



Media and Good Governance

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Preface

Abdul Waheed Khan

**UNESCO
Assistant
Director-General
for Communication and
Information**

UNESCO has decided to pay tribute to the critical role played by the media in promoting democracy and good governance by choosing 'Media and Good Governance' as the key theme for this year's celebration of World Press Freedom Day.

Through the Millennium Declaration, United Nations member states expressed their strong, unanimous and explicit support of democratic and participatory governance and recognized free and open media as one of the tools necessary to achieve this goal. They called for participation and transparency in decision-making, non-discrimination, empowerment and accountability in the quest for development.

This event gives the media and civil society an excellent opportunity to come together to raise awareness of the fact that free and pluralistic media, effective access to information laws, an independent, judiciary system, an independent, professional prosecution service and democratic structures foster greater transparency, public probity and sustainable development.

Vibrant democracy needs independent and pluralistic media. Here, the word independent refers to independence from governmental, political or economic control, or from control of materials and infrastructure essential for the production and dissemination of media products and programmes.

By pluralistic media, we mean the end of monopolies of any kind and the existence of the greatest possible number of newspapers, periodicals and broadcasting stations reflecting the widest possible range of opinions within a community.

Good governance may be impeded by the blight of corruption, which disrupts the free flow of information, undermines accountability for decisions and discourages greater participation in the decision-making process. Ensuring the right to press freedom around the world, therefore, should be regarded as a priority. Journalism is essentially a discipline of verification.

Though there can be any number of information sources, people basically rely on journalists to provide them with meaningful information and verified news. However, in many developing countries journalists, particularly those working in the local language media, do not have enough opportunities to obtain quality training to develop their skills. It is also a fact that, in most cases, the media in developing countries cannot afford to pay good salaries for qualified people. So journalists are normally trained on the job and they may not necessarily have the appropriate background or education to become professional journalists.

In any case, the media should have the necessary investigative capacity to fulfil their functions in good governance. They should have trained professionals

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and the facilities to gather and analyse information. Similarly, they should have infrastructure and organisational capacity to sustain an economically viable media operation. If the media are not supported to increase their investigative capacity, expectations for good governance, transparency and efficiency of service deliveries will not be adequately met. However, access to media channels and messages depends not only on the existence of such channels, but also on their effective distribution, accessibility and affordability.

Media pluralism is incomplete unless adequate structures to facilitate community voices at the grassroots level are assured. There are many examples where community radio has contributed to transparent administration, created a better understanding of people's needs and aspirations, voicing their concerns, demanding accountability and eventually building meaningful partnerships between development agencies and communities.

Besides training, it is important for the countries to provide an enabling environment for media to investigate. UNESCO has requested countries to abolish detrimental media laws such as criminal defamation used often against investigative journalists, and the licensing of newspapers; and to ensure the safety of journalists and their freedom to seek information.

One should not forget the extreme courage of journalists who expose corruption, and consequently may pay for their professionalism with their lives.

Let me remind you of some very courageous journalists that we all know:

- Carlos Alberto Cardoso, an investigative journalist in Mozambique, assassinated in November 2000 while investigating the largest banking fraud in the country's history.
- Georgy Gongadze, a Ukrainian journalist who highlighted the corruption of the Ukrainian government on his Internet news service, brutally decapitated and burnt with acid in autumn 2000.
- Norbert Zongo, murdered in 1998 in Burkina Faso.
- Jean Dominique who was killed in Haiti in 2000.
- The French-Canadian journalist Guy-André Kieffer, of whom there has been no news since his disappearance on April 16, 2004.

All these crimes remain unpunished.

Independent media are like a beacon that should be welcomed when there is nothing to hide and much to improve. Indeed, this is the concrete link between the functioning of the media and good governance – the media allow for ongoing checks and assessments by the population of the activities of government and assist in bringing public concerns and voices into the open by providing a platform for discussion.

Instead, all too often, governments devise laws and informal means of keeping their activities hidden from public view, or only available to media favourable to their viewpoint. In recent years, many governments have tried to co-opt journalists by paying part of their salaries or by giving them certain kinds of access on condition that they will not report from other perspectives. If the media are to function in the public interest, governments must protect the independent functioning of the media and allow various viewpoints to flourish in society.

Message of the Director-General of UNESCO

The role of the media is vital in ensuring good governance

Koichiro Matsuura,

*Director-General
of UNESCO,
on the occasion of World
Press Freedom Day,
Dakar, Senegal,
3 May 2005*

World Press Freedom Day is an opportunity to remind the world of the importance of protecting the fundamental rights of freedom of expression and freedom of the press, as stated in Article 19 of the Universal Declaration of Human Rights. Without these rights, democracy cannot prevail and development remains unattainable. Independent, free and pluralistic media have a crucial role to play in the good governance of democratic societies, by ensuring transparency and accountability, promoting participation and the rule of law, and contributing to the fight against poverty.

UNESCO has decided to pay tribute to this critical role played by the media in promoting democracy and good governance by choosing 'Media and Good Governance' as the key theme for this year's celebration.

Through the Millennium Declaration, United Nations member states expressed their strong, unanimous and explicit support of democratic and participatory governance and recognised free and open media as one of the tools necessary to achieve this goal. The Millennium Declaration affirms that member states "will spare no effort to promote democracy and strengthen the rule of law," and goes on to resolve "to strengthen the capacity of all countries to implement the principles and practices of democracy and respect for human rights".

Good governance may be impeded by the blight of corruption, which disrupts the free flow of information, undermines accountability for decisions and discourages greater participation in the decision-making process. Accurate and professional reporting is often the only recourse that society has to combat corruption. Journalists need the support of the larger society to eliminate hindrances to accurate reporting. Furthermore, pledges to increase transparency and accountability in public administration must be backed up with laws granting full access to areas of information in the public interest. The provision of a functioning legal infrastructure encourages independent and pluralistic media to flourish and is one of the preconditions for good governance.

Ensuring the right to press freedom around the world, therefore, should be regarded as a priority. Sadly, all too often, journalists lack the independence required to expose cases of corruption or the abuse of power, to denounce human rights violations and to facilitate an open dialogue between the state and civil society. Government measures to control the media, either directly or indirectly, have many motivations but ultimately they have a common outcome, namely, democracy as a practice or an aspiration is undermined.

Journalists may be exposed to physical danger when pursuing their profession. Some become the victims of violence because they bring into the open what some people want hidden; in other cases, journalists are at

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risk because they are reporting from areas of armed conflict. A new and disquieting development is the abduction of journalists and turning them into hostages; this, too, is an attack on freedom of speech and media freedom. Journalists and media staff deserve to have conditions of reasonable safety wherever they may be working in the world. According to professional organisations, 2004 and the beginning of 2005 have been the worst period in a decade in terms of the numbers of journalists killed, with more than 70 journalists and media workers losing their lives. Hundreds more receive death threats, many are intimidated, and some are held hostage or tortured for exercising their profession. These acts are unconscionable not only because they violate the human rights of individuals but also because they poison the well-spring of good governance and democracy, namely, the flow of accurate and reliable information.

Thus, freedom of the press should not be viewed solely as the freedom of journalists to report and comment. Instead, it is strongly correlated with the public's right of access to knowledge and information. Given the media's crucial role in disseminating knowledge and information, it is vital that media outlets and professional associations encourage accurate, professional and ethical reporting. This can be done by establishing voluntary codes of conduct, providing training for journalists and setting up mechanisms of self-regulation.

As we celebrate World Press Freedom Day, let us remember that free and pluralistic media provide a solid foundation for good governance, development and peace. A commitment to removing all obstacles to press freedom and improving the conditions for independent and professional journalism is therefore essential and we encourage both member states and media professionals to strengthen their efforts in this direction. We pay homage to the journalists who have put their lives or freedom at risk in order to provide the public with accurate and independent information. Their professionalism and courage constitute an invaluable contribution to the defence of the basic rights and freedoms of everyone.

Introduction

The right to inform and be informed

Barry James

has worked as a reporter, correspondent and editor for several major news organisations, including the Buenos Aires Herald, the New York Herald Tribune, The Times of London, United Press International, the International Herald Tribune and Agence France-press.

While people were enjoying their vacations in what journalists in the northern hemisphere like to call “the silly season,” this is what was happening on the media freedom front in the two weeks before I sat down to write this introduction.

- Freelance reporter Steven Vincent was murdered in the Iraqi city of Basra after writing about Shi’ite influence among the police and his translator was left for dead.
- The director of the newspaper *Le Temps* in N’Djamena, Michael Didama, began a six-month prison sentence for “defamation” after he published an article about a rebel movement in the eastern part of the country. He was the third journalist to be imprisoned in Chad this year.
- Brahim Gollé, a political journalist for the pro-opposition daily *Dernières Nouvelles d’Abidjan* was beaten up by uniformed thugs in the Ivory Coast in apparent retaliation for an article he had written.
- Nigeria’s State Security Service arrested two printers for reprinting an Interpol poster calling for the extradition of Liberia’s former strongman Charles Taylor from Nigeria to face a war crimes court in Sierra Leone.
- Ethiopia’s Supreme Court sentenced newspaper editor Tamrat Serbesa to one month in jail for contempt charge after he refused to identify a source. Of course, the court had wonderful inspiration from the home of the First Amendment, where a New York Times reporter remained in jail for refusing to identify a source.
- Desmond Kwande, chief photographer of the *Daily Mirror*, was arrested and fined in Harare, Zimbabwe, by municipal policemen while taking photos of destitute people being rounded up in the city centre.
- Rodrick Mukumbira, the Zimbabwean-born news editor of the *Ngami Times* in Botswana was kicked out of the country without reason after publishing articles displeasing to the authorities.
- Judges in the central Chinese city of Benghu sentenced Zhang Lin to five years in prison for “subversion” after he posted articles and the words of a pop song on the Internet. The International Federation of Journalists said China has begun a “total war on press freedom.”
- Iran’s most prominent investigative journalist, Akbar Ganji, was reported to be close to death after spending nearly two months on hunger strike in protest at his six-year prison sentence for linking senior regime officials to a series of murders of writers and intellectuals. Dozens of plainclothes agents of the Tehran state prosecutor were reported to have raided his home and insulted and roughed up his wife and daughter.
- Swaziland Prime Minister Albert Shabangu won US\$116,000 in damages in a libel suit against *The Times of Swaziland*, which had the audacity to suggest that the politician belonged to a political party in a country that bans political parties.
- Sudanese security forces prevented two Arabic-language daily newspapers from being published, one month after President Omar Hassan Al Bashir “with his hand over his heart” announced an end to censorship.

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- Abdullahi Kulmiye Adow of the *Horn Afrik* radio station was arrested in Jowhar, where the president and prime minister of the federal transition government in Somalia have installed themselves.
- Harry Yansaneh, the acting editor of the independent daily *For Di People* in Sierra Leone died two months after being beaten up by thugs acting on the orders of a senior politician.
- Members of the Young Patriots loyal to President Laurent Gbagbo raided the headquarters of the public TV and radio broadcaster in Ivory Coast to force it to broadcast an address by their leader, then spent a day roaming the Abidjan streets using violence and vandalism to censure the print media,
- Polish photo-journalist Adam Tuchlinksi was expelled from Belarus and banned from the country for five years.
- A judge in the Uzbek capital, Tashkent, criminally convicted two staffers of *Internews Network*, a U.S.-based media training and advocacy organisation, of producing television programming without a license and publishing information illegally. Uzbek authorities also detained Russian journalist Igor Rotar when he arrived at Tashkent airport.
- The Russian government said it would deny access to the *ABC* network in the United States and withdraw accreditation from its journalists after the network broadcast an interview with Chechen rebel leader Shamil Basayev.
- The media regulatory council in Gabon indefinitely suspended the independent bimonthly newspaper *Nku'u Le Messenger* for calling its members overpaid and lazy.
- Thai police raided and shut down *FM 92.25*, a Bangkok community radio station known for its critical reporting of the prime minister.
- Kelvin Jakachira went on trial in Harare for working without accreditation for the banned *Daily News*. He faced a two-year prison sentence.
- Ugandan authorities shut down a radio station after reporter Andrew Mwenda hosted a talk show dealing with the helicopter crash in which the Sudanese leader John Garang was killed. Mwenda was later arrested and faced a possible charge of sedition.
- And, finally, it's nice to know that although King Gyanendra Bir Bikram Shah Dev of Nepal has deployed the Royal Nepal Army into newsrooms and radio stations as a kind of conscience-raising exercise for the media, he still thinks that the press "serves as the medium for raising the level of democratic consciousness."

Some silly season!

The almost daily attacks on journalists and media organisations invariably take place in countries that have signed the Universal Declaration of Human Rights – which, for the record, states that *"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."*

In a world in which tyrants and the more subtle manipulators of public opinion display either ignorance of or contempt for this solemn moral commitment, UNESCO and its director-general, Koïchiro Maatsura, have tenaciously and sometimes courageously defended the right to "seek, receive

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and impart” information. In this year’s commemoration of World Press Freedom Day, held in Dakar, Senegal, UNESCO chose “Media and Good Governance” as the key theme, eliciting the wide range of views that have been adapted to form this book.

Can one seriously speak of “good” governance while a relentless assault on freedom of expression takes place in country after country? As Aidan White of the International Federation of Journalists points out, this freedom is under increasing threat even in the most democratic states. This is not because of good legal and constitutional protection – nothing could be clearer than Article 19 of the Universal Declaration of Human Rights – but because of the lack of rulers and administrators who lack the courage or vision to respect these rights and seek to apply them to our everyday lives.

It is true that UN member states in their Millennium Declaration recognised free and open media as one of the tools necessary to ensure democratic and participatory governance. Yet this same world community has decided to hold the next meeting of the World Summit on the Information Society in a deeply repressive country that, as Sophie Piekarec explains in this book, makes the practise of legitimate journalism impossible and attempts to censor the Internet both at home and abroad. So much for receiving ideas “regardless of frontiers.”

What is “good governance” anyway? Unlike simple old government, governance implies a more dynamic and two-way process that seeks to involve all members of “civil society” in the effective running of the state. In a white paper, the European Commission said governance “means rules, processes and behaviour that affect the way in which powers are exercised as regards openness, participation, accountability, effectiveness and coherence.”

It is hard to see how there can be any openness without a probing and independent media, or public participation without extensive and guaranteed access to the information held by governments on behalf of the public. The media supply – or should supply – the information that other sectors of society need to participate effectively, yet too many governments see the press only as a propaganda tool, or at best an optional add-on rather than an intrinsic part of governance.

Access to information is a guarantee of accountability, and thus an essential part of good governance. Yet the struggle to open up secret archives is still at the beginning and progress is grudging. Even after adopting freedom of access rules, the European Union is considerably less open than one of its members, Sweden, has been for the past two centuries. And some of the freedom of access laws that have been adopted have more to do with controlling the media than allowing citizens to see what is theirs by right.

