacks that would lead to calls for the military to take power from the current government headed by Prime Minister Recep Tayyip Erdoğan.

Journalists targeted in such probes – including IPI World Press Freedom Hero Nedim Şener and investigative journalist Ahmet Şık, who both marked their hundredth day in jail in June – faced not only extremely long sentences, but a Kafkaesque situation in which authorities refused to release evidence of crimes or criminal organisations, or to inform journalists of the charges they faced.

A climate of fear escalated with each raid and arrest, particularly after a March raid by police in search of draft copies of an unpublished book by Şık that reportedly focused on the influence of an alleged Islamic group within the country's police force. While Erdoğan publicly affirmed Turkey's commitment to press freedom, he simultaneously impugned the motives of journalists and others who exercised that freedom, accusing them of defaming Turkey and conspiring to undermine the country.

The situation in Belarus was similarly disappointing, as President Alexander Lukashenko unleashed the forces of the state against journalists following protests against his disputed re-election to a fourth term of office in December. Journalists including Irina Khalip, the Minsk-based correspondent for independent Russian newspaper Novaya Gazeta and the wife of a former opposition presidential candidate, and Polish-Belarusian journalist Andrzej Poczobut, from Polish daily newspaper Gazeta Wyborcza, were targeted for allegedly participating in unsanctioned protests they were covering.

Authorities also harassed journalists covering the 11 April explosion at a subway station in Minsk, threatening to shutter media outlets. They later charged Poczobut criminally for alleged insults to Lukashenko, and the trial remains pending.

The president earlier this month blamed much of his country's economic problems on the media, commenting: "The frenzy among consumers has been created by the active participation of a number of media for craven reasons."

In Russia, impunity for the attackers of journalists remained common, despite the murder convictions of a pair of ultra-nationalists for the 2009 shootings of human rights lawyer Stanislav Markelov and reporter Anastasia Baburova, and the reported apprehension of the murderer of Anna Politkovskaya.

A number of journalists suffered beatings, and earlier this month Anatoly Bitkov, the chief editor of the Kolyma Plus regional television company in Magadan, was found dead with multiple stab wounds to his head and body. In May, Yakhya Magomedov of the Russian Islamic newspaper As-Salam was killed when he was shot four times near the city of Khasavyurt in the volatile North Caucasus republic of Dagestan.

Hungary, which joined the European Union in 2004, drew negative attention with the implementation of a media law that critics alleged was intended to muzzle a media that was not sufficiently deferential. Parliament later narrowed the law's scope, but international observers charged that it could still be misused to curb alternative and differing voices.

Criticism of Prime Minister Viktor Orban only increased after parliamentarians from his Fidesz party, which holds two thirds of seats in Parliament, approved a new Constitution that critics charged would seriously weaken the right to access information.

Azerbaijan made some strides forward, but they were tempered by the continued detention of Fatullayev despite a European Court of Human Rights order for his release, and later by the government's harsh crackdown on protests inspired by demonstrations across the Arab world.

Fatullayev was finally released under an amnesty in May 2011, after IPI wrote a letter to the country's president requesting such an amnesty.

A number of journalists were beaten, both in connection with and independent of the protests, including a brutal attack earlier this month by unidentified assailants on an American freelance contributor to The Washington Post and The New York Times, Amanda Erickson, and a British staffer at the Baku-based Institute for Reporters' Freedom and Safety, Celia Davies.

In the Balkans, attacks on journalists, and impunity, remained frustratingly common, and corruption and a lack of transparency of ownership also contributed to self-censorship. Criminal defamation proceedings carrying jail and debilitating fines remained a threat, particularly in Bulgaria, where Parliament introduced incarceration as a penalty for journalists and writers who instigate hatred, discrimination or violence based on race, ethnicity, nationality, religion and a range of other criteria.

Croatia, however, followed through on a promise by its president to members of a joint delegation visiting the country, from IPI and the South and East Europe Media Organisation (SEEMO), not to include imprisonment for the offence of insult in revisions to the country's penal code.

From Central to Western Europe, the overall picture was more positive, including Slovak authorities' progress in honouring their commitment to revise the country's controversial 2008 press law. However, that picture was nonetheless marred by troublesome developments.

In Poland, the state-owned minority shareholder of the publisher of daily newspaper Rzeczpospolita pushed to dissolve the publisher in a move critics alleged was intended to put the newspaper under government control.

In the Czech Republic, masked military police carrying automatic weapons raided the offices of Czech Television in Prague with a court order to secure a recently declassified document, leading the Czech defence minister to suspend the head of military police and order an investigation.

Italian prosecutors threatened defamation lawsuits against Italian and American journalists who reported criticism of authorities' handling of the Amanda Knox murder case, and three journalists were given prison sentences for defamation in connection with a series of articles published in 2007 about an alleged investigation into the mayor of Sulmona by the Financial Crime Investigation Unit.

An IPI mission to the country in April also uncovered fears that the switchover from analogue to digital broadcasting might undermine pluralism in the country's audiovisual sector unless the value of pluralism is given strong consideration in the establishment of criteria for the technological move.

Courts in both France and the United Kingdom dismissed civil defamation claims in libel tourism cases. In the former, a court ruled that a dual Israeli-French citizen and a lecturer at a law centre in Israel abused the legal system when she sued a New York editor over a review of her 2006 book on international criminal court proceedings. In the latter, a court dismissed a defamation claim by a Ukrainian businessman against the Kyiv Post because the businessman's connections to the United Kingdom were "tenuous in the extreme".

The European Court of Human Rights rejected a bid by former motorsport chief Max Mosley to force media to warn people before publishing details of their private lives.

