Connecting Advocates of Freedom of Expression throughout the Arab World

Arab Press Freedom Watch (APFW)

The State of the Arab Media
2004

Freeing the Arab Media from State Control

Introduced by: Ibrahim Nawar
Edited by: Youssef Fadel

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Arab Press Freedom Watch, Chytel House, 160-164 Mile End road, London E1 4LJ
Tel: + 44 (0) 7786 000 898, Fax: + 49 (30) 844 189 63
www.apfw.org E-mail: info@apfw.org
Registered in the UK. Registration No. 3998038
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Introduction

APFW in 2004

The 2004 APFW annual report appears at the end of the year unlike previous reports that were launched in May since the establishment of the Arab Press Freedom Watch. In previous years the report was published at the same time as the annual conference. This added a heavy burden on APFW staff and also denied the report its deserved publicity as most of the attention went to the conference. In order to give a thorough documentation for developments in the state of the media in the Arab world the month of December was seen as an appropriate date for the launch of the report. So I hope this year that journalists, academics, researchers and media rights activist will find this report of a greater value when it comes out illustrating changes in the landscape of the media over the year.

APFW annual report is the only comprehensive and complete documentation so far of the state of the media in the Arab world. As we did last year this is a country based report that includes analysis and chronology of events for most of the Arab countries.

I’d like to take the opportunity of writing this introduction for the APFW 2004 Annual Report to say a few words about the characteristics of the APFW activity program in 2004. Throughout the year APFW activists all over the Arab world have shown a lot of courage, dedication and professionalism. They have led campaigns defending freedom of expression, condemning violations against the press and promoting the ideas of public liberties, tolerance, respect of others and their opinion and democratic values from Bahrain to Morocco and from Syria to Somalia. In short APFW has been a campaign leader throughout the year. Many battles have been won and many others are still being fought. APFW won in many places, with dialogue and intelligent engagement with authorities, oppositions and media organizations. As a campaign leader, APFW has also won the respect of many others who work in the field.

Being a campaign leader was not the only feature of the APFW activity program in 2004. This feature gained the organization as much growth as respect. Our relations with journalists and freedom of expression advocates in Morocco, Algeria, Egypt, Sudan, Saudi Arabia, Jordan, Bahrain, Yemen, Syria and Iraq have almost doubled. APFW has always been proud of maintaining good working relations with independent journalist syndicates, independent media organizations and large sections of the whole media community interested in the promotion of democratic values and freedom of expression.

This growth of respect and influence has gained APFW a wider participation in the international movement of Media Rights. If I may mention some of the events that took place during the year with APFW present at them, I would refer to the first summit of Arab NGO’s that was held in Beirut in March 2004, The Euro-Med Human Rights Forum (Cyprus, June 2004), the IFEX international conference (Azerbaijan, June 2004), a series of meetings for the Arab Media Initiative sponsored by the International Media Support –IMS (of Denmark) and the Open Society Institute (Hungary), The Euro-Med Dialogue Forum (Amsterdam, July 2004), Somali
journalist conference, August 2004, Egyptian journalists 4th General Conference, Cairo, April 2004, Federation of Arab Journalists 10th General Conference, Cairo, October 2004 The Global Forum for Media Development (Thailand, October 2004), and the international conference of IMS on media in conflict zones (Copenhagen, November 2004). APFW is also represented at the jury of Lorenzo Natali Prize (Paris, Dec. 2004) and the UNESCO expert meeting on media development in the Middle East (Doha, Dec. 2004). In Iraq APFW has been engaged with Iraqi journalists in their search for a new trade union framework and a new media regulatory framework that is produced by the Iraqi media community and not imposed from above or from outside the country.

The APFW fact-finding mission that went to Iraq in June 2003 was the first of its kind to this shattered Arab country. The mission’s activities and discussions were highly appreciated by Iraqi colleagues. The report that was written at the end of the mission and published in Arabic and English has received a warm reception in media and political circles. Although the report was published about eighteen months ago its findings and recommendations are still valid today. I hope that our cooperation and engagement with our Iraqi colleagues will continue in 2005.