That such a right exists is clear under international law. For example, when they signed the Rio Declaration before most of them promptly forgot it, governments solemnly promised to “facilitate and encourage public awareness and participation by making information widely available” about environmental concerns. Yet illegal logging, theft of public lands, diversion of oil revenues – more than \$1 billion of Angola’s state oil revenues is estimated

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to go missing each every year – and other unlawful appropriations of public assets go on apace.

The preoccupation with secrecy, which is becoming ever more obsessive with the “war on terrorism,” is a potentially devastating threat to human rights and civil liberties.

“Democracy dies behind closed doors,” warned US judge Damon J. Keith in throwing out the Bush administration’s attempt to hold deportation hearings in secret. “When government begins closing doors, it selectively controls information rightfully belonging to the people.”

The obstacles to seeking, receiving and imparting information are formidable, including “Big Men” in Africa who are not big enough to tolerate a bit of criticism; politicians who confuse information with spin; thieving bureaucrats who seek to keep their bribe-taking, cronyism, graft and sweetheart deals out of the public eye, and multinational corporations that hide their operations behind a smokescreen of public relations flimflam.

The list goes on and on, and the situation appears to be getting worse.

“We certainly do not have any evidence of any significant improvement in governance worldwide,” said the World Bank in its Governance Matters report earlier this year. “If anything, the evidence is suggestive of a deterioration, at the very least in key dimensions such as regulatory quality, rule of law and control of corruption.”

Those who suffer most from this state of affairs are the poor. A World Bank study for the 1996-2002 period revealed “a very high correlation between good governance and key development outcomes,” and Transparency International’s annual corruption index affirms the perception that honest government has a beneficial effect on national wealth.

This is why investigative reporting, which is the most effective means of uncovering corruption, is so important. Yet for news organisations, launching an investigation is a risk when all too many countries use draconian libel and sedition laws to muzzle reporters and bankrupt media enterprises, while assuming that the reputation of politicians comes ahead of the public’s right to know.

Worse is the threat of death and physical violence against journalists. I count at least 44 media people killed this year in addition to 186 imprisoned for exercising their right to free expression.

Another obstacle that has to be faced, at least in the more advanced democracies, is an implosion of the social contract, with widespread distrust of politicians (and journalists) and a dwindling number of voters taking part in elections.

The European Commission’s white paper recognises that politicians across the continent are facing a real paradox because “Europeans want them to find solutions to the major problems confronting our societies. On the other

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hand, people increasingly distrust institutions and politics or are simply not interested in them.”

The risk is that the decline of politics will be accompanied by a decline in political coverage and increasing emphasis on entertainment rather than on less profitable investigative reporting.

The veteran Australian reporter Phillip Knightley remarked the other day that newspapers “used to believe in public service to their readers, telling them what was going on and how they could play their part in the democratic process.” Now, he said, “distortion is more likely to come from within newspapers themselves. We must restore journalism to its original public service function.”

So if they are to play an effective part in achieving good governance at the national and international level, it seems as if news organisations need to do some governance grooming of their own. They cannot legitimately criticise the authorities for being corrupt or incompetent unless they are themselves highly professional and incorruptible.

Unfortunately, all too many journalists in developing countries are like V.S. Naipaul’s hapless hero Mr. Biswas – desperately poor, untrained and unsupported. If governance is to be taken seriously, then training and support for journalists must be given higher priority, and the threats and intimidation used against them must be internationally outlawed.

On the other hand, it would be a mistake to create media elites, remote from the communities they serve, or to think that freedom of expression concerns only journalists. Sophie Piekarec reminds us that the late Zouhair Yahyaoui, who so courageously stood up to the censors of Carthage, was an economist by training.

Journalists have a special responsibility in the seeking and imparting of information, but Article 19 is for all, and good governance is everybody’s business.

Part 1

The link between governance and a free press

What is governance, and what makes it good?
Necessary ingredients include participation
by as broad a section of the population as possible,
accountability and transparency.
All of these qualities require the action of free,
independent and vigorous information media.
Only when journalists are free to monitor,
investigate and criticise the public administration's
policies and actions can good governance take hold.
Yet in much of the world, press freedom,
where it exists at all, is under increasing attack

Chapter 1

Media freedom is key to a well-governed society

Aidan White,
General Secretary
International Federation
of Journalists

The manner in which we are governed is a true barometer of the quality of a democracy – yet the quality of governance today, even in the most democratic states, is falling, and worryingly so.

In the troubled and perilous times in which we live, we are in the midst of a devastating challenge to the global culture of human rights, civil liberties and governance established over the past 60 years.

Good legal and constitutional protections are not enough on their own. We also need rulers and administrators who respect rights and the rule of law and seek to apply them to our everyday lives.

Before the new government took over in Ukraine, for example, the country for 15 years had a wonderful media law that was, on paper, one of the best for journalists, offering a golden selection of rights and protections.

The problem is that no-one took it seriously. Not the government of the day, not the judiciary, not the police and, as a result, not the journalists who faced constant threats and intimidation in the style of the earlier Soviet regime.

It is difficult to speak of governance when journalism is under such pressure. Journalism practised in an atmosphere of access to reliable information, in which reporters have access to a variety of sources and the freedom to work safely is an essential part of a well-governed society.

There is little we can do when dealing with ruthless groups who have no respect for decency and justice, but we rightly expect much from those in power who speak and act in the name of democracy. We are often very disappointed.

The International Federation of Journalists, supported by journalists in Iraq and around the world, has called on the United States government to end speculation over targeted killings of journalists and media staff by providing “credible and convincing” reports about the deaths of media staff at the hands of US soldiers in Iraq – for example, the US attack on the Palestine Hotel in Baghdad where scores of media people were based, and where the killing of two journalists is still unexplained.

Each year scores of journalists are killed with impunity. Few of these cases are the subject of serious investigation and only a handful ever lead to prosecution. To counter this, we expect democratic countries, particularly when they wage war in the name of liberty and freedom, to provide models of justice for others to follow.

That is why the United States must take responsibility when its actions lead to the deaths of journalists and media staff, and other civilians in Iraq. Governments who fail to deliver justice for the innocent victims of their own violence can never with credibility claim that the democracy of which they speak will deliver justice for all.

The International Federation of Journalists is also supporting the launching of an international inquiry sponsored by the International News Safety institute into the currently high levels of media deaths, to see what more can be done to improve levels of protection, including new legal safeguards and action against impunity.

CHAPTER 1 Media freedom is key to a well-governed society

It is not just in the war zones where democratic governance is tested to its limits.

Since September 11 there have been changes in laws and policymaking at national and international level in the name of security that amount to a devastating challenge to the global culture of human rights and civil liberties established after the last world war.

A report on the consequences for journalism and for civil rights of the war on terrorism.

by the International Federation of Journalists, in co-operation with the civil liberties group Statewatch concludes that the global response by governments to the threat of terrorism is disproportionate.

There is much evidence of cynical opportunism by governments that have used the threat of terrorism to introduce new punitive laws. They have adopted new policies, discussed and co-ordinated internationally, covering migration, international security, the waging of war and occupation. These divert attention and resources away from the root causes of global migration and insecurity – poverty and inequality.

There are increased powers for the police, new and sophisticated systems of data collection, and the systematic monitoring and surveillance of citizens. Our e-mails and private communications, our use of the Internet, our movements, and our personal details are being monitored and collected into massive data-banks accessible to security forces at national and international level.

Worryingly, many of these actions are being introduced through covert processes which are largely secret and outside the orbit of parliamentary accountability.

We estimate that new forms of governance put in place in the name of the war on terrorism undermine more than half of the *minimum standards* in the 1948 UN Universal Declaration on Human Rights.

Though these rights were by no means absolute before September 11, and they were sorely tested during the period of the Cold War, the message that they can be sacrificed to fight terrorism is a new and dangerous one.

Governments appear oblivious to the fact that the mechanisms they choose to fight terrorism – military action, increased powers for police, risk-profiling, immigration controls, propaganda and manipulation of media – also nurture anxiety and more fearfulness within society.

The war on terrorism has fomented a new intolerance in western societies over migration and asy-

lum-seeking, buttressed by fears about religious, ethnic and cultural difference, that are exploited by unscrupulous and extremist politicians.

The effects of the war on terrorism on journalists is particularly heavy.

It is increasingly difficult for journalists to track changes in policy, to investigate the actions of states and to provide timely information to citizens because of a lack of transparency and because many new laws and policies discourage legitimate journalistic inquiry into terrorism and its causes.

Journalists themselves face restrictions on their freedom of movement and increasingly strident demands from authorities to reveal sources of information as well as renewed pressure from political leaders for journalism in the so-called “national interest,” which are barely-disguised code words and warnings to journalists and media to toe the government line.

When media are constrained from investigating and exposing the impact of changes in national and global security policy and when they are the victims of political spin and propaganda it adds significantly to the weakening of civil liberties and democracy.

It is bad enough that in many countries the state still maintains a tight grip on the controls of news and information, but even worse are the self-inflicted wounds of self-censorship.

When journalists in the United States, home of constitutionally the freest media in the world, engage in apology and self-criticism over their failure to scrutinise their political leaders, we have indeed touched the depths of a profound information crisis.

In Africa the negative consequences of these changes in legislation on the media is also seen in self-censorship, lack of freedom of movement and a failure to protect journalistic sources. This ultimately has a detrimental and chilling effect on journalism.

The last decade or so has been marked by a sweeping tide of neo-liberal multi-party democracy across the region and in most countries we have seen concessions made in favour of the basket of rights associated with free expression.

However, much more needs to be done, particularly to develop access to information laws, which are a key to good governance.

Across West Africa independent media still operate under restrictive conditions – journalists in Nigeria and Liberia are pressured to reveal their

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sources, while in Mauritania, Togo, Niger, and Liberia publications are seized and programmes are banned.

The horrifying killing of investigative public affairs journalist Deida Hydara at the end of 2004 in Gambia was a shocking reminder of the pressures facing journalists in this region.

It is not all bad news. We can cheer, for instance, the victory of civil liberties campaigners and journalists in Kenya whose strident protests saw the withdrawal of the draconian *Suppression of Terrorism Bill*. But a similar law that has come into effect in South Africa requires journalists to reveal their sources in cases of investigation of any criminal activity considered as a terrorist action and impedes journalists trying to investigate any criminal or terrorist act.

The fight for civil liberties and a restoration of rights is not just a battle for journalists and media

people, even if we, as a professional group, have much to lose. We need to develop a new global campaign in favour of pluralism, press freedom and open government at national and international level.

UNESCO has a key role to play in bringing together journalists, media professionals, human rights campaigners and relevant civil society groups to build an effective coalition against further attacks on civil liberties and democratic rights.

We must raise our voices in favour of an obvious and self-evident truth, but one that is not heard in the current noise about war and terror – that the way to beat bad journalism is by encouraging good journalism, and the best way to defend democracy and open government is through more democracy and more open government. When we settle for less, only the enemies of democracy can win.

Chapter 2

Should media mirror society or shape it?

Edetaen Ojo

**Executive Director, Media
Rights Agenda, Lagos
Vice Chair,
Media Foundation
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One of the elements of governance in any country is the existence of free and independent media.

A well-governed society engenders the kind of economic, social, political and legal environment that allow media to operate freely and enable other institutions to function at full capacity.

Thus, media freedom and independence are best guaranteed when there is good governance, and it is correspondingly in the self-interest of media to ensure it.

Free and independent media in turn enable people to participate in the governance process by providing them access to adequate and credible information about government activities, and by giving them a vehicle through which they can make their input into decision-making.

Any discussion about the role of media in ensuring good governance carries with it an underlying assumption, which is not necessarily correct, that they form a monolithic entity with common ideas and objectives.

The truth is that in any democratic society the media include multi-farious organisations that serve as channels for a limitless range of conflicting views on virtually all issues, and which are frequently in competition with one another.

This is not necessarily a shortcoming, for were it otherwise, the media would lose their key role of being a “market-place of ideas.”

However, it creates a problem in terms of imbuing the media with collective responsibility for governance, particularly when some outlets may be hostile to the idea because of the nature of their ownership or their alignment with certain political or economic interests.

Regardless of such complexities, the primary role of the media is the dissemination of information, a process through which they provide citizens with information about the programmes, policies and activities of governments while also carrying out a watchdog function.

The media also have ancillary functions such as seeking to entertain that, although important, do not form the basis for the primacy given to media freedom in democratic societies.

The justification for the protection and freedom which we seek for the media lies in the fact that they are the means of guaranteeing the free flow of information and ideas necessary for the effective functioning of a democratic society. The media are not institutions of government, but they form an essential institution of democratic governance.

Although not elected, media professionals are representatives of the people; they serve as agents of the people on whose behalf they act when they seek out and disseminate information needed to make political or other judgements.

Very few members of any society can perform for themselves the function of seeking out the information they require to make enlightened decisions.

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Yet, there appears to be no resolution in sight of the age-long controversy about what role the media should play in the nation building – namely, whether they should mirror society or help shape its agenda.

In many developing countries, with high rates of illiteracy and widespread ignorance among a majority of their populations about the most basic issues of national importance, the media cannot afford merely to mirror society. What is there to mirror anyway? I am certain that the citizens of such countries would not be content to simply be shown their own poverty, illiteracy, insecurity, apparent hopelessness, and nothing more.

The media also cannot limit themselves only to performing an entertainment function, for where is the utility of such a role that makes no effort to help people find their way out of their situation of poverty, illiteracy, disease, insecurity, under-development and so on, but merely encourages them to be happy nonetheless?

The media, in my view, should have a higher duty to inform citizens, to enlighten them about political, economic and social issues, and to activate them into vigorous participation in the governance process. They also have a responsibility to subject government policies, programmes and activities to scrutiny and to expose corruption, bad conduct and incompetence.

If they perform these functions well, the media can point a country and its government on the path of good governance. In this way, they make a vital contribution to creating an environment for good governance and communicating the principles of governance to the wider public.

But governments need to make a conscious decision that they want their media to perform these functions, based on a recognition that the real prospect for development and progress lies in their people being able to participate meaningfully in the governance process.

Unfortunately, this is often difficult for many leaders to accept. They see any demand for accountability as a challenge to their power and authority, or as an attempt to control them. They view demands for transparency as an insult to their integrity, even when they are stealing from the people. They see the media as nuisances at best and enemies worst. They therefore devote their resources and energies to fighting the “enemies” that seek to establish institutions of accountability and transparency.

If we could get the scales to drop from the eyes of political leaders, we would be well on our way to be solving the problems of the media. All that is required is for governments and political leaders to recognise that they have a better chance of making progress and bringing development to their countries when they expand the pool of ideas available to them by allowing effective public participation in the governance process.

Once political leaders realise that, despite being sometimes irritating, the media are the most important vehicle for public participation in the decision-making process of government, they might more readily create the conditions to enable the media to perform optimally.

Such conditions should include providing appropriate legal and policy frameworks to facilitate the emergence and development of free and independent media. In some countries, this would require repealing or amending existing laws, especially those that undermine the right to freedom of expression. It would also involve adopting laws to guarantee the right of access to public information, not just for the media, but for the public at large.