However, the United Kingdom saw significant controversy over judicial interpretation of privacy law to justify gagging orders and so-called “super-injunctions”. The orders prohibit discussion of their very existence and details, in addition to barring disclosure of certain facts or allegations, and have been criticized as a tool by which the wealthy can squelch release of embarrassing information.

An influential judicial committee on privacy orders called for superinjunctions to be granted only in “very limited circumstances” and normally for short periods of time. The head of courts in England and Wales welcomed the report, but he said that modern technology was out of control and he called for action against those who defy court injunctions and “peddle lies” on social media and websites.

**MID-EAST**

**NORTH AFRICA**

## In ‘Arab Spring’, Journalists Pay the Ultimate Price

By Naomi Hunt, Press Freedom Adviser

No region of the world saw as much upheaval or received as much international media attention in the first six months of 2011 as North Africa and the Middle East.

Beginning with the overthrow of Tunisian President Zine el-Abidine Ben Ali in January, followed by Egyptian President Hosni Mubarak in February, protesters in country after country took to the streets to demand democratic reforms and the fall of oft decades-long leaders.

In Libya, the violent stand-off between leader Muammar Qaddafi and NATO-backed rebels continues, with each faction controlling a part of the country.

In Yemen and Syria, President Ali Abdullah Saleh and President Bashar Assad continue to cling to power amid increasing violence against protestors.

And in Bahrain, too, where peaceful demonstrations by protestors demanding political reform were brutally suppressed with the help of Saudi troops in March, activists and bloggers have been targeted, arrested, imprisoned, tortured and even killed in the aftermath – prompting new demonstrations this week.

In other countries in the Middle East and North Africa, too, journalists have lost their lives this year. Throughout the Middle East and North Africa, 22 journalists have already been killed since the beginning of 2011, compared with eight journalists in the whole of 2010.

Many - but not all of the deaths - were linked to the uprisings. Eight of the journalists killed so far in 2011 died in **Iraq**, which continues to be the most dangerous country for reporters in the MENA region, according to the IPI Death Watch. A total of six journalists were killed in Iraq throughout all of 2010.

Journalists Mohammed al-Hamdani, Sabah al-Bazee, Muammar al-Khadir Abdul Wahid, and Alwan al-Ghorabi all lost their lives in bomb attacks. On 17 February, Hilal al-Ahmadi of the Mosul Echo and Iraqiyoun was hit by machinegun fire near his home in Mosul. While the reasons for his death are not

clear, he had reportedly covered corruption in his writing. Taha Hameed, the head of al-Massar TV, was killed on 8 April while driving with a prominent human rights activist by unknown men. On the same day, two Iranian journalists for iranntv.com, Asieh Rakhshani and Saba Haftbaradaran, were killed at Camp Ashraf when it was raided by Iraqi soldiers, according to Reporters without Borders. Those who kill journalists in Iraq continue to act with near complete impunity.

One journalist in **Iran** died while in prison as a result of medical neglect, according to news reports. Reza Hoda Saber, 54, died of a heart attack on 10 June, days after he went on hunger strike to protest against the mysterious death of activist Haleh Sahabi. Saber had been in and out of Evin prison since 2000 as a result of his work, reports said.

**Algerian** journalist Ahmed Nezar was shot on 6 May in Baghlia. It is not known why Nezar, a correspondent for French-language newspaper, was killed.

In Gaza in the **Palestinian Territories**, Hamas officials found the body of Vittorio Arrigoni on 15 April. Arrigoni was an activist, blogger and journalist affiliated with the International Solidarity Movement (ISM) and who wrote for the left-wing Italian newspaper *Il Manifesto*. Journalists told IPI that it is believed he was killed by a rival Islamist offshoot of Hamas.

Throughout the region, a pattern of media repression has emerged. Government leaders tried to hack or block electronic communications, particularly social media websites Facebook and Twitter, even resorting to the wholesale shutdown of the internet and electricity, in Syria, to stop news from being transmitted. Throughout the region, journalists covering the unrest remain subject to threats and attacks, imprisonment on national security charges, or expulsion. State-run media in country after country have been used to downplay protests, blame violence on terrorists or foreign elements, accuse foreign media of incitement, and generally spout the regimes' preferred version of events. First in Libya and now in Syria, where there had been very few Western journalists in recent years, and where both governments originally tried to prevent foreign reporters from entering, those who were eventually allowed in are subject to continual supervision by government minders, ostensibly for their own "security".

When **Tunisian** President Zine el-Abidine left the country on 14 January, civil society and the media looked forward to a new era of press freedom. Last year, the IFEX Tunisia Monitoring Group (TMG), a coalition of 20 International Freedom of Expression eXchange (IFEX) member organizations including IPI, found that censorship, prohibitions on freedom of association, a lack of judicial independence, physical violence and the jailing of journalists all contributed to an unfree media environment.

Only three days after Ben Ali's departure, the information ministry was abolished. Prisoners of conscience, including journalist Fahem Boukadous, who had been sentenced to four years in jail for his part in covering a 2008 protest, were freed. Some well-known activists took up posts in the interim government. But new challenges have come to light as the country transitions to democracy, including the need for training and retraining. Journalists persecuted under the old regime told delegates on an IFEX-TMG mission in April that they had trouble finding work, and voiced fears that many old-guard businessmen were still in control of the media. Institutions and mechanisms established to reform media laws and regulation procedures have reportedly got off to a difficult start. While numerous print publications have been licensed, a number of broadcasters have not. Chief Editor Omar Mestiri at Radio Kalima, previously a dissident satellite radio station and Internet website, went on hunger strike on 21 June to protest the fact that his station has not yet been licensed.