I should also mention with a great sense of pride, the APFW Election Monitoring Program that started in Algeria during the Presidential election and continued in Tunisia (in cooperation with IMS and a number of Tunisian Media and Human rights organizations. This is a unique program and the first of its kind in the Arab world, to monitor and evaluate the role of the media during elections in the Arab world.

The APFW website has achieved phenomenal growth this year, thanks to the dedication and high degree of professionalism shown by our colleagues who work for the website under the leadership of Mr. Youssef Fadel, member of the Executive Council and the editor of this report. The number of visits and the number of page viewings has risen astronomically. Independent figures show that the number of page views on APFW’s website has reached almost 205,000 pages in 2004 against 18,000 in 2003 at a growth rate of 1062%. This is a reflection of the quality and the richness of the material available on the site. Visits that have reached more than 600 a day are at an average rate of 6,000 a month. In 2004 the estimated total number of visits has risen to 65,000 from only 3500 at an amazing rate of growth of 1736%. I hope that APFW website will introduce more services, develop more skilled reporting and make the English language side of it as up to date as the Arabic site.

The APFW third annual conference in May 2004 was a great opportunity to take bold steps towards the restructuring of the organisation on a democratic basis. The conference agreed the organisation’s constitution and for the first time elected a new executive board. Plans to create three sub-regional centres are under way and a program of strengthening the structure and improving the skills of the organisations members are taking shape and will hopefully start in the beginning of 2005. Throughout the year APFW has continued the promotion of the values of freedom of expression, democracy, transparency and accountability. The restructuring of APFW is only one aspect in this regard.
One of the very relevant features here is the fact that APFW’s rate of growth has far exceeded the growth of the organization’s resources. Many thanks to Ford Foundation, Cairo office for maintaining the necessary support for APFW to continue since its establishment in 2000. And thanks to APFW’s new donors, the International Media Support and the Open Society Foundation. Of course the growth of APFW and the need to make its activities sustainable need new sponsors to step in and help. I hope that 2005 will see more engagement with national, regional and international media rights organizations and that new donors/partners will take part in supporting APFW’s activities.

Before I conclude this introduction I would like to convey my sincere congratulations to our colleague, Mr. Mahjoub Mohamed Saleh who was recently awarded the Golden Pen international award for freedom of expression by the well respected World Association of Newspapers (WAN). Saleh who was presented in May 2004 with the APFW Freedom of Expression award will receive his Golden Pen Prize in a prestigious international ceremony in Seoul later in 2005. Mahjoub Saleh is by far the real hero of the Sudanese free and independent media. He has always enjoyed the respect and the admiration of his fellow journalists in Sudan, in the Arab world and internationally. Mahjoub Saleh’s lifetime achievements qualify him for a remarkable place in the history of the Arab media. Arab Press Freedom Watch (APFW) and I are proud of the work of Mr. Saleh and of the international recognition awarded to him.

Ibrahim Nawar
President of the Executive Council,
Arab Press Freedom Watch (APFW)

London, April 2005
Why are their lives so cheap?

By Ibrahim Nawar

“Journalists are being sent to war zones without adequate training, insurance or safety equipment. The result is an increasing number of their deaths.”

More than 48 journalists were killed in 2004; about 50% of them were killed in Iraq and Palestine! This has been a horrible and disastrous year for all journalists working in the Arab world, both Arabs and International. An area torn by wars, armed conflicts and border disputes is in fact the most dangerous field in the world to practise journalism. It is the most attractive point for foreign correspondents, freelance journalists and local media people to watch over the development on the frontline of today’s massive confrontation of the 21st century, the War on Terrorism. Of course, Palestine has been the killing field for journalists for decades, but the Iraq war and the chaos after the war have added a new dimension to the attraction of being there on top of what’s happening minute after minute. As the pure mission of journalists is to inform the public about the truth and as the public has so much interest about knowing this truth, hundreds of journalists have poured into the region since before the Iraq war in 2003. Many of them lost their lives, but that fact has not deterred others from facing the same danger!

Unfortunately, many media institutions, international, regional and national alike have exploited this passion for truth and making information available to the public. They have underpaid freelance journalists, especially local correspondents and cameramen. They have also sent these people to the killing field without safety training, without insurance and without safety equipment. Most journalists have died in Iraq this year as a result of bullets fired to the head or wounds to the head and chest from cross fire between opponents in the streets of Baghdad. All of these deaths could have been averted if journalists had been wearing helmets and bulletproof vests. The families of those who died got no proper compensation for the loss of their relatives. This is a very sad picture. Very sad because those who are at the head of international media organisations seem to be much more concerned with winning the competition of the reporting race and making profits than caring about the lives of those who gather the facts on the ground.