The reform process should effectively end government monopolies, especially in the broadcast sector, and ensure that the media landscape is truly pluralistic and that people have access to diverse sources of information. The editorial independence of public media should also be guaranteed by law, while they should be required to perform a true public service role.

In many developing countries in Africa and elsewhere, the media are not well resourced and most media organisations are confronted with the challenge of economic survival. While the media have a responsibility to ensure they are sustainable, governments should mitigate the harsh economic environment under which the media operate in view of the vital social functions they perform. They should adopt policies that provide for waivers or concessions on taxes and duties on media equipment and production materials.

Authorities should commit themselves to ensuring the safety for journalists and, where journalists suffer acts of violence or intimidation, to investigate such incidents and punish perpetrators. Governments should themselves cease all forms of attacks on media organisations and individual journalists.

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The media need to shore up their own credibility by improving standards of journalism practice, ensuring adequate training for journalists, adopting appropriate codes of conduct and instituting self-regulatory mechanisms that would

obviate the need for any government-imposed regulation.

This approach would provide a framework through which media and good governance can be mutually reinforcing.

Chapter 3

Keeping politicians on their toes

Larry Kilman

**Director of
Communications,
World Association of
Newspapers**

As a trade group representing 18,000 newspapers and with a human rights mandate, the World Association of Newspapers makes its first priority the defence and promotion of press freedom and the economic independence of newspapers, which we consider to be an essential condition to that freedom.

In countries where newspapers are free to contribute to good governance – that is, in countries that enjoy freedom of expression – the press is more interested in getting on with the day to day job. They're certainly aware of the role they play, but I wouldn't say it is a topic that is often in front of mind. If they're thinking anything along those lines, it is probably something like: "Those politicians better do the job we elected them to do because we'll let them know if they don't."

Government officials, on the other hand, when they acknowledge the role of the press in good governance, invariably say something like: "a free press is beneficial to society, but the press must act in a responsible manner."

Well, whenever I hear a government official remind the press that it must act responsibly, I am reminded of what the late essayist E.B. White said: "In a free country, it is the duty of writers to pay no attention to duty."

The word "responsible," when applied to the press by public officials, is often a code word for – "don't rock the boat. Don't do anything that I believe might be counterproductive, and certainly don't do anything that will embarrass me and my government."

One could be amused at how easily government officials are embarrassed or insulted, if the results weren't so serious. The insidious use of insult and criminal libel laws in far too many countries – laws that prohibit criticism of public officials, state institutions and the state itself – make this sensitivity to criticism no laughing matter. Insult laws elevate public officials above the reach of media scrutiny and shield government actions and policies from public debate. They also send journalists to jail.

What media contribute to good governance is exactly what some government officials find revolting: freedom to be annoying, to make trouble, to embarrass, and, yes, to be obnoxious and insulting. The role of the free press is not to cooperate with government but to question and be sceptical, to dig beneath the surface, to take nothing at face value. The press is not doing its role if it does not annoy those in power on a regular basis.

This leads to a dilemma. In order for the press to perform its role as a watchdog over those in power, it must rely on governments to create the conditions in which an independent press can thrive. And even if government officials support the concept of a free press in principle, in practice it can make their life difficult. Nobody likes to see their errors played across the front page.

Nevertheless, the benefits of a free press are obvious, be it exposing corruption or abuse of power, uncovering public policy failures, or simply informing the public about the issues they need to know to practice their civic responsibilities. Most people recognise the role the press plays in encouraging good governance. Even in repressive countries, public officials acknowledge the role of

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the press, though they mistakenly believe their controlled press effectively contributes to this process.

Yet in many countries, jail sentences and exorbitant fines are all too often used to silence the independent press. The United Nations Commission on Human Rights considers that “detention, as punishment for the peaceful expression of an opinion, is one of the most reprehensible ways to enjoin silence and, as a consequence, a grave violation of human rights.”

The fact is, if the conditions exist for the press to have the independence and freedom necessary to do its job, then its influence on improving governance will invariably occur. It is simply an outgrowth of that freedom.

This means that the press must be free to criticise the government, and access government and other public records. Its journalists must be well-trained and understand their role.

So encouraging the conditions that allow a free and independent press to thrive should be the focus of government and institutional efforts, not worrying about the role the media will play, or whether they will act “responsibly.”

Here are some of the conditions necessary for effective independent media:

- An environment in which journalists are able to carry out their duties without fear of violence. A climate of fear inhibits investigation and can promote self-censorship.
- An independent judiciary that cannot be used to punish the press at the whim of the government, and a system that responds to attacks on journalists with swift investigations and prosecutions.
- The abolition of insult laws, criminal defamation laws and all jail sentences for press offences. Criminal law is a wholly inappropriate means

of dealing with the issue. We believe that civil awards of reasonable damages are adequate and appropriate relief in all proven cases of libel and slander.

- A system of changing governments. Public officials must be answerable to the people, and an independent press provides the public with the information they need to decide whether power-holders should remain in office or not.
- Liberalised access to government and other public records. A free press needs freedom of information to be effective. Too many governments hide their activities behind secrecy laws – and jail journalists who manage to get access to documents – in an effort to prevent public knowledge about corruption, failures of public policy or worse.
- Economic conditions that allow newspapers to thrive as businesses. This point is often overlooked in conferences like this one – you won’t, for example, often hear the word “advertising” here. It is a fact, like it or not, that advertising is the lifeblood of media in democratic, industrialised countries, where the economic model for private media is based on the concept of the market.

You probably also won’t hear talk about such issues as establishing efficient distribution networks, or negotiating special VAT and postal rates for newspapers, or providing access to printing plants – but all these things are essential for a viable independent press.

Much of our work at the World Association of Newspapers is directed to improving the business side of newspapers. Too often newspapers fail to play their role in society because they simply fail as businesses. The best journalism is worthless if there is no place for it to appear.

Chapter 4

Defining governance

Muzong W. Kodi

*Regional director
for Africa and
the Middle East,
Transparency
International*

Governance goes beyond government. It challenges the authoritarianism inherent in the concept of government and allows a greater number of participants to determine, carry out and monitor collective endeavours.

Governance promotes the introduction of new modes of framing public policies, with emphasis on negotiation.

It requires public authorities to give up their central role in regulation and accept a new form of interaction between the various economic, social and political participants.

It gives precedence to greater involvement of the private sector and civil society in running the State, and therefore invites a rethinking both of how to govern and of the relationship between the State and society.

Governance requires the separation of powers, participation, transparency, accountability, the rule of law, efficacy, equity and consensus along with political, trade-union and media pluralism.

Governance advocates the separation of the three traditional powers. The legislature and the judiciary must be allowed to exercise their prerogatives side by side with the executive branch. The person at the top does not enjoy unlimited power but governs for the good of the majority rather than for a faithful few.

The participation of as many citizens as possible in reaching, carrying out and monitoring decisions is an essential pillar of governance. This form of active citizenship has the advantage of making good the legitimacy gap affecting the traditional political elites and leads to participatory democracy.

For citizens to be able to participate fully and effectively in decisions concerning their welfare, they must be informed and organised. This presupposes universal free access to basic education, freedom of association and expression, and the existence of an organised civil society.

Transparency signifies that decisions are taken and applied in accordance with pre-established norms with which citizens agree, undertaking freely to respect them. This presupposes that access to information is free for those affected by the decisions and their implementation. A further condition is the imparting of such information by free media.

Accountability is one of the major requirements of good governance. Any organisation – including government institutions, the private sector and civil society groups – is accountable to all who have a stake in society, including the public. Such responsibility cannot be ensured without transparency and the rule of law.

Good governance requires the rule of law, with the establishment of a just legal framework impartially applied. It also presupposes the protection of human rights, including those of minorities. This is only possible with an independent judiciary and an impartial and incorruptible police.

Equity is another feature of good governance. It is the principle requiring that no member of the community feels left out and that all groups, particularly the most vulnerable, are given the possibility of improving their lot.

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Political, trade-union and media pluralism is another principle of good governance. Such a reality, based on the fundamental rights of association and expression, encourages vigilance and monitoring of the action of the public authorities with a view to better functioning of the machinery of state, respect for human rights, and satisfaction of the community's needs. The sound organisation of local governance can put communities in control of their own development.

Establishing and practising good governance is conducive to a better human security climate in which people are less vulnerable to hunger, sickness, illiteracy, disasters, anarchy and violent conflict.

Another outcome is the emergence of a political culture of affirmation of the fundamental rights of the individual and of good citizenship. The institutions of governance are reinforced and become more effective.

Greater and better participation of young people and women in the community's affairs is also necessary.

The introduction and operation of effective anti-corruption structures should lead to less institutional corruption.

Without the watchfulness of the media and civil society, and without the bravery of the investigative journalists and people who denounce corruption, this evil will pursue its course.

Transparency International has recognised the all-important part played by the media in promoting good governance and combating corruption. Thus it is that our national chapters worldwide work in collaboration with the media.

To give but one example, the Civil Forum, the national chapter of Transparency International in Senegal, has included in its national anti-corruption programme a component entitled "Training in anti-corruption investigative journalism."

At international level, in recognition of the fact that the efforts of civil society are backed by the

courageous work of investigative journalists, the Transparency International committee that decides on the Integrity Awards has on several occasions honoured the memory of persons, including journalists, who have lost their lives because of their commitment to ending corruption.

In 2001 the Prize went to **Carlos Alberto Cardoso**, **Georgy Gongadze** and **Norbert Zongo**.

Cardoso, an investigative journalist in Mozambique, was assassinated in November 2000 when investigating the biggest banking fraud in the country's history.

Gongadze, a Ukrainian journalist who had revealed government corruption on his news website, was brutally decapitated in the autumn of 2000.

Zongo, a Burkina Faso investigative journalist, was assassinated in 1998.

In 2003 the Integrity Award went to **Abdelhaï Beliardouh**, an investigative journalist working for the Algerian daily *El Watan*. He wrote articles denouncing corruption in cross-border trading between Algeria and Tunisia. He took his own life in November 2002 following acts of violence against him.

In 2004 the journalist **Manik Chandra Saha** of Bangladesh was honoured. He often denounced crime and corruption and was assassinated in January 2004.

There can be no overstating the importance of the media freedom that good governance seeks to guarantee. Without information there can be no accountability.

Access to information is a fundamental component of a country's system of integrity. Without it, democratic structures cannot function normally and individuals cannot get to know their rights and, still less, assert and defend them.

Only independent and free media, as advocated by good governance, make it possible to offer the public such information and so assist the strengthening of good governance.

Minding the credibility gap

Kavi Chongkittavorn

*Executive Editor,
"The Nation."
Chairman,
South East Asia
Press Alliance*

The media are facing a problem of credibility, and the only way to overcome this is to ensure that they are decent, transparent and can be checked.

Yet there is a strong feeling everywhere that the media are not subject to public scrutiny; that they run stories without due consideration of the public sentiment and that they publish what their editors rather than the public want to read.

In Thailand, for example, a newspaper was bought by the owner of a string of illegal gaming dens. Does anyone think he will order his reporters to investigate bribery cases involving police and gambling dens?

An environment of good governance must include the reporting staff. In Thailand, reporters have to struggle to make ends meet. This is a common problem in the developing countries. Journalists must endure hardship if they want to be decent and professional because they have to resist the temptation to take bribes or accept other economic incentives from vested interest groups.

Media organizations must have editorial independence and transparent ownership. These qualities are extremely important because media independence has often been compromised by owners who do not value independent views but focus only on commercial interests. The editorial staff must know about any connections that could influence content

Part 2

Regional perspectives

The following four case studies show how media freedom, or its absence, can have an overall impact on governance issues. In Ukraine, the sudden liberation of the press has turned the country into a beacon of good governance. Lack of media freedom in the Arab world means a poor system of governance in most countries. Singapore tries to present itself as an efficient communications centre, but can it be said to have a system of good governance. And in a survey of the situation in Southeast Asia, Sheila Coronel asks whether ordinary people are really bothered about corruption.

Chapter 5

Mass media goes on attack in Southeast Asia

Sheila S. Coronel,

*Executive director,
Centre for
Investigative Journalism,
Philippines*

The fall of dictatorships in Southeast Asia has had a profound impact on the mass media. Freed from many of the past restrictions, the media in Southeast Asian democracies have been like attack dogs unleashed against erring officials and corrupt institutions.

Certainly there is much to investigate. Democratic governments have not proven themselves to be more honest than their authoritarian predecessors. All over the region, freely elected presidents, prime ministers and parliamentarians have been involved in scandals.

The rot in bureaucracies, now subjected to public scrutiny, is being exposed. The police and the armed forces, once feared and untouchable institutions, are also being opened up as the corruption that lies at their core is laid bare.

In Thailand, the press has had a heyday in exposing the illicit commissions officials make from government contracts and the underworld connections of local god-fathers, who either run for public office themselves or finance the candidacies of trusted allies.

In the Philippines, malfeasance by both bureaucrats and elected politicians – ranging from policemen extorting small payoffs from erring motorists to multi-million-peso bribes paid to high officials in exchange for tax cuts or state-funded infrastructure projects – are regular fare of newspapers and investigative TV programmes. Journalists have used hidden cameras to show, among other things, wads of cash being dropped into the open drawers of customs employees and tax officials accepting envelopes of bribe money from business persons.

Journalists in Indonesia have hounded the trail of corrupt officials, including President Abdurrahman Wahid, who came to power in the country's first democratically held elections in October 1999 and was impeached in July 2001 after his rivals in the legislature accused him of being involved in his masseur's unauthorised withdrawal and disbursement of \$3.5 million from the government rice procurement and distribution agency.

Perhaps the most interesting – and important – among the recent investigations were those that examined the mandatory asset disclosures of key officials, uncovering gaps in the disclosures and leading to public inquisitions about how these officials amassed their wealth.

It should be noted that among the reforms undertaken by Southeast Asia's new democracies was the enactment of laws that require officials to make a public declaration of what they own. These laws were written by new legislatures that were still reeling from the legacy of plunder left by ousted regimes. The statements of assets were seen as mechanisms by which both the public and government oversight bodies could check on corruption, conflict of interest, and the accumulation of wealth by officials, thereby preventing a repeat of the past.

But in the Philippines, the debate that led to the downfall of the womanising, hard-drinking President Joseph Estrada was framed in moral rather than financial terms. His excesses were seen as transgressions of the standards on how officials should behave.

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Key opinion makers were nearly unanimous in saying that his accumulation of wealth and the sources of his acquisitions were scandalous and unpardonable.

The media, by uncovering and detailing the heights of presidential excess, bolstered this shift in perception. Estrada's vices were seen as no longer that of a charming rascal, but of a thieving head of state. The Roman Catholic Church, which played a key role in the anti-Estrada movement, further ensured that the debate would be fought on moral grounds.

At about the same time that Estrada was being subjected to public scrutiny of his assets, a similar investigation was happening in Thailand. In September 2000, a Bangkok magazine revealed that Thai Prime Minister Thaksin Shinawatra hid US\$50-million worth of shares in the names of, among others, his driver, housekeeper, security guard and maid. Thaksin, a telecommunications and media tycoon, is among the richest businessmen in Thailand. He is also a former police general with a history of using his political clout to build his business empire.