Almost one month after Ben Ali's departure from Tunisia, President Hosni Mubarak of **Egypt** stepped down after nearly 30 years in office – but not before dozens of journalists covering the days-long demonstrations in Cairo's Tahrir Square and elsewhere had been detained, interrogated, attacked and otherwise prevented from covering the news. Egyptian reporter Ahmed Mohammed Mahmoud, 36, was shot on 28 April while taking pictures of Tahrir Square from his balcony and died of his injuries a week later, state-run newspaper *Al Ahrām* reported. On the day of Mubarak's resignation, a mob sexually assaulted CBS, who – along with her crew, and like many other foreign news teams - had already been detained and interrogated, and accused of being a spy.

With the country under military leadership until new elections are held, journalists at the powerful state-owned media houses have reportedly been working to change old, reflexively pro-government editorial policies, although there has been some criticism about the real depth of these changes. But the resignation of caretaker Prime Minister Ahmed Shafiq in March, which came after he was taken to task on a private TV talk show, has been described as a turning point for the press in their relationship with the government.

There have also been some serious press freedom setbacks since the Supreme Military Council's takeover, notably the March arrest of blogger Maikel Nabil Sanad, who was arrested for "insulting the military establishment" and "spreading false information" after he accused the Egyptian military of the same tendency to oppression as Mubarak, reports said. On 10 April, he was sentenced to three years in prison, to international condemnation. So far, the military leadership has not proved Sanad wrong, and several other bloggers and journalists have reportedly been detained in connection with their critical writing and comments.

In April, the Council demanded that local print media ask permission before mentioning the armed forces. In late June, *Al Masry Al Youm* reported that the cabinet issued a memo banning officials "from talking to the media without official permission from ministers". Civilian and military officials must let go of a tendency to try and control the flow of information if the press is to fulfil its duty to the public.

Mass protests have not ended in success for demonstrators in Bahrain, Syria or Libya. In the kingdom of **Bahrain**, ruled by King Hamad bin Isa Al Khalifa, journalists were among those targeted by security forces during the first days of protest. One particularly egregious early attack came on 18 February, when a helicopter fired on a crew from the New York Times. In March, the printer of the private daily *Al-Wasat* was attacked and copies of that day's paper ruined in the process, reports said. The persecution of activists and journalists worsened after the entry of Saudi troops in mid-March. Reporters from Western media were interrogated and in some cases expelled. Less fortunate journalists were reportedly detained for days, beaten and tortured.

Opposition websites were blocked.

Alongside journalists and activists, hospital staff who aided victims and sent images of their torn bodies around the world have been accused of supporting the attempted overthrow of the king, jailed and allegedly tortured. It is believed that their real crime was speaking to international media about atrocities. A CNN crew was detained while interviewing the head of the Bahrain Center for Human Rights (BCHR) on 30 March, Nabeel Rajab; his home was later attacked with teargas grenades, and he was accused of fabricating photos of a tortured rights activist. In June, a founder of the same organization, Abdulhadi al-Khawaja, was sentenced to life in prison by a military court for an attempted coup. Numerous bloggers and activists received long jail terms for their part in the demonstrations, sparking new protests in late June. Two reporters were killed for their work - both under suspicious

circumstances. Blogger Zakariya Rashid Hassan al-Ashiri and *Al-Wasat* founder Karim Fakhrawi both died while in government custody in April; the regime claimed that they had died of illnesses, but their bodies showed signs of torture.

**Saudi Arabia**, which demonstrated its attitude toward the Arab Spring by assisting in stopping the Bahrain uprising, tightened its already firm control of the media. Disruptions in Internet service were reported, access to certain activist websites was blocked, and bloggers were arrested, reports said. The Press and Publications Law, expanded in January to include online media, was amended in April to forbid publication of anything that contradicts Islamic law, calls for a disturbance of public order or security, or that causes sectarianism.

By late June 2011, as the International Criminal Court issued a warrant for the arrest of Muammar Qaddafi, journalists remain missing although many foreign journalists arrested since the start of the conflict have been freed, often after the intercession of diplomats.

In Tripoli, foreign correspondents have said they are in the constant company of government minders, are not allowed to visit certain areas, and are provided with only the official version of reality. In the east, a number of pro-rebel media have sprung up, some using formerly regime-linked broadcasting and printing facilities.

While foreign journalists reporting from rebel areas have more freedom to move around, those on the frontline face greater danger. Five journalists lost their lives in Libya in the first half of 2011. Al-Jazeera cameraman Ali Hasan al-Jaber was killed in an ambush on his vehicle on 12 March, as he and his colleagues made their way to the rebel-held city of Benghazi. Snipers in Benghazi killed Mohammed al-Nabbous, founder of the online television channel Libya al-Hurra, on 19 March. Foreign photojournalists Tim Hetherington and Christ Hondros were killed by a rocket-propelled grenade on 20 April in Misrata, a rebel-held city that was surrounded by pro-Qaddafi forces. The pain caused by the death of Anton Hammerl, a South African and Austrian journalist, was compounded by the fact that Libyan authorities refused to admit it. It was only after three other foreign journalists were released from custody that they could tell the world that Hammerl had been killed on the same day they were arrested.

In **Syria**, where protestors in cities around the country continue to hold regular demonstrations amid the risk of imprisonment, torture and death, foreign correspondents have only been allowed to enter the country since 24 June, and early reports say that their movement is strictly controlled by government agents. Prior to the demonstrations, some Arab media and wire services had bureaus in Damascus, but no Western journalists were allowed to be based there. Many journalists who were in the country were expelled in the first days of the protests, as President Bashar al-Assad's government locked down the cities where protests were taking place, blocking electronic and physical communication routes and at times cutting the electricity.

Journalists were expelled or detained without charge and, as in Bahrain and Libya, were reportedly beaten and tortured. In an interview with IPI in April, Algerian reporter Khaled Sid Mohand, arrested on 9 April and jailed for 23 days, said "I was beaten up during the first couple of days, slapped, threatened to cut my sex, to be raped. They blindfolded me and simulated electric choke by putting electric wires on different parts of my body including my sex." Despite this, the *Le Monde* and Radio France journalist said that he would go back to Damascus, his home for the past two and half years, if he was allowed.