Calls to investigate cases of the death of journalists on duty in war zones have failed to produce constructive results. APFW’s and other organisation’s (including the IFJ, CPJ and RSF) calls to investigate a number of these cases received a very cold response from the authorities in the USA and the UK, the two countries that have the largest number of troops in Iraq. In all cases authorities in these countries commissioned the army itself to investigate the killing of journalists in the war zone. The call to appoint an independent investigator into the death of journalists in Iraq was declined. Reports of military investigations concluded that the killing of journalists was not targeted and that the military was not responsible for their deaths. The responsibility of the international community towards the protection of journalists
in war zones should include the enforcement of an independent investigation in order to establish the reason of death and the responsibility of the military or the authorities of the country in question. It is a real joke to ask the accused to investigate their actions!

The International Federation of Journalists (IFJ) and the Arab Press Freedom Watch (APFW) have repeatedly called for the introduction of adequate safety measures to protect journalists who work in conflict zones. The IFJ went even further by establishing the International Media Safety Institute, to provide essential safety training courses for journalists who will be assigned to work in conflict zones, but that is not enough. It is very clear that the world has failed in protecting the life of journalists working in conflict zones as the number of deaths is rising daily.

I’d like here to refer to recommendations agreed by the APFW 1st Annual conference in London (May 2002) “Participants underline the importance of working towards an international agreement for the protection of journalists working in war zones, and areas experiencing sectarian, tribal, and ethnic violence.” Media workers should be covered by an international convention or through an amendment to existing international conventions protecting personnel of peace-keeping forces or humanitarian groups such as the Red Cross. The role of media people in conflict zones should entitle them to international protection. It is also important to identify the responsibility of media employers and the rights of media people in conflict zones.

Media employers should clearly be responsible for providing Training, Insurance and Equipment (TIE) to every employee assigned to work in a conflict zone. The (TIE) should be an obligatory standard requirement before sending, employing, hiring or assigning any journalist to a task in a conflict zone.

As media employers have shown a lot of reluctance in providing journalists with the adequate means to help protecting their life when they are at risk, the international community should move forward and show some compassion to journalists. UNESCO, the IFJ, Media Rights organizations and media employers themselves should come together and discuss the issue in order to reach points of practical agenda to provide protection for journalists working in conflict zones. This agenda should primarily include the (TIE) standard and a draft of an international convention to protect journalists. I call upon all these parties to respond positively to APFW proposal.

**Iraqi media in chaos**

The Iraqi media has been in chaos since the fall of the defeated regime of Saddam Hussein. The heavily controlled media has collapsed and a new media has emerged from the rubble. Political factions helped by the Coalition forces occupied the buildings of old media organizations and took control of their facilities. The ministry of information controls vanished suddenly and censorship disappeared overnight. The Iraqi people are able to print, publish and distribute publications without any restriction, apart from restrictions imposed naturally by the fact that the country is not stable and streets are not safe. In the broadcast sector, the story was also similar. Dozens of radio stations have emerged and many projects for TV stations have started to materialise. On the whole, Iraqi media looked like no other media in the region and
freedom of the press in Iraq was seen at its best, especially in the few months that followed the fall of Saddam.

But there was another side to this rosy picture, the bleak side. Hundreds of journalists and media workers lost their jobs overnight. Under the old system they were employees working for the ministry of information. By abolishing this ministry without making any arrangement for the employees, thousands of families lost their source of living. Assets, resources and facilities of old media organizations were not accounted for. The state, the owner, has vanished and these public utilities have become easy targets for those who were able to impose themselves by force. In some case, such as Al-Ta’akhy newspaper, assets, resources and facilities that had been confiscated by Saddam’s regime went back to their legitimate owners. But in other cases the situation was different. Dividing the assets of the state media was done according to the rule that dictates that survival is for the fittest! Just as the whole country was in chaos after the occupation, so was the media.