The press exposé led to an investigation by the National Counter-Corruption Commission, a body created by the reformist 1997 constitution. In December 2000, the commission ruled that Thaksin had intentionally concealed his assets as part of a "dishonest scheme." The ruling was brought before the constitutional court.

The court was divided, between those who argued that the case should be decided on legal grounds alone, and others who questioned the political wisdom of removing a popularly elected prime minister. In the end, the court opted for the political solution.

The difference between the Philippine and Thai cases was not just in the way the debate was framed, but also in the mood of politicised publics. Both Thaksin and Estrada were popular heads of state with large electoral mandates. Both also represented a departure from the past – Thaksin was a modernising businessman, not a crusty bureaucrat; Estrada, a movie actor, not a distrusted politician. Both were elected to head countries with recent histories of popular mobilisation and an influential and politically active middle class.

In the Philippines, other presidents may have been corrupt, but they did not outrage middle-class sensibilities as Estrada did. In Thailand, however, the business community, the politicians and

the public supported Thaksin and accepted his vision of the prime minister as CEO. Indeed, when Thaksin lashed back at the critical press by putting an advertising squeeze on recalcitrant newspapers and threatening to investigate media owners and journalists for money laundering, there was little public outrage.

One reason the Estrada investigation caught fire was that it had all the tabloid ingredients – sex and scandal, mansions and mistresses. The issues concerning Thaksin were more complicated and less sexy: Shares of stock being transferred to maids and drivers does not quite compare to houses being built for a bevy of kept women.

For the most part, the most successful investigative reports have been those that focus on individual wrongdoing and on stories with clear villains, rather than on more complex issues to do with social inequity, injustice, harmful public policy, or social and political structures that lack accountability.

Some well-documented investigations end up in oblivion. They may make waves, win awards, generate controversy for a couple of weeks, but the wrong-doings they expose are not acted upon. On the other hand they may raise public awareness on issues not previously in the mainstream news agenda, including child labour, violence against women and environmental destruction.

Certain institutions remain impervious to reform, while others may initiate changes only to backslide into the practices of the past. Investigative journalism affects society in paradoxical and complex ways. Its consequences may not even be what crusading journalists intend. Investigative reports may push the wheels of change and reform, but the media have little control of the direction these may take. The impact of watchdog journalism is often diminished by the inertia of governments, the weight of bureaucratic cultures that are resistant to change, a law-enforcement system that is incapable of punishing wrongdoing, and an apathetic and cynical public.

The obstacles lie not just in government and society, but also in a mass media environment where profit, not public service, dominates. In democracies throughout the world, the business side of journalism has eclipsed its public-service role. Technological changes, including satellite and cable TV and the ease of transmitting video instantaneously, as well as a competitive and global mass media industry, have put a premium on fast-breaking, bite-size news.

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The stress on speed, rather than content, does not bode well for investigative journalism, which requires an investment of time for research and reporting. The shortcut, in many places, is providing scandal and sensation rather than well-researched and well-thought out reports.

The danger is that these cheap exposés might end up trivialising the role of journalists as watchdogs. Investigative reporting may soon be seen as just another distraction proffered by a profit-hungry media. Audiences may also grow weary of the exposés and demand other distractions.

Or else, they may become aware of media manipulations and become cynical and distrustful both about the the media and the people they expose. Audiences may also eventually find it difficult to distinguish between the truly significant and the merely distracting.

The argument in favor of investigative journalism, especially in transitional democracies like those in Southeast Asia, that, regardless of the impact of exposés on the body politic and the social fabric, investigative reporting in itself sets off a virtuous cycle of political and media development. This positive view recognises the potential of investigative journalism to curb some of the excesses of a free press and a competitive media market.

In this view, investigative journalism is seen as a corrective to some of the media's most pressing problems. It addresses the problem of skills by forcing journalists to sharpen research and reporting techniques. It helps resolve the problem of sensationalism because investigative reports require sobriety and depth.

It is argued that if they are constantly exposed to excellent reporting, audiences develop a more

discerning palate and will learn to tell the difference between fast-food journalism and substantial reading fare. In time, they may even be weaned from the merely distracting and entertaining, and will demand more in-depth reporting.

Carefully researched, high-impact investigative reports, it is argued, help build the media's credibility and support among the public. Thus, the press as an institution is strengthened if journalists have demonstrated that they serve the public interest by uncovering malfeasance and abuse..

By constantly digging for information, by forcing government and the private sector to release documents and by subjecting officials and other powerful individuals to rigorous questioning, investigative journalists expand the boundaries of what is possible to print or air. At the same time, they accustom officials to an inquisitive press. In the long term, the constant give and take between journalists and officials helps develop a culture – and a tradition – of disclosure.

That is one view. Another view sees investigative reporting not as part of a virtuous cycle but as a component of the “politics of permanent scandal” that characterise modern democracies.

Representative democracy with its checks-and-balances is built on the distrust of power and the powerful. In this view, a competitive media coupled with democratic institutions and structures to scrutinise wrongdoing create a hothouse environment for scandal politics.

This type of politics becomes a permanent feature of democracies and does not necessarily lead to either cleaner politics or to more responsible media.

Chapter 6

How the Ukrainian media turned orange

Olena Prytula

*Editor in chief,
Ukrayinska Pravda,
Ukraine*

Ukraine used to be one of the world's most corrupt countries, always ranking near the bottom in the "Transparency International" annual report.

The former government declared a war on corruption but did nothing about it. Everyone in Ukraine knew that the monthly salary of an average official ranged between 200 and 600 US dollars. Yet no one was surprised that such officials were able to own summer-houses valued at hundreds of thousand of dollars.

Every year officials submitted their unremarkable personal income tax returns to the revenue service, and some even published them in the government-owned press. They were never embarrassed by the dramatic gap between the modest incomes they declared and the shiny assets they displayed.

Nobody asked questions – not the press, not the revenue service, not the prosecutor's office – and a system was created in which the breaking of laws was not necessarily considered wrongful.

Hardly anyone believed that the situation could be changed, that a good order could be installed or that officials would roll up their sleeves and work for the good of the people.

But even if the government paid no notice, people cared and the battle against corruption, however discouraging at the time, eventually produced its fruits – a lesson that no matter how bleak the situation, we journalists must do our job.

One of the most blatant offences of this corrupt regime is part of my publication's history. The co-founder of the crusading web site "Ukrayinska Pravda," Georgiy Gongadze, was only 31 when he was murdered. He was last seen on September 16, 2000. Two months later, His decapitated and acid-mutilated body was found near Kiev.

Some weeks later, Ukrainians heard a tape-recording of a voice very similar to that of then president Leonid Kuchma advising his interior minister to get rid of Gongadze – to "hand him over to the Chechens and leave him without pants". A former presidential bodyguard recorded the conversation in Kuchma's office.

We posted the tape on our web site and people all around the world got to know about Kuchma's possible involvement in a journalist's murder.

At first, the government did not react to the recording, beyond saying that it was doctored. Nobody resigned. But people reacted. Shocked by the murder, they staged protests under the slogan "Ukraine without Kuchma".

Four years later they voted against the candidate, who represented old power. And millions of people went to the street to fight for their votes to be counted.

What about the mass media at that time? Did they give people objective and true information? Did they fulfill the role of the source where Ukrainians could find fair information – from candidate's programs to the statements of the opposition?

Unfortunately, they did not.

All the major TV channels, except one, were controlled by the government, there was censorship, and one could find alternative information

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only on the Internet or in a few independent newspapers.

There was plenty of propaganda, but not much information. Freedom of speech was constrained and there was no live discussion of topics. The presidential administration issued instructions about which stories were to be covered on any given day, and how – leading to a striking similarity in what was presented by different media.

That's how bad governance works.

But just three days before the first round of elections at the end of 2004, 40 journalists, representing five TV channels, publicly declared that they would not any longer follow the presidential instructions. They were later joined by journalists at another 18 TV channels and media outlets.

Nevertheless, their action was not enough, and the major TV channels continued to pour our government propaganda.

The real change came about because of the Internet.

The orange background that evolved on Internet sites soon spread as a sign of revolt – on cars, lady's bags, bicycles, suits and hats. The purpose was not only to support opposition leader Victor Yushchenko, but to express the disagreement with the biased media and then with the falsification of election results.

Passers by, decorated with splashes of orange began smiling to one other and strangers met as though they were family members. This silent protest against the authorities started mostly because of the existence of the Internet. In the run-up to the election, Internet usage more than doubled to include about 12 percent of the population. It would be very difficult to launch such an action without electronic mail, Web sites or text messaging. Even some TV presenters appeared wearing orange as they read the managed news.

November 22, 2004 was the beginning of the orange revolution, the moment when the first tents appeared in the centre of capital Kiev and when millions of people took to the streets – yet on that day, one could watch the revolution take root only on opposition Channel 5.

The decisive moment for Ukrainian mass media was November 25, when the censorship system so carefully built by the regime collapsed like a house of cards.

Deaf people were the first to hear the truth. Sign-language translator Olga Dmytruk ignored the text of the main presenter about the outcome of the election. Instead she told viewers: "The official results from the Central Election Committee are falsified. Do not trust them. Yushenko is our president. I'm really sorry that I had to translate the lie before."

The outcome was that for the first time, government-controlled TV channels began presenting the leader of the opposition in the positive light. There were talk shows representing different sides of the political confrontation and the news began showing the true picture.

The tragedy of Georgy Gongadze, strict censorship and the system of news management by government command showed that journalists face common problems and threats. The result has been the creation of professional unions, formation of local freedom-supporting groups and open discussion about freedom of speech and censorship.

The existence of the independent and alternative media such as an opposition TV channel, newspapers and the Internet was vital. The Internet created new opportunities for the creation of independent media. Free of censorship, quick, sharp and mostly reliable, Internet forums became discussion clubs for ordinary Ukrainians, who posted the latest news from their regions and their opinions, and learned about upcoming meetings and events.

I did not previously have the chance to work in a country with good governance and honest public authorities. Instead we had a government that censored the news and enforced silence about corruption.

But now we have learned that anything is possible. And – who knows? – maybe Ukraine in future will not be only a case study in revolution, but also a beacon of good governance

Chapter 7

Winds of democracy blow in the Arab world

Magda Abu-Fadil

**Director, Institute of
Professional Journalists at
the Lebanese American
University, Beirut**

There is a great need for good governance in the Arab World, because there is so little of it in a region where government restrictions on the media make it difficult for participative democracy to flourish.

The Arab Human Development Report published by the United Nations Development Programme (UNDP) said that although some Arab countries had taken cautious steps to allow opposition and expand public debate, “civil society organisations and the media continued to suffer increasing restrictions.”

The media rights group Reporters Without Borders put it more bluntly in its worldwide index of press freedom, in which it judged East Asia and the Middle East as having the worst records for press freedom.

It said independent media scarcely existed in the Arab countries, which, with the relative exception of Lebanon, have dismal records of censorship, surveillance, blocked Internet sites, mental and physical intimidation and violence.

The Committee to Protect Journalists, for its part, saw the conflicts in Iraq and Palestine/Israel as undermining media coverage, given the frequency with which reporters and correspondents were attacked or killed.

It said governments wield tremendous leverage by controlling the licensing, distribution, advertising and printing of newspapers – enabling them to influence content, bar offending publications and block the emergence of new, independent papers.

Equally disturbing is the exchange of money or favours and gifts for positive coverage, or threats and intimidation to prevent unfavourable coverage. Media ethics are difficult to practice when journalists are woefully underpaid and constantly threatened.

At the same time, the media are stymied by intractable government structures and policies.

Media laws in the Arab world tend to focus primarily on national security, which means no criticism of regimes. The regulations are both ambiguous and flexible, giving governments much leeway in how to implement and interpret them.

In March 2005, the The US State Department released a report report entitled “Supporting Human Rights and Democracy,” in which it underlined its promotion of democracy and governance programmes through the provision of technical assistance and support to develop democratic states and institutions responsive and accountable to citizens.

The United States is prodding governments in the region to allow more openness and democracy, yet it set a bad example last year when it tried to censor the UNDP’s Arab Human Development Report because of the its blunt criticism of the US action in Iraq and US support for Israeli policies in the West Bank and Gaza Strip.

The focus areas receiving assistance by the United States include the rule of law, human rights, transparent and fair elections, open and free media, stronger civil society and greater citizenship participation in government.

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But the speed with which Secretary of State Condoleezza Rice may be willing to move to implement democratic programs has alarmed some Arab reformers, who reportedly see such haste as coming at the expense of stability in the region.

A diplomat quoted by Reuters said Arabs would rather live under undemocratic rule than in the chaotic atmosphere of Iraq, which Washington touts as a model.

Helena Cobban, a veteran writer on Arab affairs took Rice to task for her “totally cavalier attitude to the whole non-trivial concept of social-political stability in Middle Eastern countries.”

Yet one prominent Arab intellectual, Dr. Farouk El-Baz, who heads Boston University’s Centre for Remote Sensing, believes the winds of change must reach all levels of the Arab world to make the great leap onto the world stage.

“The granting of personal freedom is usually accompanied by upholding the individual’s responsibilities towards society,” he wrote, adding that the people can no longer wait for those in positions of power to decide for them.

He argued that people must educate themselves about what needs to be done, collectively decide what to do (for better or worse), assume responsibility and develop a work ethic – something the Arab world has lacked.

Education, he also said, was central to the equation, requiring Arabs to free themselves from archaic learning methods.

We also need to give serious thought to media literacy programs at the school and university levels and to provide media skills training to politicians, business people and members of non-government organisations. We cannot ignore the interrelatedness and interdependence of these sectors.

Organisations like the Institute for Professional Journalists are well positioned to play a catalytic role in training, educating and connecting people to raise standards and improve the quality of the profession and of people’s lives.

What are we to make of what has been dubbed “the Cedar Revolution” in Lebanon? Is it comparable to the Rose, Orange, Velvet or other catchphrase revolutions?

Was it prompted by Washington’s actions in Iraq and Afghanistan and can President George W. Bush claim credit for this latest uprising, or for demands by Egyptians that they’d had “kefaya” (enough) of President Hosni Mubarak’s rule, or that autocratic

regimes would be relegated to the dustbin of history?

Can we deal with democracy like fast-food or one-size-fits-all clichés? Should everything be made to fit the prism of recently coined marketable dogmas? Or, should we remember the historical, geographic, social and other contexts that have made the Lebanese experience noteworthy?

Freedom of expression in Lebanon is not new. There has been a long tradition of a free press dating back to independence, and despite Syrian interference in Lebanese affairs in recent years, the country remains the envy of most Arab countries in this respect.

So where is the Lebanese ball of fire heading? Will it be a beacon for others or just spark conflagrations too difficult to put out? Can we expect a real “Lebanese Spring” or a regional inferno?

We’re still trying to digest what we have been through since the Valentine’s Day massacre that targeted former prime minister Rafic Hariri, killed 20 others and wounded dozens of people.