In April, Al Jazeera announced that it was suspending operations in the country because of repeated attacks. In May, Al Jazeera reporter Dorothy Parvaz, a Canadian/U.S./Iranian citizen, went missing after leaving Doha for Damascus, the network said. The Syrian authorities denied she was in their custody

following international demands for her release; they later admitted she was in Iran. The Iranian authorities then released her. A number of jailed journalists were subsequently released or given amnesty, reports said, although others remain in prison. Despite the lack of reporters on the ground and the use of Syrian state media to spread the regime's message, video clips and information sent via satellite phone have provided the media with a glimpse into the uprising and the force used to stop it.

Journalists in **Yemen**, long subject to the threat of retaliation by President Ali Abdullah Saleh and his political affiliates if they crossed red lines, now face even greater dangers than before. During the first major demonstrations in February, as elsewhere in the region, dozens of journalists were beaten and attacked. President Saleh called for police to protect journalists, but this call went unheeded. In Yemen, as elsewhere, foreign journalists were called in for questioning and expelled, and other reporters went missing, presumed to have been kidnapped by pro-government supporters. Media houses and journalist associations were raided, websites reportedly hacked and copies of newspapers were seized. On 9 June, copies of the daily newspaper Al-Oula were seized for the ninth time, according to RSF. At the end of June, President Saleh was wounded in an attack on the presidential palace, and was recuperating in neighbouring Saudi Arabia as the opposition continued to demand his resignation.

Two journalists were killed in Yemen in 2011. *Al-Masdar* journalist Jamal Ahmed al-Sharabi was shot in Sanaa while covering the crackdown on protestors on 18 March. In the southern city of Aden, the body of Abdel Rahman Bajunaid was found with stab wounds on 13 May, according to an online report from his employer, Radio Netherlands Worldwide.



## Widespread Violence against Journalists, Particularly in South and Southeast Asia

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By Barbara Trionfi, Press Freedom Adviser

In the first half of 2011, violence against journalists was widespread in Asia, in particular in the south and southeast of the continent. From Afghanistan to the Philippines, numerous journalists were intentionally killed, beaten, stabbed, or seriously wounded while reporting in an extremely dangerous environment, often without proper training and equipment. Between January and June, a total of eight journalists lost their lives in Asia because of their profession.

Local and international rights groups have been vocal in urging the authorities to bring the perpetrators of attacks against the media to justice and implement reforms to stop such attacks. Results have been scarce and most crimes remain unpunished. In some cases, representatives of the state or political parties even appeared to have been behind the attacks.

In a welcome development, French journalists Hervé Ghesquière and Stéphane Taponier and their Afghan interpreter Reza Din, who had been abducted by a Taliban group on 29 December 2009 in the northeastern province of Kapisa, Afghanistan, while working on a story for the French TV station France 3, were released on 29 June, after 18 months in captivity.



In Pakistan, where four journalists have been killed so far this year, journalists have accused the powerful Inter-Services Intelligence (ISI) agency of being involved in the abduction and murder of journalist Syed Saleem Shahzad, who was tortured to death in the last week of May. The ISI has denied any involvement.

In Nepal frequent attacks against the media were mostly a consequence of rivalries between political groups. In a country where a civil war ended only recently, media outlets often appear to support a political view and their right to do so has yet to be widely acknowledged. Physical attacks aimed at silencing journalists or forcing them to promote different political views are often the outcome.

Similarly, in Sri Lanka, where the government's victory against the Tamil Tigers in 2009 brought to an end a 25-year civil conflict, numerous journalists critical of the government were either killed during the conflict or have been forced into exile. Today, the few remaining critical media outlets are subject to harassment. The office of the news-site Lanka-e-News was destroyed in an arson attack in January. A news editor and a journalist at the newspaper were arrested and later released. And columnist Shantha Wijesooriya was abducted ahead of the 2010 presidential elections and has not been seen since.

Press freedom is generally well respected in India. However, the murder of two journalists in separate incidents in January and June this year has raised serious concerns. In both cases, the murders appear to have been directly linked to the journalist's reports. Near the body of Umesh Rajput, a reporter with the daily *Nai Duniya* killed by two assailants on a motorcycle, a note was found stating: "If you don't stop publishing news, you will die." Jyotirmoy Dey, an investigative editor at Mumbai tabloid *Mid-Day*, was killed after publishing several articles on the so-called 'oil mafia' and while he was still carrying out investigations into the topic.

On a separate note, the arrest of journalist Tarakant Dwivedi on 12 May and the charges brought against him under India's Official Secrets Act was disturbing. In June 2010, Dwivedi had reported about the poor conditions in which high-technology weapons purchased by the government in the wake of the 26/11 attack on Mumbai were stored. Strongly condemning the arrest as an attack on press freedom, the Editors Guild of India pointed out that, as a result of the investigative report, several railway officials were transferred and the storage facilities for the arms and ammunition upgraded. Dwivedi was eventually granted bail.

In the Philippines, where the government is making only slow progresses in the prosecution of those responsible for the 2009 Maguindanao massacre, attacks against journalists continue unpunished. A least 34 journalists were killed in the massacre. In the first six months of 2011, two journalists were killed and others were physically attacked. Philippines journalists have accused the authorities of negligence in investigating the attacks. In one case this year, a journalist for a government-run radio station filed physical injury and grave threat charges against the governor of Kalinga province, who barged into a radio booth accompanied by heavily armed bodyguards, assaulted the reporter and threatened to kill him.

Official censorship, arrest and detention continue to greatly hinder press freedom in significant parts of Asia, where non-democratic governments clamped down on independent media to retain their grip on power.