The problem of unemployment among old journalists created unfavourable conditions for new journalists who joined the new media. Wages are low; there was no well-structured training, no safety training and, in most cases, no work agreement. Even when there was a written agreement of employment this was no more than a letter of intention that has no bearing and is not legally binding. The standard of living of Iraqi journalists deteriorated rapidly except for those who worked for the Iraqi Media Network and for the international and regional media organizations.

The third feature of the bleak side of the picture of the Iraqi media was the collapse of the Iraqi Journalist Syndicate. Although it was under the Ba’ath party control, it was essential to keep its structure and to elect a new board in order for it to play its role in running the industrial relations within the media industry in a better way. Issues like collective agreement, insurance, training, pensions and even redundancy would have been handled better by a journalist syndicate representing the core interest of the employees of the media industry. Moreover, it seemed to me from discussions with officials at the Coalition Provincial Authority (CPA) in Baghdad two months after the occupation that they preferred to have a press club rather than a journalist syndicate. In fact the CPA was not keen at all to see a united or a strong union for journalists.

The media machine that was created by the CPA was itself weak, unprofessional and a large pool of corruption. The fact that the US Pentagon was in charge of the Iraqi Media Network was no secret. That was enough evidence to understand why some projects failed a few weeks after their start, such as “Somer” daily newspaper and why many experts deserted the IMN a few weeks after their employment! The media machine that included Al-Iraqiya TV, Assabah daily newspaper and some radio stations, was very weak and ineffective. In order to give the IMN some advantage in reporting news, the CPA used it as its advertising agency and its public information channel. In doing so, the CPA was discriminating against other media institutions in Iraq. The CPA was violating the principle of “equal access to information”. Those who bought Assabah newspaper for example, had only one reason to do so, to get information about public works, public tenders, job vacancies and executive orders.
Freedom of expression in Iraq is still far from being real and genuine. Freedom of expression should be measured against the degree of freedom in four main areas of practice. They are: access to information, access to communication, access to organization and access to a fair judiciary. In the 20 months since the occupation, access to information has been restricted either by a poor and restricted flow of information from the authorities or by the fact that the state of violence and instability restricts the movement of journalists, thus reducing their access to information. Lack of regulation regarding access to information has added another dimension to the restricted access to information in Iraq.

Access to communication is by far the best in the Arab world. Print and broadcast media have free access to communication. The right to write, print, publish, distribute or transmit using airwaves is unrestricted in Iraq. There is no censorship of any form. One can say without any doubt that media employers and journalists in Iraq see themselves very fortunate when comparing themselves to their Arab counterpart in that respect. The main problem that is facing the country in the area of access to communication is the lack of an adequate infrastructure to support the media industry. Although some work has started in rebuilding the communication infrastructure, results are still far from reaching the point where this infrastructure can provide the basic needs for the media industry. In some other related areas, such as transportation, the situation in the country as a whole has not until now improved to the point that can help more progress and development in the media.

Access to organization is in a real mess, as nobody knows what the law of the land is! An old Iraqi Journalist Syndicate controlled mostly by ex-Ba’ath party activists has taken over the assets of the syndicate and used them for their own interests. The Iraqi media community itself has failed to produce an alternative or alternatives apart from the Journalist Union of Kurdistan, which was established outside Saddam’s regime in the Kurdish, controlled region of Iraq (Iraqi Kurdistan). Despite the fact that no media regulatory framework can prevail without the cooperation of professional bodies and unions, very little has been done so far on behalf of the CPA or the Iraqi Provisional Government to help Iraqi journalists and the whole media community to get organised and work positively and constructively towards the establishment of a democratic media scheme in Iraq.