The snowball effect that has unleashed a wave of demonstrations – the likes of which Lebanon has not witnessed before – and their potential impact on other Arab states is cause for guarded optimism and hope for a brighter future, but also raises questions that should not be ignored.

Local, regional and international players are vying for influence in Lebanon in the post-Syrian withdrawal period and have their own agendas to promote.

The call for basic rights has been voiced for quite some time, with satellite TV channels helping to spread the words of dissidents.

Needless to say, technology was a major contributor in the revolution, disseminating all manner of news and views in real-time on TV, radio and hand-held devices, through Web sites and blogs, and via cell phones and text messages.

Censors constantly try to block news sources, and often succeed, but creative people find ways of circumventing them.

Recent elections in Iraq and Palestine, although considered flawed by detractors, were viewed by millions of Arabs in countries where the only choice is casting ballots in referendums to perpetuate existing regimes or their progeny with foregone 99.9-percent rates of approval.

The call for democracy, sovereignty and independence may be infectious. The message being sent by countless Arab thinkers is the need for

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democratic, non-violent change in the Middle East.

But it would be naïve to ignore the causes of festering regional wounds like the Palestinian-Israeli conflict, which has been at the core of the Arab psyche for almost six decades, or the continuing insurgency in Iraq.

The heady days of recent political events have, once again, brought Lebanese media to prominence and are bound to have an impact on their regional counterparts.

If that leads to good governance, we will all benefit.

Chapter 8

How Singapore crushed the independent media

Chee Soon Juan

*Director,
Open Singapore Centre;
Chairman,
Alliance for Reform
and Democracy
in Asia*

In a media conference in Los Angeles in 1998, Lee Kuan Yew, Singapore's senior minister said: "Singapore has managed this relentless flood of information not by blocking the flow but by stating its point of view in competition ... We defend our position in open argument and let our case stand on its own merits.

Pardon me if I don't jump up and celebrate. You see, I know something which many of you don't, and that is the story of the crushing of the media in Singapore and how information is still tightly controlled in this make-believe information hub.

Through the 1960s and 70s, the government systematically detained and prosecuted journalists and newspaper editors some of whom were imprisoned without trial for years. Several independent newspapers were accused of "black operations" and "glamorising communism" and shut down.

Today the local print media is unified under the Singapore Press Holdings, which controls every major publication that the country produces. The chairman of the company is a former cabinet minister and close associate of Lee Kuan Yew. The outfit is staffed by intelligence officers. The previous president of the company was the former chief of the Internal Security Department, Singapore's dreaded secret police.

Pranay Gupte, a former columnist with the Straits Times, the local morning daily, said of the newspaper: "The Straits Times has no competition in Singapore. It's owned wholly by a company called Singapore Press Holdings, whose stock is sold publicly but whose affairs are closely monitored by the government of Prime Minister Lee Hsien Loong, son of Singapore's founding father, former prime minister Lee Kuan Yew."

The paper is run by editors with virtually no background in journalism. When I worked there, my direct editor was Ms Chua Lee Hoong, an intelligence officer in her mid 30s. Other key editors are drawn from Singapore's bureaucracies and state security services. They all retain connections to the state's intelligence services, which track everyone and everything."

The broadcast media were firmly under government control from the outset.

Having successfully dragged the local media through obedience school, the Singapore government started work on the foreign press. One by one, regional and international publications that commented unfavourably about the ruling People's Action Party and that did not publish every iota of the government's reply had their circulation curtailed.

Time, Newsweek, the Asian Wall Street Journal, Asiaweek, the Far Eastern Economic Review, the Economist, the International Herald Tribune and the Bloomberg news agency have all been prosecuted and/or sued for defamation, and had to pay huge fines or had their circulation curtailed.

In the run-ins with the Singapore government, the foreign press was repeatedly the one to capitulate. In some cases the battle was protracted while in others the resolve of publications to stand up for their rights was as firm as warm butter. The end result is that even the foreign media seems to have

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compromised their integrity. The most apt, albeit intensely disheartening, summary of the situation of the foreign press in Singapore, was provided by Derek Davies, former editor of the Far Eastern Economic Review. He wrote:

“Lee [Kuan Yew], having failed to stop the foreign media from ‘meddling in Singapore’s domestic affairs,’ told me that instead of attempting to control editors and journalists, he would target the pockets of owners and publishers. ‘I will hit you where it hurts. Then we will see your commitment to a free press...Don’t forget I can hurt you more than you can hurt me.’ A bill was then being prepared with the aim of giving the government powers to limit the sales of foreign publications in Singapore, thereby reducing their revenues from circulation and advertisements. That would bring direct and more effective pressure to bear on editors. Privately, I felt that foreign publications would hardly submit to such pressure, but I was wholly wrong and Lee was largely right.”

In 1998, after CNN, BBC and CNBC did interviews with me, the minister for information and the arts announced in parliament: “Just look at the way foreign channels have become part of the domestic politics in the Malaysia and Indonesia. We should worry for ourselves.” Shortly thereafter, the government introduced legislation to prosecute foreign broadcasting stations for meddling in Singapore’s “domestic affairs.”

In 1996 the opposition Singapore Democratic Party produced a short video explaining its alternative policies and platform. The government banned it and thereafter amended the Films Act to completely outlaw political party videos.

A few years ago, some polytechnic lecturers produced a short documentary about an opposition leader. The police warned the producers to withdraw the film from the Singapore International Film Festival or face imprisonment. Likewise, a film-maker produced a documentary about me. He was also threatened with imprisonment unless he withdrew the documentary from the film festival.

Is it any wonder then that Reporters Without Borders ranks Singapore 147th out of 167 in its annual survey of press freedom, slightly better than Libya and Zimbabwe? The organisation named former prime minister Goh Chok Tong “Predator of Press Freedom” in 2003 together with the likes of Fidel Castro, Robert Mugabe and Kim Jong-Il.

As far as the Internet is concerned, the People’s Action Party does not need to block sites. Indeed,

the government has an illusion to keep up, and using crude blocking techniques will only ruin the perception that Singapore is an open and advanced society.

In 1997, the government-run Internet service provider internet service provider, SingNet, sent out a message to subscribers telling them that the Ministry of Home Affairs had hacked into their accounts to check for a virus. Questions about the legality of the government’s action notwithstanding, the company apologised for the invasion adding: “In hindsight, we should have considered the impact of this exercise on you and been more sensitive to your needs.” What a sweet and considerate ISP. In the meantime, Internet users in Singapore were busily going through their messages and files to check if they had been engaging in any communication less than politically correct.

Over the last few years, Internet activists who identify themselves have come under police investigation for posting messages critical of government officials. One has been threatened with a defamation suit.

In addition, the Singapore regime maintains very tight control of society. Public protests are banned. The Internal Security Act continues to detain citizens indefinitely without trial.

Ruling party officials continue to sue opposition leaders and make them bankrupt. For example, I was sued for defamation by my head of department and a People’s Action Party member of parliament when I disputed my dismissal from the National University of Singapore where I was teaching.

My sacking came three months after I joined the opposition and took part in elections. The courts ordered me to pay US\$300,000 in damages to the plaintiffs. In 2001 I was sued again for questioning the loan Singapore made to the Suharto regime in 1997. The courts have ordered me to pay Lee Kuan Yew and Goh Chok Tong, the two former prime ministers, US\$300,000 in damages. I am unable to pay this amount and will shortly be adjudicated a bankrupt which will render me ineligible for elections.

In authoritarian systems the local media is usually the first to be subverted and used by the government to purvey its message. With persecution, it often capitulates. The international media, however, has the wherewithal to stand firm and resist the autocrats. Caving in to financial threats only means that democracy is the casualty.

If we are to going to be united through globalisation, then let us also pay attention to the rights

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and needs of people in authoritarian states, where domestic civil society cannot intervene on their behalf. International civil society, and this includes the media, has a responsibility to ensure that deals do not overwhelm democracy, and riches do not run over rights.

I hope that the international community will pay closer attention to the repression that goes on in Singapore and that it will assist democracy groups in the country to find their feet and push for change.

A campaign against jailing journalists for their work

Adapted from
the Arab Press Freedom
Watch Annual Report,
December 2004

In 2004 the campaign to reform media laws in the Arab world concentrated on abolishing the penalty of imprisonment for publishing and expression of opinion offences.

In Syria, the term of imprisonment can be up to 10 years. In fact, if the state attorney general has decided to link offences to national security or the stability of the regime, the punishment can be a life sentence or even the death penalty.

Imprisonment for publishing offences is one of the ugly features of restrictive media laws in the Arab world. It should be removed in a step forward to rid media regulation in the Arab world of their undemocratic nature.

Some Arab heads of states have been brave enough to speak against imprisonment for publishing and opinion offences, but none of their words have become deeds up to the time of writing.

There is no democracy without freedom of expression. Such freedom cannot be achieved under repressive regulations and the threat of physical penalties against those who speak their own minds and express their opinions in any peaceful way.

Part 3

Poverty, human rights and the media's role

Although virtually all governments, as signatories of the Universal Declaration of Human Rights, have pledged to respect the freedom to inform and be informed, the sad reality is that many do not. This section shows how ruthlessly these rights are trampled, and also raises questions about so-called "development journalism."

Chapter 9

Banned in Tunisia

Sophie Piekarec

Manager,
TUNeZINE.com

Zouhair Yahyaoui, the first Tunisian cyber-dissident to have been imprisoned, should be telling his own story, but sadly he has died, at the age of 37, of a heart attack.

As one of the managers of the managers of the Web site that Zouhair founded, TUNeZINE.com, I am glad of the opportunity to evoke his memory and to tell the struggle we have carried on.

With his degree in economics, Zouhair was not a journalist by training. Perhaps it never occurred to him that he might one day turn his hand to journalism. He discovered the Internet with the opening of the first cyber-cafe in Tunisia and, in the course of his surfing, he realized that he had access to a great deal of information on the political opposition, and on human rights violations. This type of information, never published in the local press, was disseminated from abroad, in particular through non-government organisations, such as Amnesty International.

Zouhair created the TUNeZINE site in June 2001. It was an immediate success – so much so that it was soon blocked by the authorities, like any other site talking about human rights violations.

Under the pseudonym *ettounsi* (the Tunisian), he wrote satirical and articles ridiculing Tunisia's President Ben Ali, much to the hilarity of his readers, which of course was not to the liking of the authorities. Hunted down, arrested, imprisoned for a year and a half, then released following an international campaign, he came through the ordeal very much weakened but soon resumed his activity.

The level of press freedom in Tunisia, which in November 2005 was to host the World Summit on the Information Society, is at rock bottom.

Journalist Hamadi Jebali has been in prison for 14 years for "belonging to an unlawful organisation." Another journalist, Abdallah Zouari, who was recently released after some 15 years' imprisonment, is harassed and intimidated by the authorities, preventing him from resuming a normal life.

That there are not more journalists in jail in Tunisia is due to the fact that engaging in independent journalism is quite simply impossible. Censorship takes place well before publication, so it is very rare for an article published in the press to give rise to an arrest.

In 2003, the magazine *Réalités* published an article signed by the journalist Hedi Yahmed on the situation in Tunisian prisons. The paper did not describe the real situation in all its horror, giving no more than an inkling of it. It seems that that was anyway too much for the authorities. The magazine was distributed in the newspaper kiosks but was removed from them as soon as they opened.

Yahmed, for his part, was brought before an examining judge and then relieved of his activity by the management of the magazine, which sent him off on "unlimited leave" and finally forced him into exile.

What puzzled us then was how the article could have passed censorship at all. Yahmed explained that any article normally had to be passed by three censors who read everything before publication. Apparently on that occasion

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just one of them had read it and took the risk of giving his assent. That censor was Lotfi Hajji, who subsequently set up the “Syndicat des Journalistes Tunisiens” in opposition to the “Association des Journalistes Tunisiens,” which is pledged to the authorities and, incidentally, excluded from the International Federation of Journalists.

Tunisian journalists suffering not only prison but torture, as in the case of Zouhair, who was tortured from the time of his arrest. In fact the climate is such in the country that there is no way journalists can do their work, still less publish it. Even the Tunisian media abroad are watched and subject to pressure by the regime.

Siheem Ben Sedrine, who in 2000 denounced government corruption on a London-based Tunisian channel, was arrested on returning to Tunisia.

In France there was recently a small Tunisian television channel, El Hiwar, broadcasting two hours a week via satellite. The programmes were cobbled together as best they could be in a rudimentary studio, which was just a private living room with a white sheet stretched out behind the presenter.

Unfortunately, the matter was taken to France’s High Audiovisual Council (CSA), probably by representatives of the Tunisian regime, and the CSA sent the channel a warning for lack of pluralism, apparently because Tunisian government representatives ignored repeated invitations to appear.

TUNeZINE was also sued by a mysterious “association of users of the media of Europe,” which

curiously enough specialises solely in complaints levelled at journalists writing articles about human rights violations in Tunisia.

The laws protecting pluralism, in countries where pluralism is a fact of life, complicate the dissemination of information in countries where pluralism is completely non-existent as in Tunisia.

Awareness of human rights matters via the media is fundamental for the building of a just society. But how can awareness be increased if, even in France, the Tunisian authorities or their agents take advantage of the judicial system to muzzle pluralism? Different voices should be able to make themselves heard, even from abroad when necessary.

Several times during this conference we have heard a repetition of the “magic formula”: *good governance* involves *press freedom*, which makes for *good governance*, given that the press protects democracy, which in turn protects freedom. Conversely, how do we get out of the vicious circle: *dictatorship* involves a *muzzled press*, which makes for an *ill-informed public*, which spells *dictatorship*? The only way out is surely through external intervention in favour of respect for human rights.

There is a growing need for states and their diplomats to assume their responsibility for getting countries that sign commitments regarding press freedom or human rights to abide by them.

It is all-important that more official voices should be raised to denounce the intolerable threats against journalists in countries such as Tunisia. When you muzzle the press you gag the entire population.

Chapter 10

The dark forces that impede the public's right to know

**Donat M'Baya
Tshimanga,**

**President of Journalists
in Danger, Democratic
Republic of Congo**

Ratifying legal instruments is one thing; putting them into effect is another.

More than half the member states in the United Nations fail to respect the public's right to pluralistic information under Article 19 of the Universal Declaration of Human Rights, or to allow journalists to provide that information.

In country after country, journalists are threatened, beaten, imprisoned, persecuted and assassinated for carrying out duties that are supposed to be guaranteed by international treaties.

Journalists are always easy prey in conflict zones. As awkward witnesses who report what they see and hear regarding large-scale human rights violations, they are seen by some as undesirable. It is not always easy to ban them from such areas, and so simply murdering them to silence them is becoming commonplace.

In Africa, journalists who have been killed for investigating such evils as corruption, trafficking of weapons and drugs, assassination and abuse of power include Norbert Zango of Burkina Faso), Carlos Cardoso of Mozambique, Guy-André Kiefer of Ivory Coast and Deida Heydara of (Gambia).

In conflict zones, there is a growing tendency to kidnap journalists and media workers for no other reason than to extort money.