In China, journalists were harassed, censored, imprisoned and denied visas in an effort to pre-empt a "jasmine revolution" inspired by anti-government protests in the Middle East. In March, activist and blogger Liu Xianbin was sentenced to ten years in prison for allegedly inciting subversion of state power

through articles published on websites abroad. Numerous foreign journalists were harassed and manhandled by police in Beijing, while preparing to cover a protest that was expected to take place. The protest did not actually occur. In the days following the event, foreign journalists were summoned to police offices and asked to stop reporting on any “jasmine” protest, or have their visas revoked.

In Burma, three months after President Thein Sein was sworn in as the first civilian president after almost 50 years of military rule, the government announced the release of five journalists - some of whom had completed their prison terms - and the introduction of a new policy which would slightly relax censorship of the press. According to the new policy, unveiled on 8 June, 178 journals and magazines covering issues related to sports, knowledge, arts, health, children, and technology, will not need to submit their stories to the censorship board ahead of publication. Publications covering news, economics, religion and crime must continue to submit their stories. Furthermore, numerous journalists continue to be held in prison in the country.

In Thailand, lèse majesté laws continue to represent a threat to journalists and free speech. In March this year, Thai webmaster Tanthawut Taweewarodomkul was sentenced to 13 years in prison in connection with material posted on his website deemed insulting to the monarchy. Tanthawut was given a 10 year jail sentence for lèse majesté and three years for violating the country’s Computer Crimes Act.

In Indonesia, a court’s decision to award Hutomo Mandala Putra, popularly known as Tommy Suharto and son of former dictator Haji Mohamed Suharto, defamation damages worth 12.5 billion Rupiah (approx. €1 million) for a magazine article that called him a “convicted murderer” was troubling. From 2002 to 2006, Tommy served four years of a 15-year prison term for hiring hitmen to murder a Supreme Court Judge who had previously sentenced Tommy to 18 months in jail for corruption over a real estate business. The judge was gunned down by two men riding motorbikes. In the defamation ruling, the court said that the in-flight magazine of the national carrier Garuda airlines “has damaged the plaintiff’s credibility as a local and international businessman.”

Journalists’ groups in Indonesia have also been vocal in protesting against a draft Intelligence Law, which would authorize the country’s intelligence agency to intercept telephone calls without consent from the courts and therefore threaten the right of journalists to keep sources confidential.

In the Pacific region, the media situation in Fiji is particularly worrying, as the Public Emergency Regulations imposed by the regime of Frank Bainimarama in April 2009 continue to hinder critical and independent reporting. Journalists are also regularly harassed. On 18 February, Felix Chaudhary, a journalist with the *Fiji Times*, was arrested by military officers while covering a public function where Bainimarama was present. During his detention, the authorities told him that they were not happy with his stories. The journalist was released later the same day.

## A M E R I C A S

### Region Has Seen at Least 16 Deaths in Six Months

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By Steven M. Ellis, Press Freedom Adviser

VIENNA, DATE – The International Press Institute (IPI) said today that it was alarmed by the state of press freedom in the Americas in the first six months of 2011, noting that at least 16 journalists and media workers have been killed in the region so far this year.

The Americas remain the second most dangerous region on earth for journalists, but have been steadily narrowing the gap with the Middle East and North Africa, which have seen 21 deaths in 2011.

Mexico continues to be one of the most dangerous countries in the world for journalists, with at least six murdered so far this year in attacks attributed to narco-traffickers. Only Iraq, with at least seven deaths, and Libya, with five, have seen more killings.

Major press organizations in Mexico agreed on a code for covering organized crime after the February death of television station engineer Rudolfo Ochoa, who was killed in an attack on his station by armed intruders. However, the accord was followed less than a week later by the kidnapping and shooting in Monterrey of television host José Luis “La Gata” Cerda Meléndez and print journalist Luis Emanuel Ruíz Carrillo.

The body of print journalist Noel López Olgún, who went missing in March, was found buried in a clandestine grave late last month after a drug gang leader arrested by the Mexican army confessed to the killing.

Earlier this month, journalist Miguel Angel Lopez Velasco, his wife and their 21-year-old son were shot to death inside their home in the Gulf coast city of Veracruz. Pablo Ruelas Barraza, who had published articles in El Diario del Yanqui and El Regional de Sonora, was shot to death while resisting an attempt to kidnap him, but it was unclear whether his profession played a role in the crime.

Some positive steps have been made at local levels on decriminalizing defamation and protecting confidentiality of sources. But journalists and media company employees have reported threats and harassment by criminals and, in some cases, by local authorities.

Brazil has seen three deaths this year, including the shootings of television host Luciano Pedrosa in April and newspaper publisher Valerio Nascimento in May. Newspaper founder, blogger and political party leader Edinaldo Figueira was shot to death last week, and fellow bloggers said they suspected the killing was linked to a survey Figueira published questioning the activities of city officials.

In March, blogger Ricardo Gama was nearly killed when he was shot in the head, neck and chest by an unidentified gunman.

An effort to enact a freedom of information act stalled in the country’s legislature, despite prior support by President Dilma Rousseff, while bills to reinstate a requirement that journalists hold a media-related degree, and to criminalize leaking or publishing information on confidential criminal investigations and trials have moved forward. The Brazilian National Association of Newspapers launched a self-regulation program in reaction to government attempts to approve laws regulating the press.

Bolivia saw the death of one journalist – David Niño Guzman, news director for Agencia de Noticias Fides in La Paz – who was found dead with injuries to his abdomen caused by an explosive device two days after he disappeared. Journalists in the country have experienced attacks by both demonstrators and police while covering rallies, and have been the targets of criminal complaints – as opposed to proceedings under the country’s press law – for alleged insults to officials’ honour or reputation.