Moreover, the regulatory framework that has been introduced gradually in Iraq since June 2003 until now has mainly reflected the interest of the state or the authorities to control the media and restrict its freedom. Executive orders no 14, 65 and 66 have mainly resulted from consultations away from the media community. They introduced new powers for the administration and in many cases limited the freedom of the press. Very recently in November 2004, the office of the Prime Minister, issued a media directive that constituted to a clear interference in the affairs of the media. The directive required that the media should in all cases carry the propaganda line against “resistance” or “insurgents” and not to use the word “resistance” as a description or the identity of those who carry out armed struggle against the occupation! The directive threatened those who do not abide by these rules with the use of the national security and the state of emergency laws against them! These laws give the government the right to close publications or TV and radio stations as a way to preserve the national security.
The problem with media in Iraq does not only represent an Iraqi worry, it represents an Arab worry too. Those in the Arab world who are eager to see a free model of the media in one Arab country to use it for publicising freedom of expression are deeply worried because of the chaos in Iraq. The failure of the media system in Iraq may produce a disastrous effect on the promotion of freedom of expression in the Arab world. Unfortunately, Iraqi journalists have so far failed to realise the link between the success of their free media model and the future of the media in the Arab world. This failure is a direct result of the state of the media in Iraq and the low degree of engagement in making the new media regulatory framework. This is the responsibility of the occupation authorities and the Iraqi Provisional Government. Many prominent Iraqi figures deserted regulatory bodies created by the authorities, simply because they felt they were not in charge of anything and that decisions are being taken somewhere else outside the legal structure that is supposed to govern media affairs. The resignation of Galal el-Mashtah from the Broadcast authority in November 2004 highlighted the plight of the Iraqi media and the need for placing the media regulatory bodies in the hands of the Iraqis themselves.

Promises that have not become deeds
In 2004 the campaign to reform media laws in the Arab world went on, concentrating on one single issue, to abolish the imprisonment penalty in publishing and expression of opinion offences. On the whole, where an Arab country has a legal framework for the media, the law states that some publishing and expression of opinion offences bear the penalty of imprisonment. In some countries like 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 term can reach life sentence or even death. In some Arab countries the term of imprisonment in publishing offences may be limited to something between less than a year to 5 years.

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

Luckily, some Arab heads of states were brave enough to speak against imprisonment in publishing and opinion offences. Sadly none of their words have become deeds until the time of writing this introduction, December 2004. In Egypt, Yemen and Jordan, promises to remove imprisonment penalty have not materialised, throwing the whole issue to a new confrontation between media rights, human rights and democratic forces on one side and ruling parties or regimes on the other side. There is no democracy without freedom of expression and the latter can’t be achieved under repressive regulations and the threat of physical penalties against those who speak their own minds and express their opinion in any form of peaceful way.

I have to refer here to another worrying feature which we thought had vanished, the physical beating of journalists or public opinion leaders when they dare to criticise their governments or when they speak out against totalitarian, autocratic or dictatorial regimes or even when they dare to criticise forms of state corruption. Sadly, one journalist in Egypt is still missing for more than a year and a prominent editor of one of the opposition papers in the same country was kidnapped, beaten up, robbed of all
his clothes and personal properties and left naked in the desert outside Cairo! This form of gang attacks against opponents has been condemned by APFW, the Egyptian Syndicate of Journalists and many other Media Rights organisations in the Arab world and worldwide.

The campaign for media law reform in the Arab world will continue. Arab Press Freedom Watch, together with the Arab and international Media Rights movements will keep the utmost pressure for the removal of the imprisonment penalty in publishing and opinion offences. We will also keep the pressure for the removal of all restrictive laws and regulation in the drive for a peaceful transition to democracy in the Arab world.

**Clerics hands in the minds of the people**

Once again, Muslim clerics, mainly the extremists “Salafis” who follow the Saudi “Wahhabism” are trying to stretch their muscles and reach with their hands to inspect the minds of the people! During the year 2004, they tried in Egypt, Kuwait, Morocco, Jordan and Sudan to stop the publications of books that were printed decades ago or books that differ with their views about Islam and even books that carry emotions towards life, love, God and nature (the poetry books of Mousa al-Hawamdeh in Jordan and Ahmed el-Shahawi in Egypt).

In Kuwait they went further to request the cancellation of music concerts and singing band parties. Although this feature was much stronger in 2001, the return of it is very worrying as it reflects signs of weakness in the fabric of the civil society structure and the need to educate the public through media organizations outside the sphere of influence of religious fanatics and extremists.

The Egyptian National Council of Human Rights called for stripping religious clerics of the power of seizure of publications unless the publication in question has carried mistakes in or about “the Quran” and “the Hadith”. The call in November 2004 came against the background of the rising number of cases by some cleric authorities to seize or confiscate publications.