In Africa prison sentences are the main way of intimidating and silencing journalists who dare to denounce brutal and grotesque dictatorships. They are jailed on such pretexts as insulting the authorities or institutions, libel or injurious imputations, spreading false news, incitement to revolt, or intelligence with the enemy.

In some countries, such as the Democratic Republic of the Congo, the truth of a journalist's allegations is of no interest to the judge in defamation lawsuits. What matters is the "flouted honour" of some dignitary or institution.

By manipulating the judiciary in some countries, anyone with even a modicum of political, economic or military power can exact revenge with complete impunity by sending journalists to prison or having them flogged.

More subtle forms of repression are draped in specious legality such as the imposition of sky-high taxes to open a broadcast or press outlet, outrageous fines on offending media companies, making it harder to get a press card by introducing stiff educational requirements, and manipulating the advertising market.

Reasons of state and economic interests increasingly take precedence over the cause of defending human rights. Even the most repressive states are given a role in the entities responsible for enforcing human rights. It is time to put an end to such hypocrisy.

Chapter 11

The failed experiment in development journalism

Kunda Dixit
Editor-in-Chief,
Nepali Times,
Nepal

In 1985, as a young reporter in Nepal I remember attending a seminar titled “Poverty and Media.” Two decades later here we are in Dakar still talking about the same thing. Only now we call it “Media and Poverty.”

The point is that not much has changed. Poverty is still with us, perhaps more entrenched than ever. And now we have a digital divide in addition to the school divides, the hospital divides, the economic divides. And all these divides occur globally as well as within our countries.

Perhaps it was too much to expect the media to be able to single-handedly change deep structural problems within our societies. Those contradictions are historical and probably need other remedies. The media were not a solution, but perhaps the way journalism was practised was a part of the problem.

As many of you may remember, the world’s developing countries in the 1970s did try to change the focus of the media to look at the issues of poverty and development. The New World Information Order was a noble effort, but it came to grief after it became little more than a mechanism for exchanging government press releases.

The concept of ‘development journalism’ also dates from that era. For a decade or more countless seminars and workshops were held to show journalists how to write on development. Donor agencies pumped funds into training “development journalists.” Unfortunately development journalism, too, just ended up being soft-focus feature articles on irrigation projects or bio-gas which made editors’ eyes glaze over. The stories were relegated to the inside pages and used as fillers. We thought that since we were from the Third World, we could practice third rate journalism and get away with it.

What is worse, funds were available for coverage of poverty issues. So we ended up writing and broadcasting about development only if someone paid us to do it. The result was flavour-of-the-month coverage that moved from environment to sustainable human development to gender to HIV/AIDS. It was sloppy stuff that could not focus on more than one issue at a time.

As a result, critical issues of development got trivialised and poverty became prosaic. It was no surprise that such coverage not only failed to make a dent on poverty, but ended up undermining the credibility of the media themselves. The lesson for the media from this whole sad episode and the lost decades of development is that we should never again stray from the universal rules of journalism and the values of professionalism.

We should not waste any more time inventing new genres such as development journalism, environmental journalism or peace journalism. There are only two kinds of journalism: good and bad.

Good journalism is nuanced, goes beyond everyday happenings and tries to explain and interpret besides just stating facts. After all, facts if they are selective, can lie. Good journalism goes beyond the headlines to look at the structural roots of poverty and covers them in-depth, with passion, professionalism, accuracy and a flair for fairness.

We are not asking journalists to become activists and start waving the flag, but they should not just be passive observers anymore to the misery and

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deprivation around them. It will be a good journalist's commitment and professionalism that will ensure developments are covered intelligently and in-depth.

The world's poverty crisis is so persistent and serious and solutions are required so urgently that stories on poverty and journalism cannot be treated as fillers for the feature section anymore. Development in our countries should be an economic story, a political story, a budgetary story, a socio-economic story that all belong on page one.

The New World Information Order debate may be dead, but many of the concerns that it raised are more valid today than ever before. Poverty and inequality have never been worse despite the tremendous technological advances in the past 20 years.

In fact, it is the new information and communication technologies that ironically provide the biggest challenge to covering poverty meaningfully. Faced with high-speed 24-hour news, the concentration of media ownership globally and the information glut on the Internet there is less space for content that tries to focus on the underlying causes of poverty. When it is covered, poverty is shown as a grotesque caricature that stereotypes regions, trivialises suffering and cloaks them in hopelessness.

Let us be realistic: the media cannot end poverty. But if we in journalism do not cover it intelligently (with commitment and outrage) the media will become obstacles to alleviating poverty. If we want the media to improve governance so that they make an impact on poverty, the media themselves must be better governed.

Effective coverage of the structural roots of poverty would serve to prevent conflict by being an early warning system drawing attention to disparities, grievances and deprivation as they are building up—before the pressures erupt into violence.

By show-casing successful poverty alleviation measures and explaining how they can be scaled up, the media can become messengers of hope. We should never underestimate the power of a good example.

Free and independent media can be the agents of a change that enforces good governance. There

are numerous examples of media fostering public debate on national issues, forcing accountability of officials and empowering communities by giving voice to those whose voices are never heard by policy-makers in far-away capitals.

There are other challenges. Over-commercialisation of the media has dumbed down content. Advertisement-driven media are not interested in depressing stories about poverty. A country that shall remain nameless has a news magazine that features weight loss at least twice a year when more than half its children go to bed hungry every night.

The other extreme is government-controlled media, especially radio, and their obsession with highlighting the positive.

The way to counter both extremes is through better training and motivation of journalists, and by employing models of public service broadcasting and decentralised community radio, which, wherever they have been tried, have empowered people and given them greater control over their own destinies.

We do not need one-shot ad hoc seminars on “poverty and media” anymore. We must ensure meaningful coverage of poverty by integrating the tools in updated journalism curricula in media schools. And this should be done not just in the South, but also in the North where media students must understand how over-consumption, wastage of resources and trade protection contribute to global poverty.

What we have also learnt from the failed experiment with development journalism is that we should concentrate not only on the basic skills and craft of journalism, but also motivate journalists to think about the importance of ground-breaking, in-depth, and cross-linked coverage of development issues.

My own country Nepal has gone from having one of the freest presses in the world to Soviet-style controls. Let me end by stating my firm conviction that media cannot help restore peace and bring progress if it is not free. If its independence and credibility are curbed by a state that treats the free press as an enemy, then nothing I have just said matters anyway.

Why development needs good journalism

Luc-Joël Gregoire
Chief Economist,
United Nations
Development Programme
(UNDP)

Free and independent media are important development tools. They have a positive influence on economic and social practices, good governance, the fight against corruption and access to the essential social services.

A significant positive correlation can be seen to exist between the power of the media, the accountability of leaders and the improvements occurring in sustainable human development.

Policies that promote information and access are of essential importance. They help to promote good governance, information, education, communication, changes in behaviour and an improvement in the ways in which the challenges of poverty reduction are met.

Civil society plays an important role in widening democracy and development opportunities. Despite the dynamism of the civil society in sub-Saharan Africa, it is lacking in the capacities and supports needed to contribute effectively to the planning, monitoring and evaluation of development policies and programmes.

Most poor people still have little influence on the decisions affecting their lives, and poor women have the least say of all.

Giving a voice to the poor entails increasing the economic and political opportunities available to them in order to ensure that their opinions and preoccupations are taken seriously by governments – but also so that the poor people themselves can take the initiatives that are indispensable to overcoming their problems.

Part 4

Access to information, a fundamental right

Without access to the information held by public bodies and in some cases by corporations and other organisations, it is difficult for people to participate actively in their society or for there to be good and effective governance. These articles look at the question of transparency and access to information from various viewpoints.

Chapter 12

Banned in Tunisia

Toby Mendel

**Law Programme Director
Article 19**

The question of access to information, which I understand in this context to refer primarily to information held by public bodies, is central to any notion of good governance and, indeed, to democracy.

It is now almost universally recognised that public bodies hold information not for themselves, but on behalf of the public and that, subject only to limited exceptions based on overriding public and private interests, everyone should have the right to access that information. The veritable wave of access to information laws sweeping the globe, which have now been adopted by over 60 countries, stand as a clear testament to this recognition.

The question of access to information is central to the topic of the media and governance. It serves governance in a number of ways: it underpins elections, it helps ensure accountability, it is central to participation and it is a key tool in the fight against corruption. It is also key to the media's role in governance by providing an invaluable tool for investigative journalism.

Very few access to information laws have been adopted in Africa and some of those that have been adopted, here and elsewhere in the world, fail to conform to even basic standards. I therefore believe that it is worth reiterating some of the key principles that should underlie such a law.

It is of the greatest importance that an access to information law is based on the principle of maximum disclosure, which sets out the basic presumption that all information held by public bodies is subject to public disclosure.

This reverses the situation prior to the adoption of such a law in most countries, where the presumption was normally against disclosure and in favour of secrecy. This shift in presumption marks the central thrust of the new dispensation that an access to information law represents and it is important that it be set out clearly as the underlying basis for the law.

Every access to information law recognises that disclosure of information may be refused in light of certain overriding public and private interests. But if exceptions to the right of access are cast too broadly, the whole purpose of the law is threatened.

It is, therefore, essential that exceptions are cast in clear and narrow terms and that access should still be given, notwithstanding a risk of harm to a legitimate interest, unless that harm outweighs the public interest in having access to the information.

The access to information law should also detail its relationship with secrecy laws and specify that, in case of conflict, the access law should prevail.

In most countries, secrecy provisions abound in various laws, some dating from many years ago, long before the advent of modern notions of open democracy. If the new access regime does not override these secrecy provisions, there will be no proper implementation of the principle of maximum disclosure.

An access to information law must provide for an independent administrative oversight body whose powers include the right to hear and determine appeals from refusals to grant access. If there is no right of appeal, access

CHAPTER 12 Access to information lags around the world

is essentially at the discretion of public officials. Needless to say, this does not ensure proper implementation of the principle of maximum disclosure.

While appeals to the courts will normally be available, this means of redress is not practical, for reasons of both time and cost, for most requesters. It is, therefore, of some importance that requesters have the possibility of making appeals to an independent administrative body.

The need for an independent administrative appeal system can be demonstrated by both negative and positive examples.

South Africa's access to information law is one of the best in the world, yet has no recourse to an administrative appeal in the face of a refusal by a public body to provide access. Campaigners in South Africa have now recognised this omission as a serious flaw in the law and are working to try to amend it.

In contrast, the Mexican access to information law establishes a powerful and independent administrative body that both hears appeals against a refusal to provide access and plays a more general promotional role. This body is playing a key role in implementing the regime of access in Mexico, demonstrating the importance of an oversight body of this sort.

The key problem facing those seeking to promote progressive implementation of access to information laws is the culture of secrecy that still prevails in most governments in practically all countries.

A recent study by the Open Democracy Advice Centre in South Africa, the first African country to adopt an access to information law, found that something like 70% of all requests for information remained completely unanswered. Such a high incidence of what has been termed "mute refusals" demonstrates a complete failure of public bodies to even bother to consider their obligations in the area of information disclosure.

There is no quick fix solution to this problem and changing the culture of secrecy can be expected to take some time. I can, however, suggest some activities to assist in this endeavour.

First, and most obvious, is training. Training can help in various ways, by alerting civil servants to their duties under the law, by providing insight into the procedures to apply the law, by clarifying what is legitimately secret and what needs to be disclosed, and by emphasising the role and importance of openness.

Second, it is helpful if high-ranking civil servants and/or leading politicians make it clear that they attach importance to effective implementation of disclosure systems. This will make it clear to civil servants that this is a government priority and will make them more willing to apply the law fully.

Third, the authorities should build rewards or recognition of the obligation to disclose into existing regular employment systems. This will depend on the specific employment structure but might, for example, involve building recognition of actions in the area of disclosure into employee evaluation procedures or providing recognition awards for those who have distinguished themselves in this area.

Fourth, sanctions should be applied to those who do not apply the law properly. Many laws provide for individual sanctions for wilful obstruction of access to information. While important, experience shows that, in practice, these are unlikely to be applied perhaps outside of exceptional cases. It might also be useful to consider the idea of corporate sanctions for those public bodies that exhibit serious failures to fulfil their legal obligations in the area of information disclosure.

Fifth, and in some ways most importantly, efforts should be made to convince public officials that they stand to benefit from good implementation of the access to information law. Fundamentally, the law should be about changing the relationship between citizens and the public sector.

The change can help officials do their jobs better and also have a more harmonious relationship with ordinary citizens. Most officials will, if they understand this, welcome this change; they are also citizens and will not want to have hostile or even unproductive relationships with their society.

Article 19, in collaboration with a number of other non-government organisations, is looking at a number of key new directions in the area of access to information.

First, we are starting to look at the issue of corporate openness. Large corporations, and particularly multi-national corporations, are increasingly recognising the responsibilities that arise from the enormous role they play in our lives. The corporate social responsibility movement, as it is generally referred to, is starting to recognise certain information-related obligations.

For the most part, these are in the area of better dissemination of information about key social impacts, for example in relation to the environment,

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via web sites and other means of publication. But some corporations are starting to recognise their obligation to respond to requests for information as well.

Second, we are working on the issue of transparency of inter-government organisations. These bodies, like national public bodies, hold information not for themselves but on behalf of the global public. Indeed, the very same rationale for openness at the national level applies to these bodies. And they themselves are increasingly recognising this.

So far, our work in this area has mainly been with international financial institutions such as the World Bank and the African Development Bank. In 2001, Article 19 provided a submission to the World Bank as part of a review of their information disclosure policy, first adopted in 1993. We were rather surprised to find that their access to information policy was vastly inferior to the national laws on which we were used to commenting.

Our submission caught the attention of the Bank Information Centre, a non-government organisation that had been promoting openness at the international financial institutions for some time. We realised that there were two different com-

munities with a mutual interest in this issue: those focusing primarily on the international financial institutions and those working mainly on access to information at the national level. In February 2003, the two groups were brought together at a meeting in Georgia, USA, and the Global Transparency Initiative (GTI) was born.

Since that time, members of the initiative have been working together to exploit synergies between their communities to push for greater openness at the international financial institutions.

The transparency initiative has achieved some important successes. Both the World Bank and the Asian Development Bank have adopted new, more progressive rules relating to openness. The Asian Development Bank, in particular, has made very significant changes to its policy which probably put it in the lead on this issue.

But within the UN family, only the UN Development Programme has adopted a policy of openness, and this is effectively defunct.

I think it is appropriate to ask UNESCO, given its leadership role at the UN in promoting national access to information laws, to take the lead on this issue within the UN, starting with the adoption of its own access to information policy.

Chapter 13

Obtaining information in a rumour society

Remzi Lani
Director,
Albanian Media Institute

One of the most well-known TV programs in Albania is a satirical program called Fiks Fare. Using the Albanian law on access to information, the staff of this program files requests to different public institutions asking for details such as: What was the phone bill of the Minister of Education last month? What was the cost of the charter jet that the prime minister or president used to travel?