Bolivian President Evo Morales has also demonstrated hostility to the media, ordering it to show more patriotism and to support the government's strategy of bringing Chile before an international court in order to obtain access to the Pacific Ocean. He has also proposed laws to require the broadcasting of every speech he gives, and banning media from conducting interviews or voicing opinions concerning the appointment of judges.

Journalists in Ecuador have fared slightly better in terms of violence, but many found themselves facing multi-million dollar defamation suits by authorities, including President Rafael Correa, who in May claimed victory in a nationwide vote on the creation of a panel tasked with regulating media content.

Correa this month warned newly-elected Peruvian President Ollanta Humala about problems Peru's "corrupt press" might present to the new government. Peru's media saw a number of press freedom violations during the electoral campaign between Humala and Keiko Fujimori, from death threats to allegedly politically-motivated firings and censorship.

Peruvian radio journalist Julio César Castillo Narváez was shot to death when four unidentified men stormed the restaurant where he was eating lunch with friends and shot him six times at close range before fleeing. Police later said they had captured a 17-year-old suspect.

Colombia remained dangerous, with numerous journalists targeted for attack by right-wing paramilitary groups. The Attorney General announced that she would strengthen protection for media workers, but impunity remains a problem, as shown when the 20-year limitations period on the bringing of murder charges expired with respect to a number of cases from 1991, without any prosecutions.

A hired gunman tried to kill journalist Héctor Rodríguez Castro of La Veterana radio station in Popayán, and assailants kidnapped local television station director Mario Esteban López Ortega earlier this month, beat him and doused him with gasoline before they fled when a police car approached. Days later, López was told to leave town under threat of death.

In Argentina, police captured the suspected killer of Bolivian journalist Adams Ledesma Valenzuela, who was stabbed to death last year. Journalists with dailies Clarin and La Nacion continue to be at odds with President Cristina Fernandez, while the communications department of state-run La Plata University awarded Venezuelan President Hugo Chavez an award for his contribution to "popular communication."

Chavez's government, as it has for a number of years, continued to exercise increasing control over media, shutting down independent broadcast and print media. Chavez gave his vice president the authority to grant, revoke and suspend frequencies and cancel administrative orders in matters related to radio and open television broadcasting.

The body of Venezuelan journalist and opposition political activist Wilfred Iván Ojeda Peralta was found handcuffed and dumped in a vacant lot with a bullet wound to the head.

The threat of physical attack remains high in Central American countries, particularly in Honduras, where a number of journalists have been attacked by police while covering demonstrations. The country saw the third-highest number of journalists killed – 10 – in 2010, and two deaths have been reported this year.

TV news host Francisco Medina was shot by gunmen on a motorcycle last month in the early morning outside his home, and Luis Mendoza, owner of TV station Channel 24, was shot in his car by four gunmen just over a week later.

In El Salvador, cameraman Alfredo Hurtado was gunned down in April on a bus by two unknown young men after receiving death threats by gang members operating in the area where he lived. Earlier this month, radio host Nelson Hernandez was found stabbed to death in a river.

Guatemala saw the death of local TV presenter Yensi Roberto Ordoñez Galdámez, who was found in his car with stab wounds to the chest and neck.

North American journalists faced a significantly lower threat of violence, but some incidents emerged, such as a death threat against a California journalist covering a trial in the 2007 murder of Oakland Post reporter and editor Chauncey Bailey. Two men were convicted of Bailey's murder earlier this month.

While some states in the United States moved forward with protections on the confidentiality of journalists' sources and improvements to freedom of information laws, others took steps back, and concerns were raised over the use of "anti-terrorism" grounds to restrict the release of information. Some politicians were accused of limiting media access to sympathetic outlets, a phenomenon also alleged in Canada in the weeks leading up to a federal election in May.

Canada has also been the subject of calls for a comprehensive public inquiry into the arrests of and alleged assaults against journalists by police at the G20 Summit in Toronto last June.

Earlier this year, IPI joined with members of the Global Coordinating Committee of Press Freedom Organizations in support of a resolution naming 2011 'The Year of Freedom of Expression in the Western Hemisphere'.

In the Caribbean, IPI entered into a partnership with the Association of Caribbean MediaWorkers, which helped to bring IPI's 2012 World Congress and 61st General Assembly to the island nation of Trinidad and Tobago. Several hundred publishers, editors and senior journalists from around the Caribbean, Europe, Africa, Asia and Latin and North America will gather in Port-of-Spain from 23-26 June, 2012 to debate and discuss a range of issues concerning journalistic practices in the world.

Although no journalists have died in the Caribbean as a result of their work since 2008, journalists in the Dominican Republic have faced a wave of aggression, with the country's Journalism Guild recording more than 30 incidents against media workers so far this year.

The press freedom situation also remained dire in Haiti, which in January marked the one-year anniversary of a devastating earthquake. Cuba released the last of 29 journalists detained during the 2003 "Black Spring" crackdown, but continued to foster a repressive media environment.

Self-censorship based on fear of violent reprisal by criminal gangs or other powerful interests continued to be a problem in many parts of the region, while journalists in former colonies faced the threat of jail and debilitating fines and legal costs under archaic laws criminalizing defamation. Hit by the global financial crisis and rising food costs, the region also found itself caught amidst continued tensions between the United States and Venezuela.

# A F R I C A

## **In First Six Months of 2011, Africa Press Freedom Concerns Outweigh Gains**

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By Naomi Hunt, Press Freedom Adviser

While leaders across most of Sub-Saharan Africa praise the principles of press freedom and free expression, officials have nonetheless shown themselves all too willing to use outdated criminal media laws and vague national security legislation to prosecute and intimidate members of the press.