The issue of freedom of expression should not be compromised and clerics are rightly requested to respect the right of others to differ with them in issues related to religious thoughts, history or philosophy and in any other area related to the real everyday life of everyone. The minds of the people should be protected from the hands of extremist religious clerics who wish to send the people back hundreds of years.

**State controlled media in crisis**

The state in the Arab world is an old fashioned one compared to other states in the developing world. The Arab state in general is out of touch with reality and with its own people. The Arab state, whether it is an autocracy, dictatorship or totalitarian still uses the media as brain-washing bath for its own people. The state wants citizens measured to size! But the state now has a dilemma. It can’t keep supporting the extremely insufficient, debt-burdened and increasingly ineffective media machine. Terrestrial radio and TV stations (mainly a state monopoly in most Arab countries) have lost position to satellite TV and radio stations. Print media is facing difficult
times because of Internet media. Ironically, some governments are still spending a lot of money on the bureaucracy of censorship!

Arab states are running out of resources to keep supporting the state controlled media. In some countries, media organizations have accumulated a huge debt that is difficult to finance. For many reasons, financial, technical and political, the Arab state will have to give up funding the state controlled media. The need to privatise the media in countries like Egypt, Morocco, Tunisia, Algeria and Jordan will create a new dynamic in the near future. These dynamics will reshape the role of the media and the role of private sector. They will also affect the relationship between national, regional and international media. Reshaping the structure of the state controlled media can’t be left to officials or state agencies. Journalists have a stake and should play a role, if not the decisive role in reshaping the state controlled media. Think tank groups may emerge to discuss and propose alternatives. The Eastern Europe experience in moving from state controlled media to private and independent media is a fascinating one, especially in the countries of the Balkan region.

**Beware of monopoly**

Business conglomerates have a strong appetite for media institutions. This is a fact. Not only in Western Europe, the States but also in the emerging democracies in Eastern Europe, big businesses struggle to get established in the media sector. The landscape of media ownership in the Arab world reflects the same reality. From Lebanon to Morocco and in the Gulf area, media tycoons and big businesses are in control of the private media that are mushrooming in the Arab world. The crisis of state controlled media in the Arab world may in the absence of a clear vision, lead to a form of monopoly in the Arab media.

As we see now, Oil money clearly controls the so-called pan-Arab media. This media is widely regarded as Saudi not pan-Arab as it reflects the culture of one part of the Arab world, the most regressive in terms of values and freedom. Principle satellite TV channels such as Middle East Broadcasting Centre (MBC), Orbit (the channel started in the mid-Nineties as a joint venture between the Saudi Mawared and the BBC), Arab Radio and Television (ART) and the 24 Hours news channel Al-Arabiya are all owned by Saudi money. This is not wrong because they have the money and no one can stop them from investing in the media on the free airwaves. The danger is that competition can’t be preserved and only one form or one model of culture may well become dominant in the region.

The most worrying factor is not that, but the real danger of distorting the possibilities of media competition in the rest of the Arab world. Lebanon is an example. Saudi investors have bought extensively into Lebanese media. In the 12 months to May 2004, Saudi royal family members or their front men managed to buy into Annahar daily newspaper, Al-Mustaqbal media group, mainly the TV, The Lebanese Broadcasting Corporation (LBC). It seems as well that they have achieved more than buying shares into these companies. They managed to silence some voices in “New TV” and exercised clear forms of power over decisions related to the media policy in Lebanon, where almost no one can criticise the Saudi policy or Saudi royal family without coming under scrutiny. The owner of ART bought into the Egyptian state owned TV! And in Morocco a Saudi media pioneer bought the entire shares of the
Maroc Soir Group. At the time of the deal, the group owned two daily newspapers, one in Arabic and one in French, and licenses for Radio and TV stations. There must be some way to fight monopoly and preserve the ground of fair competition in the media industry in the Arab world. Monopoly is bad and can destroy the future of the media as a vehicle for democracy.

Looking ahead: Media and Election

Arab and international media have been occupied with the war in Iraq since the start of this war in March 2003. The year 2005 will look different in a very dramatic way as elections are taking place in Palestine, Iraq and Egypt. In other parts of the Arab world less important elections will also take place such as the local election in Saudi Arabia, the first of its kind in the history of this part of the world. These elections represent a very significant shift in Arab politics. They form the first wave of political contest in the post-Saddam era and to some extent they reflect the need for political reform, either as a result of external or internal pressure.