The program has become so popular that people now prefer to complain to its journalists than go directly to the offices of municipalities or ministries.

We live in more of a rumour society than an information society. The culture of openness is weak. A strong mentality of secrecy inherited from the past considers information a state monopoly, rather than a public property.

Nevertheless, the 1998 constitution guaranteed the right to information, and in June 1999 Albania adopted a freedom of information act. This law provides the conditions, procedures and deadlines for granting access to information to all citizens who request it. Public authorities are obliged to provide the applicants with information that is updated and manageable in terms of format

The basic principle of the law is a strong presumption of the availability of documents for scrutiny. Withholding official documents should be an exception – for example if their release would compromise national security.

Another important principle is that the person applying for copies of official documents is not required to provide the reason for the request.

On the other hand, any refusal by the authorities to provide requested information must be accompanied by a written statement giving the reasons and the legal grounds for the refusal.

Certain categories of documents are to be made available to the public without any specific request. In general, the law has been deemed a good one, in line with European standards.

But neither the best theory, nor the most advanced legal framework is sufficient. Access to information involves practice rather than theory.

In Albania, there is a stark discrepancy between the high standards of the freedom of information act and its implementation. In general people do not believe that they can obtain information simply by filing a request. Also, public officials have shown that they do not fully know the law, and even less do they comply with it.

This combination of cynicism on the one hand and inertia on the other means that the law is a dead letter in many respects.

A recent survey by the Citizens Advocacy Office showed that people were highly dissatisfied with the response of public officials to requests for information because of problems such as excessive bureaucracy, corruption and unjustifiable delays.

The survey showed that 69 percent of public administration employees who were asked for information provided the wrong answer and failed to respect deadlines. A further 15 percent refused to issue information unless the application gave a reason for the request, which is a clear breach of the law.

Moreover, only 23 percent of the citizens who were surveyed said that

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they were aware that information offices existed or knew how to go about obtaining information

It has been very difficult to convince citizens that the law was created for them and not exclusively for the benefit of journalists. But even they run up against problems in seeking information under the law. They have to file a request, and wait 15 days for a response, which might be inadequate or not forthcoming. They thus risk finding themselves in an absurd labyrinth, where the law, instead of serving them, can be used to stifle them in bureaucracy.

Access to information is essentially a question of transparency. But when the media are not transparent themselves, how can they demand transparency from others? This is a problem in Albania and most other transition countries, where media ownership is not transparent. We do not know who owns what, and we do not know where media money comes from. This means that instead of being part of the solution the media sometimes are part of the problem.

Pressure is mounting for better implementation of the freedom of information act, particularly

by non-government organisations. Some investigative TV programmes make use of the law. And even the government's Anti-corruption Action Scheme describes implementation of the law as one of the main pillars of official transparency and efficiency.

In September, 2003 five media organisations filed a suit against Prime Minister Fatos Nano in the constitutional court, arguing that his gag order prohibiting senior civil servants from speaking to the media about their duties violates the law on fundamental human rights and freedoms. Two months later, the prime minister revoked the order, only five days before the case was due to be heard by the court.

In January, 2005 Tirana district court ruled that the ministry of education had breached the access to information law by failing to provide timely information when asked, and ordered the ministry to comply. It was the first time that a court had ruled in favour of the side demanding information from a public institution, and as such was an important victory for transparency.

Chapter 14

Mongolia keeps its secrets

Hashhuu Naranjargal

*President
Globe International,
a non-government
organisation
supporting democracy
in Mongolia*

Mongolia's 1992 constitution guarantees the right of citizens to freely express opinions, to freely publish and to seek and receive information that is not confidential and is not legally protected by the state and its institutions.

Yet the culture of secrecy remains deeply rooted in the Mongolian bureaucracy. The code of conduct of state officials states that they are not allowed to provide information without permission of government leaders. A law on state secrecy, which was last amended in 2004, imposes far-reaching restrictions on access to government records and makes it possible for virtually anything to be classified as secret and hidden from the public view for an indefinite period.

Tough privacy laws enable organisations and individuals to keep information secret. Other laws enable various officials, including judges, policemen, prosecutors, members of the national human rights commission and ministers to exclude and control the media. Government auditors are the only people to have access to information, but they too are pledged to maintain secrecy about anything they learn.

According to a survey carried out by Globe International, the vast majority of citizens who have sought information from official bodies have had their requests refused. Sometimes they are told that "official papers are not for ordinary citizens."

With more than 300 outlets, Mongolia has an independent media with about 2,500 working journalists in a country of only 2.4 million.

Parliament passed a law on media freedom in 1998 and a law on public radio and TV was to come into force in July, 2005.

Although the media freedom law bans censorship, 200 journalists interviewed by Globe International in 2004 said it still exists. For example, the strict anti-defamation law passed in 2002 is used as a form of censorship, and the Mongol Times, a weekly tabloid that had been publishing sensational material about corruption was closed recently.

The government often makes pledges about transparency and openness. Its 2004–2008 action plan, for example, contains a commitment to "provide the citizens with rights to access any information." Proposals for freedom of information legislation is a part of anti-corruption and human rights programmes.

There is an urgent need for comprehensive program of reform to bring Mongolian laws restricting freedoms of expression and information into line with international standards.

Globe International has begun a Right to Know campaign and has carried out a wide range of activities to raise public awareness about the issue. As a result, the ministry of justice and home affairs has formed a working group to work on a draft freedom of information law that has been developed by Globe International with assistance from Article 19, the London-based global campaign organisation for free expression.

Chapter 15

Tackling transparency in Mexico

Ernesto Villanueva

**President,
Freedom of Information-
Mexico (LIMAC)**

Mexico's Federal Law on Transparency and Access to Public Government Information is backed by an independent regulatory agency responsible for enforcing compliance, and it is this that has prevented the law remaining at the level merely of good intentions.

The role of the regulatory agencies, both at federal level and at the regional level in the states that have also established such legislation, includes not only ensuring compliance but also publicizing the law and creating a culture of openness.

Anyone has the right to apply for information, even anonymously and by far the most popular way of doing so is via the Internet.

In a year, Mexican institutions received 150 000 requests for information, of which 96 per cent were over the Internet and only 4 per cent by writing.

Young people between the ages of 18 and 24 made most requests. Nine people out of 10 considered they received a satisfactory reply.

The law presumes that information should be disclosed unless any harm that might arise from disclosure would outweigh the general public interest in having the information made available.

This raises two questions: What is strictly a personal file of a public official? And what information should be withheld in the interest of national security?

I do not think it is possible to have a single mechanism. Rather, these issues should be considered on a case by case basis. Also the principle of proportionality should be considered. In other words, is the public interest preponderant and should it, therefore, have priority over a public official's right to a private life or even a national security secret beyond the strict exceptions necessary in a democratic society?

The law cannot on its own change the absence of a culture of openness. What is important is to achieve a reasonable balance between what is intended by the law and compliance with it.

In many Latin American countries, the mass media have not played the necessary and crucial role of putting question of access to information high on the public agenda, although some newspapers have devoted extensive coverage to the topic and promoted it by offering seminars with their editors. But there is a lack of knowledge about the benefits that the right of access to public information can bring to journalists and the news media.

In addition, most universities and colleges are not yet in the vanguard on this issue. They have not developed the systematic and scientific framework that would buttress the arguments and capabilities of civil society in seeking access to information from official bodies and institutions.

Fighting for free expression

Information
adapted from
the Ifex Internet site:
www.ifex.org

As profound violations of the right to free expression continue around the globe, the International Freedom of Expression Exchange (IFEX) has emerged as a strong and growing force of opposition.

IFEX is made up of 64 organisations whose members refuse to turn away when those who have the courage to insist upon their fundamental human right to free expression are censored, brutalised or killed.

The nerve-centre of IFEX is the Clearing House, located in Toronto, Canada, which helps coordinate the work of IFEX members, reducing overlap among their activities and making them more effective in their shared objectives.

Through an action alert network, member organizations report free expression abuses in their geographic region or area of expertise to the clearing house which, in turn, circulates this information to other members and interested organisations.

The network allows for a rapid, world-wide and coordinated response to press freedom and freedom of expression violations. Action Alerts help turn the spotlight squarely on those responsible for human rights violations – and this can make a significant difference, as those who violate human rights often rely on the cover of darkness.

A key area of the Clearing House's work is the Outreach and Development Programme, which is designed to support and strengthen fledgling freedom of expression organisations in the developing world, eastern Europe and in the former Soviet Union.

The risks and obstacles faced by people who attempt to start up free expression groups in countries plagued by human rights abuses or censorship can be overwhelming. IFEX offers vital transfusions of information, financial and technical resources, expertise, and international support and recognition.

Part 5

The ethics and training of journalists

Hervé Bourges, president of the *École supérieure de journalisme* in Lille, one of the best-known journalism schools in France, argues that journalism training is becoming a vital global issue, since it is the media that will largely determine the collective conscience of mankind.

The consequences of bad journalism on modern societies are a serious threat to good governance and human rights, he says, while good journalism is essential for civic transparency and preventing the abuse of power.

Chapter 16

Training journalists for the global information era

Hervé Bourges

**President, International
Union of the French-
speaking Press**

The particular responsibility of the media in modern societies stems from two fundamental developments – the flow of information, and the desire of citizens for transparency.

In today's "information societies," social and cultural habits and ideas are to a large extent collectively constructed by the media.

Transparency may be uncomfortable for public authorities, but our societies are unlikely to relinquish the demand for greater openness, since the legitimacy of their political and social structures depends on it.

Governance is thus intrinsically linked to government communication, the transparency of political decision-making, the manifest separation of powers and the effective control which each may exercise over the other, under the watchful eye of the "fourth estate," that of the media, that is to say under the gaze of all.

The demand for freedom of the press and the need for the protection and independence of journalists is not therefore corporative or sectional. It is a universal, democratic requirement from which every citizen can benefit.

The media play a very important role in fuelling political discussion, and facilitating the participation of citizens in policy decisions. They are the tools for building public opinion, and thus for raising general awareness of current political and social issues at the international level.

Issues need to be explained to the public taking into account all of their causes and consequences. Where information was once local, or at best, national, it has become essentially international, transcending border. The issues involved are also continental, and even global.

Understanding and explaining require detachment and attention, yet we are immersed in a constant flow of information, a constant switching of images that allows little time for reflection. The multiplicity of sources makes analysis more difficult, while the time allowed for analysis is shorter and shorter. The question is how, given this abundance and speed of information, can the professional codes of practice of responsible journalism be kept intact?

Much depends on the quality of the men and women involved, which in turn depends primarily on their training. This is particularly true of Africa, which risks being left in a situation of media dependence on the developed countries unless we can breathe new life into the development of training of its journalists. It is also true for the countries of North America and Europe, where journalism training is going through a difficult period in the face of new challenges, new technology and new expectations.

The development of the information society should provide an opportunity for professionals to lay down a certain number of principles that could serve as common standards for journalists everywhere. We have inherited a code of practice along with working methods that we must ensure are shared by all the world's media, since it is the media that will largely determine the collective conscience of humanity. The quality criteria for journalism are universal: the rigorous establishment of facts, comparison of sources, a concern for the quality of expression aimed at reporting the news without imprecision or bias

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At the same time, we must help the new generations of journalists to resist indiscriminate globalisation, for this would eliminate differences and overshadow the identity of each country with a flow of standard information.

The new technologies are likely to be put to many uses. The digital broadcasting networks that are now gradually spreading across Africa can enable each country to make its voice heard around the world, sharing its vision and singularity and promoting its original works and its artists. But the networks can also lead to the broadcasting of information and music that belong to a homogenized western culture without local ties. Cultural diversity is not an intellectual gadget. It is an absolute necessity.

Good journalism, and investigative journalism in particular, is essential for civic transparency and is one of the main democratic bulwarks against abuses of power. It is thus vital that the safety and right to work of journalists be recognised and guaranteed. The International Union of the French-speaking Press has been struggling for years to get French-speaking states to eliminate imprisonment for journalists accused of breaching press laws. We are far from achieving this goal, which I urge UNESCO to adopt on a global basis

Journalists should be aware of their role and be sufficiently well trained to be able to practise their profession freely with respect for impartiality of information and without resorting to abuse, incitement to violence, tribalism or xenophobia. The training of journalists is a global social issue and

one in which UNESCO ideally could be involved in mobilising the international community.

Nothing is more essential than ensuring the quality of the men and women who devise and use the tools of collective representation that the media have become today. Their pivotal role in facilitating and organising the information society can no longer be neglected.

The appalling effects of bad journalistic practices are apparent – ideological, racist, communitarian and negationist manipulation of information, and the consolidation of prejudices and preconceptions. Too many countries have experienced the tragic effects of such media abuse, beginning with the horrifying impact of hate media.

The challenge is sufficiently significant to mobilise internationally today, under the auspices of UNESCO, in order to improve journalism training and support to the schools, universities and professional institute that provide such training. We must agree to work together to ensure that the values and basic principles of journalism are shared by all who practise the profession.

By bringing us together in Dakar, UNESCO has chosen to unite us in the heart of the developing continent of Africa. Beyond great declarations of principle, forgotten as soon as they are made, UNESCO must support with real action the development of communications in Africa – a continent that knows the value of information and its strategic significance in the globalised society that we are entering.

Chapter 17

Raising professional standards in Africa

**Ibrahim
Famakan Coulibaly**

**President,
West African Journalists
Association**

Continuing and specialised training is in high demand in Africa. Most professional journalists on the continent are aware of the need for training and improved skills as a means of promoting ethical and professional standards. We need to produce men and women who will be independent and who can resist the temptation to accept “allowances” to churn out potboiler journalism.

Many of the ethical and deontological failings of African journalism can be traced to a lack of proper training.

But we must also bear in mind that poverty is at the root of many of our ills. African journalists work without contracts. They have no proper pay scale and no social security provision. This insecurity makes them prey to manipulation, commercial interests and corruption.

At the same time, regulatory bodies – with a few exceptions, such as the High Audiovisual and Communication Authority in Benin – are tied to the public authorities and do not perform as they should.

So long as the regulatory bodies fail to play their part in establishing democracy, press freedom and good governance, it is up to journalists themselves to take charge of the future of their profession.

One way that this can be done is by setting up watchdog bodies, or observatories to make sure that the media protect the public’s right to free, full, honest and accurate information.

Such bodies can monitor compliance with ethical and professional standards, and at the same time concern themselves with the safety of journalists and their freedom to investigate public matters.

The Observatory of Press Freedom and Journalism Ethics of Ivory Coast is a good example in West Africa of how this can be done. . Despite the Ivorian conflict, it is trying to play its self-regulatory role to the full.

But lack of training is at the heart of the problems facing the media in Africa, and it is in filling this need and supporting professional journalists’ associations that UNESCO and other international organisations can best help us and rid us of our insecurity.