In too many countries, physical assault, arbitrary detentions, criminal libel and defamation lawsuits, intimidation, and the misuse of national security legislation remain concrete barriers to the practice of journalism and the development of the media.

There were mixed legislative developments in the first half of 2011. Kenyan officials and members of civil society are working to bring media laws in line with the broad press freedom protections granted in the new Kenyan constitution, which was passed by a referendum in August 2010, giving media hope that outdated provisions and mechanisms that limit press freedom will be brought in line with international standards.

There was also good news from Nigeria, which became the second country in West Africa, after Liberia, to promulgate a Right to Information Act so that government institutions must provide information to the public that funds them, and so that officials who refuse to do so for improper reasons could face jail time.

But in South Africa, the legislature is still considering passage of a Protection of Information Bill to regulate the classification of government information. Although a number of potentially harmful provisions have been omitted from the current draft, the media remain concerned that the Bill is being rushed through parliament, and harsh penalties for whistleblowers could lead to excessive secrecy.

The ruling African National Congress (ANC) party has, however, backed away from an earlier draft plan to set up a media accountability tribunal, which would have ruled on press offences and been accountable to parliament. The plan was sharply criticized by journalists' associations and press freedom groups, including IPI, which believe that ethical questions should be regulated by the media themselves.

In the nearby monarchy of Swaziland, where criticism of King Mswati III or his government remains taboo, a voluntary media council was registered on 7 June. According to the Media Institute of Southern Africa (MISA), which was involved in the council's establishment, the creation of a voluntary, self-regulatory Media Complaints Commission could help "stem criminal defamation lawsuits," "discourage expensive court procedures and mechanisms, and allow for access to a complaints mechanism by the poor majority of Swazis who rarely are able to defend themselves in court in cases of defamation."

Press freedom in President Robert Mugabe's Zimbabwe took small steps forward – which were overshadowed by bigger steps backward. A court declined to prosecute Golden Maunganidze, editor of the *The Masvingo Mirror*, for the alleged defamation of a member of the ruling party. And the *Daily News* appeared on newsstands for the first time in seven years, Reporters without Borders (RSF) said.

But within a week of the newspaper's return, supporters of Prime Minister Morgan Tsvangirai had attacked one of the newspaper's reporters, while he was conducting interviews at the Movement for Democratic Change (MDC) headquarters, RSF also reported. The government has also announced plans to set up a statutory press council, as provided for under the widely-criticized Access to Information and Protection of Privacy Act (AIPPA) – despite the existence of the Voluntary Media Council (VMCZ) – which also handles ethics complaints.

Media regulation remains an issue in neighbouring Zambia, as well, which IPI visited on a fact-finding and advocacy mission in October 2010 and again in February this year, in order to conduct meetings with journalists and government representatives.

Representatives of MISA-Zambia, the Press Association of Zambia and the press freedom division of *The Post* newspaper told IPI that the Zambia Media Council (ZAMEC) is hoping to soon begin operations. The voluntary self-regulatory body registered as a company in early 2011, but the media organisations involved are still waiting for the Information Ministry to give final approval, so that publicly-owned media – which employ two-thirds of the country's journalists – are also able to participate.

IPI continues to urge the Zambian government to support the self-regulatory mechanism, and to make public media, especially the public broadcaster, free from ministerial oversight. The public's access to different points of view is especially important now, as general elections are scheduled to take place in late 2011.

Nigerian elections, which took place in April, were unfortunately also accompanied by a number of attacks on journalists – over thirty by the time elections took place, according to RSF.

Uganda's February election, which returned President Yoweri Museveni to office for a fifth term, was also marred by attacks, and at least ten journalists were assaulted in the four months prior to the vote, the Human Rights Network of Journalists in Uganda (HRNJ-Uganda) reported.

In general, reporters in Uganda are confronted with the excessive use of violence by security forces and political party supporters, who act with impunity. On 18 February, journalist Julius Odeke was shot in the knee by the bodyguard of elected official Beatrice Wabudeya, HRNJ-Uganda said. On 23 February, IPI reported that a mob attacked and beat a group of six journalists with sticks and stones while they covered a mayoral election. Ten days later, a reporter for Top Radio was interrogated by police and later suspended from her work because she discussed electoral malpractice on a talk show, the watchdog group said.

In April, activists and opposition members held peaceful “walk to work” demonstrations, to protest against the rising cost of fuel and staple foods. Journalists covering the walk and the related activities of opposition members were assaulted and threatened, or had their equipment confiscated or destroyed, IPI research showed. Executive editor David Sseuuya of the *Daily Monitor*, whose reporter Denis Edema was also roughed up during the walks, told IPI that such challenges to free expression are “a big dent on our democratic credentials”.

In mid-May, the *Daily Monitor* was one of the media houses that President Museveni named an “enemy” of Ugandan recovery in a public letter that was widely criticized, including by IPI, because it endangers journalists. Meanwhile, Ugandan Information Minister Kabakumba Masiko told the BBC that laws would be amended to deal with any journalist who was an “enemy of the state.”

Political violence also threatened journalists working for often polarized media in Ivory Coast this year, as supporters of President Laurent Gbagbo, who clung to office despite losing a run-off election in November 2010, clashed with supporters of President Alassane Ouattara.

Before airstrikes from France and the U.N. forced him out of office in April, Gbagbo had already shown his full disdain for the media. His government blocked broadcasts from foreign media, stopped broadcasts at United Nations backed radio station ONUCI FM, and sacked the head of the National Press Council, according to various reports. Editors from pro-Ouattara newspapers were called in for questioning, and on 1 March nine privately-owned papers chose to suspend publication in protest at the threats they had received, only returning to newsstands a week later, the Media Foundation for West Africa (MFWA) reported.