The media will have to play an essential role in the forthcoming elections in the Arab world. Whether it is a presidential, general or local election, the media should ensure equal access for candidates, maintain a high standard of objective reporting, resist any form of pressure or censorship and above all encourage the general public to get heavily engaged in the political process. Journalists have to be educated properly about their rights and obligations during election time. They also have to be aware of the danger that surrounds them during a highly competitive and heated political period.

The 2005 wave of elections in the Arab world will leave the general public either convinced or rather disappointed. If disappointed this may lead to a period of political, social and economic unrest. In fact the political future of the Arab world is open to all options. The role of the media is very sensitive during this time and journalists will come under a lot of pressure from politicians, business and religious pressure groups. It is highly important that the media keep a wide margin of independence. This is the only way to resist pressure. Achieving media independence is easily said but very difficult to achieve. In the absence of many factors that can help media independence, solidarity among journalists is vital. Solidarity should be maintained on a national, regional and international level. The use of Internet media may also help to reduce control of freedom of information. The media definitely have a stake in the forthcoming wave of election in the Arab world and should also use the event of election to raise its profile and try to free itself from a lot of restrictive laws and regulations and rid itself from all forms of state interference.
Algeria

The presidential elections 2004 : The road to a second term
By: Khaled Bourayou
Freedom of Expression Solicitor

(Paper presented to the APFW Annual Conference- Rabat- May 2004)

This report aims at presenting an evaluation of the presidential elections which took place in the 8th of April 2004 and led to the re-election of Mr Abdelaziz BOUTEFLIKA as Head of the State of Algeria.

This evaluation covers, on the basis of thoughts, analysis, reports and the articles of the independent press, the underlying political and technical conditions of preparation of these elections characterised as usual by illegal processes aiming at changing the elections’ results by unfair manipulation by political staff and by systematic fraud, in particular at the level of the preparation of the voting lists. As such there is a wide range of artifices and mechanisms conceived and planned by the government to ensure a large victory of the President candidate.

This evaluation will not, therefore, be limited to the organisational aspects of this poll whose perception of its true stakes necessarily passes by an analysis, however only brief, of the structuring of the political authority in Algeria and of its crucial role in the orientation and programming of the results of these elections.

Algiers on May 3, 2004

The official institutions of the State function according to this mode. These institutions are not in hold the government which remains, in fact, in the hands of the representatives of the military hierarchy, commonly named "the decision makers". They do not manage, but they are in the position of decision makers.

The grasp of the political authority by this military oligarchy is explainable by historical considerations related to the national war of liberation. The persons in charge of the military institution are officers of the National Liberation Army. This, in their own eyes, endows them with a kind of revolutionary legitimacy.

From another respect this omnipotence can be explained by the involvement of the army in the struggle against terrorism and the administrative control of the security policy.

12) From another respect, this form of political power organization, which offers only a reduced space for rights and freedoms, is consolidated by a structurally weak political opposition in terms of political and geographical establishment, and non representative social organizations such as The General Union of Algerian workers GUAW [L’Union Générale des Travailleurs Algériens (UGTA)] of which the resources are made up exclusively of governmental funds and an embryonic civil society characterised by a significant deficit in political mobilization and commitment.
It is obvious that this form of political power organisation which makes it possible to
the decision-makers to ensure all their hegemony on the functioning of the institutions
and the choice of the political staff cannot match up with a democratic organization of
the society and enlarged scopes of freedoms, which are the only values capable of re-
pivoting the centres of political authority within the framework of the expression of
popular sovereignty.

The only opposition to this political authority is the independent press, which after
having paid a heavy tribute for its commitment against terrorism (about 80 journalists
assassinated by the integrist armed groups) has been confronted for several years with
a continuous harassing from the political authority which supports to a lesser degree
its criticisms.

Since immemorial times, the elections system is organized and planned by the
government. The choice of the candidate to the Presidential Elections or the political
current to the legislative and communal elections is legalised by the decision makers.

21) During the period of the one-party system the elections were entirely dealt with by
the NLF (the representatives of the army were members of the central committee) so
much in the plan of the choice of the candidates than for the plan of framing and
programming of the results of the poll.