Appendices

Declaration of Dakar, 3 May 2005

The stories that can lead to a jail cell

Hold on to common sense amid terror and lies

Declaration of Dakar, 3 May 2005

Media and Good Governance

We, the participants of the UNESCO-sponsored World Press Freedom Day conference in Dakar, Senegal, from May 1-3, 2005:

Recalling Article 19 of the Universal Declaration of Human Rights, which states: “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”;

Recalling the United Nations Millennium Development Goals, which set forth a human rights-based approach to development, in which participation and transparency in decision-making, empowerment and accountability play a key role;

Reaffirming the Declaration of Windhoek of May 3, 1991, which defined the principles for independent and pluralistic media, and was endorsed by the General Conference of UNESCO in 1991;

Reaffirming the Declarations of Alma Ata, Santiago, Sana’a, Sofia, and the Toronto Platform for Action and the African Charter on Broadcasting, which extended the principles of the Declaration of Windhoek into calls for practical action;

Noting that greater participation by citizens in democratic processes, the rule of law, the fight against corruption, respect for the separation of powers and the independence of the judiciary, transparency, accountability, access to information, poverty reduction and human rights are key elements of good governance;

Stressing that independent and pluralistic media are essential for ensuring transparency, accountability and participation as fundamental elements of good governance and human rights-based development;

Emphasising the right freely to access information held by public bodies as a vital component of good governance;

Stressing that respect for the principles of good governance is crucial for reducing poverty worldwide;

Honouring the journalists and other media professionals who, in safeguarding democracy, risk death, imprisonment and/or other forms of harassment;

Request the Director General of UNESCO to transmit this Declaration to the UNESCO General Conference for endorsement; and

APPENDICE Declaration of Dakar, 3 May 2005

Call on Member States:

To ensure that government bodies respect the principles of transparency, accountability and public access to information in their operations;

To respect the function of the news media as an essential factor in good governance, vital to increasing both transparency and accountability in decision-making processes and to communicating the principles of good governance to the citizenry;

To create an enabling environment in which an independent, sustainable, pluralistic and professional media sector can flourish;

To transform State and government media into public service media and to guarantee their editorial and financial independence;

To guarantee the independence of regulatory bodies for broadcasting and their role in promoting media diversity, including through community media outlets;

To provide for comprehensive legal guarantees for the right to access information recognising the right to access information held by all public bodies, and requiring them to publish key categories of information and to introduce effective systems of record management, and to ensure proper implementation in practice of these guarantees;

To promote wide public awareness of legislation and policies regarding access to information held by public bodies;

To follow the principle that legislative bodies should be open to the public;

To support broad public participation in the processes of governance, including through such means as ICTs and e-governance;

To assist the news media in providing professional coverage of elections by ensuring full and timely disclosure of information to journalists and by guaranteeing political parties fair access to the media throughout the electoral process;

To repeal criminal defamation laws and laws that give special protections to officials and institutions;

To act to put an end to killing of, attacks on, harassment of, arrests and jailing of journalists, including those investigating corruption, and to make all reasonable efforts to bring those responsible to justice;

To guarantee the right of journalists to protect their confidential sources of information;

To take effective collective and individual action to hold to account those governments that actively repress the media;

Call on media outlets and professional associations:

To commit themselves to fair and professional reporting as well as to put in place mechanisms to promote professional journalism;

To commit themselves to raising public awareness about corruption, human rights violations and other abuses of power, and to investigate and report these cases in a fair and professional manner;

To support independent bodies that monitor threats to and abuses of press freedom;

To commit themselves to ongoing programmes of training for journalists to strengthen professional and ethical standards;

To provide for transparency in ownership, to promote the economic sustainability of media outlets, and to facilitate the independence of journalists by providing improved working conditions and living wages;

To deepen the information role they play in facilitating participatory governance by explaining processes of government and public policy formulation, as well as by monitoring government performance;

To stress safety for journalists, including safety training, and to provide hazard insurance;

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Call on UNESCO:

To sensitise governments, legislators and public institutions regarding the importance of freedom of expression, including freedom to access, to produce and to share information;

To promote the adoption of national access to information legislation and to develop international principles on access to information;

To adopt its own organisational policy providing for access to the information it holds;

To promote the role of media as a platform for dialogue in a democratic governance framework, by enhancing independent and analytical reporting;

To communicate this Declaration to other international and regional organisations for their consideration;

To use this Declaration as a reference for UNESCO's activities in this area.

The stories that can lead to a jail cell

Remarks by
Larry Kilman,

Director of
Communications, World
Association
of Newspapers, accepting
the UNESCO/
Guillermo Cano
World Press Freedom
Prize on behalf of
Chinese journalist

Cheng Yizhong

The success of the Nan Fang Du Shi Bao, or Southern Metropolis Daily, is evidence that China is changing. The newspaper's critical reporting on social problems like crime and corruption is an example of what newspapers do best, and would not have been possible even a short time ago.

But the failure of the Chinese authorities to allow the newspaper and its staff to continue doing their job is evidence that things haven't changed enough, nor are they changing fast enough.

Exposing an outbreak of SARS, investigating the suspicious death of a student in police custody, uncovering a restaurant that was making its cooking oil from kitchen waste – nobody can doubt these stories are in the public interest. The story about the student's death, for example, helped uncover a nationwide forced-labour racket and prompted the government in Beijing to close detention camps, and abolish a law that gave police widespread powers to imprison people at will.

The newspaper's aggressive reporting about Sudden Acute Respiratory Syndrome was also exemplary. It got health information to the public in a timely manner at a time when the public health authorities were sitting on the story, which is proof positive that press freedom is good for your health.

These are the kind of stories that win major journalism awards. In China, they can also lead to a jail cell.

In a campaign to punish the newspaper for embarrassing the authorities with its courageous reporting, Editor Cheng Yizhong – now the former editor – who is being honoured here today, was arrested and detained for five months without charge. Two of his colleagues were sentenced to long prison terms on trumped-up charges of corruption.

At the height of this harassment campaign, Mr Cheng refused to tone down the newspaper's coverage. According to staff members later quoted in a western newspaper, he had told his staff: "whatever happens, we must not give up our ideals." Those ideals include a belief that his newspaper was working for the public, that it sympathised with the weak, and that it served as a watchdog over the strong.

But newspapers in China remain beholden to the Communist Party, not to their readers, and editorial control remains in the hands of bureaucrats. The party appoints the editors of every newspaper and issues directives banning coverage of certain subjects. Journalists are expected to censor themselves, and those that don't are fired and demoted or worse. Publications can be arbitrarily shut down.

Newspapers therefore shy away from controversy and are famous for being deadly dull. Under such conditions, what the Southern Metropolis Daily accomplished is nothing short of remarkable.

Mr Cheng built the Daily into one of China's most successful newspapers. He studied newspapers around the world and introduced modern innovations – his was the first newspaper in China to offer daily consumer sections, for example. Operating from Guangzhou, a city of 7 million people not far from Hong Kong, the newspaper saw its circulation jump from 80,000 in 1997 to

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1.4 million in 2003. Its profits approached 20 million dollars annually.

A lively combination of reporting, entertainment, and consumer news is a mix that others are emulating – or were emulating, until the arrests, which will certainly put a chill on this process.

Like many things in China, the newspaper business is changing. No longer the beneficiary of Communist Party subsidies, many newspapers are facing their first free-market experiences. They recognise that they will stand or fall on their ability to modernise their management, on their ability to attract readers and advertisers and on their ability to turn a profit.

The World Association of Newspapers was long banned in China because of our press freedom work. But we are now engaging in dialogue with Chinese newspaper executives and government officials because they want to know how newspapers can succeed as businesses.

We never hesitate to emphasise that editorial independence is central to any successful strategy. This opportunity to contribute our experience and knowledge, the Chinese willingness to engage in face-to-face talks, and the willingness of some newspapers to push the boundaries – these are reasons we are guardedly optimistic about the future. But we could very well be wrong. Certainly the pres-

sure brought to bear on the Southern Metropolis Daily, the jailing of journalists and internet dissidents, along with increasing repression of other media, particularly the Internet, is cause for alarm.

That is why this award is so important. It gives heart to those who value an independent press – and there are many inside China, who are battling to expand media freedoms. Many courageous journalists who are struggling for freedom very often feel isolated – this award lets them know the international community is paying attention and is with them.

And this award is particularly important because it comes from UNESCO, which has China as a member. It is impossible to ignore. In accepting this award on behalf of Cheng Yizhong, the World Organisation of Newspapers would also like to praise UNESCO, its secretariat and the jury, for making this choice despite the knowledge that it would anger and embarrass one of its members. That, too, takes courage.

I said at the start of my remarks that China was changing, but not enough and not fast enough. We hope the UNESCO/Guillermo Cano World Press Freedom prize, awarded to Cheng Yizhong, will accelerate this process and lead to even more media freedom, because the benefits are so clearly evident.

Hold on to common sense amid terror and lies

Acceptance Speech by

Cheng Yizhong,

Laureate of UNESCO/
Guillermo Cano
World Press
Freedom Prize

April 28, 2005
Guangzhou,
China

I would like to extend my sincere gratitude to the United Nations Educational, Scientific and Cultural Organisation for honouring me with UNESCO/Guillermo Cano World Press Freedom Prize 2005.

I thank the executive board of UNESCO and the international jury of the prize. At a time when “wind and rain sweeps across a gloomy sky and a thousand horses stand mute”, such a righteous deed is like sending charcoal in snowy weather, and is of crucial importance to the progress of political civilisation and to improving the status of human rights in China.

I regret and apologise for not being able to come to Senegal. I am grateful to the executive board for its agreement to my entrusting the World Association of Newspapers with accepting the prize and reading my acceptance speech.

I would like to avail myself of this opportunity to thank the World Association of Newspapers, Reporters without Borders, the Committee for the Protection of Journalists, as well as and the industry association of China, which was angry in silence.

I thank Asian Newsweek and Phoenix TV, the Washington Post, the New York Times, the Voice of America, the British Broadcasting Corporation, United Press and Agence France-press. I also thank Mr. Qiu Liben, Mr. Yang Jinlin, Mr. He Liangliang, Ms. Ann Cooper, Mr. Kavi Chongkittavorn, Ms. Sophie Beach and Mr. Brussels.

I extend my special thanks to the honest and lovely lady Ms. Hu Shuli and her magazine “Finance & Economy.” As the only medium on the mainland of China that has covered the case of Southern Metropolis Daily with independence and fairness, “Finance & Economy” created a press miracle in contemporary China.

I would thank, with great esteem and respect, the veterans of the Communist Party of China Mr. Ren Zhongyi, Mr. Wu Nansheng, Mr. Lin Ruo, Mr. Hu Jiwei, Mr. Du Daozheng and Mr. Liu Tao, who have intervened bravely.

I would also thank the following personalities in China’s legal, intellectual, media and cultural communities: Mr. Xu Zhiyong, Mr. Jiang Ping, Mr. Mao Yushi, Mr. Liu Xiaobo, Mr. He Weifang, Mr. Chen Xingliang, Mr. Gu Zexu, Mr. Xiao Han, Mr. Hu Xingdou, Mr. Ji Weidong, Mr. Wang Jianmin, Mr. Zhang Xingshui, Mr. Zhang Sizhi, Mr. Yang Zhizhu, Mr. Fu Guoyong, Mr. Wang Xiaoshan, Mr. Chen Feng, Mr. Wang Keqin, Mr. Zan Aizong, Mr. Hu Xiaotong, Mr. Shen Haobo, Ms. Yin Lichuan, Mr. Li Jian, Mr. Zhao Yan, Mr. Zhan Jiang, Mr. Fan Chongyi, Mr. Xu Lanting, Mr. Chu Huaizhi, Mr. Liang Genlin, Mr. Qu Xinju and Mr. Zhan Hong.

You are victims as well as saviours. I apologise for this long list of people to whom I would like to extend my gratitude. The list is actually much longer, but unfortunately I am not able to list them one by one here.

I thank the friends and colleagues of Southern Metropolis Daily, New Capital Newspaper (Xinjing Bao) and Southern Sports, who felt like weeping but had no tears.

This time last year, when terror was omnipresent and lies flew, your strong but faint screams swept away layers and layers of black curtains and walls.

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I have to thank those politicians without whose unscrupulousness and stupidity, I would not be able to win this honour.

I would specially thank Mr. Yu Huafeng and Mr. Li Yingmin, my fellow warriors and victims. Your sufferings are a shame to China as a whole. As former President Kennedy said in his speech at the Berlin Wall, "Freedom is indivisible, and when one man is enslaved, all are not free."

Dear Mr. Yu Huafeng and Mr. Li Yingmin, I invite you to share this moment with me. Within or outside the prison walls, we are suffering, and suffering as permanent prisoners of a vicious system. I am outside, in a bigger cage, a "metropolis with no sky." The well-off life that I now live is in fact in a pigsty where there are good things to eat and drink.

Lastly, a special word of thanks to my wife Ms. Chen Junying. You confronted imminent disasters with such calmness, strong will and kindness. When my eight-year-old son asked, "where is my Dad?" or when my 80-year-old mother asked, "where is my son?" you smiled and said, "he is abroad for a visit, and that is a beautiful world of freedom."

When our daily life was haunted by eavesdropping and monitoring, when I was illegally and secretly detained for 160 days and nights, when our home was searched twice and when all our means of livelihood was illegally frozen by judicial authorities, you were still sending our son to his piano class. So much has changed but the mellifluous notes of the piano remain the same. My mother gave me a call, when she had just woken from a nightmare, saying my son was enchanted with the beautiful world of music,

A beautiful world! Yes, that is what we need.

A pigsty is not a beautiful world, not even a pigsty where there are good things to eat and drink. A man should not live in a situation in which human rights, humanism, humanity and humaneness are treated with hostility. Man has to restore his identity with humanity.

Taking up the weapon of common sense, we will destroy the nightmare woven by terror and lies. Be careful, for shameless politicians strike against truth-telling in the name of defending truth, and seek personal revenge and profit in the name of being politically correct.

For us press practitioners of China, our top priority for the moment is to expand the right of the general public to be informed and to raise political visibility. This is a duty that we have to shoulder and it is also "the power of the powerless."

As journalists, you have the right to keep silent, but you have no right to tell lies. To tell the truth is the bottom line for journalists. But, tragically, this line is high-voltage.

We are for too long lost in terror and lies. Terror is omnipresent. So are lies. We are going further and further along the road of deceiving ourselves as well as others. I am sure that in the not-too-distant future, when we look back, we will certainly feel how incredible it is that we lived in such a time of craziness and absurdity. If we get used to the rampant evil, we become accomplices in persecuting ourselves. As Beidao's poem goes: "We are not guiltless / long ago we became accomplices / of the history in the mirror."

Let us start to be ashamed of such a scene.

I would like to take this opportunity to launch an appeal: let truth come back to our lives just as the earth returns under our feet!

As Vaclav Havel wrote in his Open Letter to Dr. Husak, General Secretary of the Czechoslovak Communist Party in 1975, "Life cannot be destroyed for good, nor history be completely halted. A secret streamlet trickles on beneath the heavy crust of inertia and pseudo-events, slowly and inconspicuously undermining it. It may be a long process, but one day it has to happen: the crust can no longer hold and starts to crack."

and this is bound to be our future.