But the violence against the press was not one-sided. Ouattara supporters attacked the transmission centre of Radio Television Ivoirienne (RTI) on 27 February, although the station was able to resume broadcasts from elsewhere the next day, reports said. Once in office, the Alassane Ouattara’s government did lift the ban on foreign radio and TV channels. However, violent attacks continued as the offices of pro-Gbagbo media houses were ransacked and looted and men believed to be Ouattara supporters abducted Serge Grah, who worked for a pro-Gbagbo newspaper, according to MFWA.

In the attacks and counter-attacks against the media, one journalist lost his life. Sylvain Gagnetaud, an editor and presenter at Radio Yopougon who had supported Gbagbo was killed in Abidjan around 8 May, in post-election violence, according to RSF.



In Somalia, too, the violence and unrest continue to pose a threat to journalists' lives. Amid an ongoing battle for control between the U.N., and the African Union-backed Transitional Federal Government and various Islamist insurgent groups, journalists are caught in the crossfire, as changing frontlines place media, particularly radio stations, under the jurisdiction of different groups. Insurgents shut down a number of radio stations over the past six months, while government security forces have been known to interrogate journalists for their criticism of officials. At least two journalists were shot while reporting, according to the National Union of Somali Journalists, but survived.

Demonstrations in North Africa resulted in the overthrow of strong-arm presidents Zine el-Abidine Ben Ali in Tunisia and Hosni Mubarak in Egypt, and led to an ongoing civil war between Libyan leader Muammar Qaddafi and Nato-backed rebels, and mass protests in the Middle East were crushed by force. But some Africans were denied access to news of these and other events.

In President Teodoro Obiang's Equatorial Guinea, there was a "total news blackout on the MENA events," according to the Committee to Protect Journalists (CPJ). The group said that one state radio presenter was forced off the air by censors after referencing Libya in a live program, and later received an indefinite suspension. Censorship remains the norm in this dictatorship: in June, a German film crew covering a cultural event had footage destroyed by security.

In Gambia, Taranga FM was taken off the air because of a program that translated international news reports into the local language, journalists told IPI in January. It was allowed to resume broadcasts only after agreeing to cancel the program, IPI was told.

In Sudan, protests against the Khartoum government in January were met with violence, and protestors were reportedly subjected to physical and sexual assault. Security forces confiscated copies of newspapers that reported on these attacks, and other sensitive matters, and journalists reporting on these issues face detention and criminal charges of defamation.

In South Sudan, which is slated to become an independent country on 9 July, the media remain subject to other pressures, although civil society are working with the new government to ensure that media laws upholding press freedom are put in place. Nonetheless, Juba government security agents also confiscated copies of newspapers during the first half of 2011, and one journalist for Sudan Radio Service was arrested on 11 May for taking pictures without permission, and may have been tortured while in custody, according to RSF. He was reportedly released on 3 June, when he departed for Kenya.

In Swaziland, pro-democracy protests were subdued by non-lethal force, and journalists covering the events were attacked or had their equipment confiscated, MISA reported.

Zimbabwean authorities also censored information about the MENA uprisings. Human Rights Watch reported that 46 activists were arrested on 19 February for watching a video about the Egyptian revolution, and had computers and other viewing equipment confiscated. HRW said

that 45 of the activists were charged with treason or attempting to overthrow the government by unconstitutional means.

In Ethiopia, where press freedom has been increasingly limited over the past few years, journalists told IPI that an editor at the privately owned *Awramba Times*, Woubshet Taye, was arrested this month, possibly for sympathizing with an opposition group that has now been deemed a terrorist organization. Deutsche Welle and Ethiopian Satellite Television (ESAT) both reported that their broadcasts have been jammed this year. Journalists continue to operate under the confines of draconian and vaguely-worded national security laws carrying long prison terms for those deemed to support or encourage terrorism.

Elsewhere, the threat of detention without charge, and jail time and excessive fines for defamation and other press offences continue to plague the media and contribute to climates of self-censorship. In Angola, a freelancer for Voice of America and local newspapers, Armando Jose Chicoca, was sentenced to one year in prison and fined the equivalent of about €830, but was released on bail on 7 April after spending 33 days in jail, according to reports. The editor and owner of the newspaper *Folha 8*, which is reportedly critical of the government, now faces charges of defamation and libel filed by three army generals, MISA said.

In Rwanda, where there has been a recent trend of using security laws promulgated after the 1994 genocide to jail critical journalists, exiled editor Jean Bosco Gasasira was sentenced to two and half years in prison on 3 June, for allegedly insulting President Paul Kagame and inciting violence in his online newspaper, [www.Umuvugizi.com](http://www.Umuvugizi.com), reports said. The journalist left the country during last year's election campaigns because of threats against him, and so was sentenced in absentia.

In a decision welcomed by rights groups, Burundi journalist Jean-Claude Kavumbagu, who had been imprisoned since July 2010, was acquitted of treason charges on 16 May. The state prosecutor had asked for a life sentence against the reporter, in connection with a story on his news website Net Press that criticized the army.

Four journalists lost their lives in Africa in 2011, either because they were targeted for their work, or while they were at work, according to the IPI Death Watch, which tracks news reports. Alongside Sylvain Gagnetaud in Ivory Coast, journalists in the Democratic Republic of Congo, Sierra Leone and South Africa also lost their lives. Witness-Patchelly Kambale Musonia, a radio presenter in the Democratic Republic of Congo, was killed in Nord-Kivu province after commenting on cooperation between police and a local gang. Ibrahim Foday of Exclusive Newspaper was killed in Freetown, Sierra Leone, on 12 June, possibly in connection with articles about a land dispute. He is the first journalist to be murdered in Sierra Leone since 2005. Somali journalist Ibrahim Mohamed Zaki, who was working for the Somaliland-based Horn Cable TV network, was killed in Johannesburg in South Africa on 31 May when armed men attacked his car.