22) Since the advent of democracy and the separation between the communal of 1989
and legislative elections of 1992 giving rise to the victory of the FIS as a result of
generalized fraud in addition to the vote sanction against the NLF, the political
authorities became totally involved in the organization of the polls.

23) In 1995, these authorities took an active role in the election of the General
Liamine ZEROUAL, who gained; we have to admit, of the massive vote of the
electorate thus enhancing his opposition to terrorism.

24) In 1997 the government created the day before the legislative elections a new
party (le Rassemblement National Démocratique - RND headed by the actual head of
the government) for the purpose of creating a presidential majority and consolidating
the base of president ZEROUAL. Due to generalized fraud, this new born gained a
crushing majority in the National Popular Parliament.

25) In 1999, the actual president gained the elections because of the withdrawal of all
the candidates, obtaining hardly 33% of the votes. As the elected candidate was
obviously upset, this percentage was carried to more than 53% in order to give the
new president a certain popular legitimacy.

This short retrospective shows, if need be, the power of the political authority in the
orientation and in guiding the institutional life of the country and particularly in
assuming the responsibility of the mechanisms of the election of the political
personnel.
The organization of these elections is intrinsically related to the logic of manipulation and fraud by the political authorities.

Their particular characteristic lies in the fact that the outgoing president is totally immersed in this logic. To ensure his re-election, he had to practise illegal processes, special arrangements and with continuous manipulations in order to unite all the conditions needed to ensure his victory and this, in addition to all the means employed exclusively by the State to his own interest.

With this intention, he will undertake, six (06) months during and before the official beginning of the electoral campaign scheduled for February 21, 2004, a series of actions well dosed and applied with the only purpose of enhancing and of reinforcing his candidature.

It is in fact a true election campaign before it ever starts.

Under the pretext of work visits and programs through all the regions of the country, president BOUTEFLIKA will take advantage of these inspections to improve exclusively his image and to strengthen his weak stand by inaugurating minor projects, whether this be a school or part of a road under construction.

It is significant to note that the completion of works of several public works projects in particular those with social impact was programmed in a way as to coincide with the cycle of the scheduled visits. As it should be noted that some projects were inaugurated twice by the Head of the State during these visits. It was clear that the most essential aspect was to fill the program of visit.

During these presidential tours across the country in all directions, the President distributed to the wilayates colossal sums of money to attract the votes of the local population. This financial resource equivalent to 22 billion dinars was authorized to the local authorities without any supporting legal budgetary arrangements or provisions. It is directly earmarked form the State’s allocations.

This squandering of the resources of the community is carried on, without shame, by the ministers who are particularly in charge of the social sectors. These ministers target in particular the associations and sports clubs, offering them vital materials means to enhance their activities: such as buses, data-processing equipment etc.

This strategy of support to the social networks proved to be profitable for the promotion of the image of the president and did contribute to obtain the votes on the election’s day.

Against this financial support, the walis also use their influence and their powerful prerogatives of supervision to oblige the mayors to support the President and to exhort him to stand as a candidate for a second mandate. These imposing and solemn ceremonies of allegiance are diffused daily through all the television news, and the long reports devoted to these visits. This media bludgeoning, although wearying, does not fail to be encrusted in the spirit of the amazed masses who just spontaneously come to discover a president in need of them and so close to their concerns. This
media overdose will make forget or forgive by a single blow his interminable voyages abroad during the major part of his mandate.

The President will reserve, during these trips, particular importance to the visits the chiefs of the zaouias whose moral and social spiritual influence on the populations is deep.

He is not embarrassed to infiltrate this powerful network kept up to now a distance from the interference and the manipulation of the political sphere. He succeeds, at the price of this dangerous infiltration of the religious corpus, to obtain the support of these religious communities. This allegiance will prove to be detrimental the day of the elections.

The Head of the State will also put to his profit the departure of the pilgrims to the holy places by coming to greet them and obtain their support. So much affected by such attention and under the effect of the emotion, the pilgrims do not hesitate to hail their host with enthusiasm by drowning him with Coranic verses, dithyrambic speeches punctuated by prayers, devotion and blessing. The sensitivity and the intensity of this atmosphere full with religious solemnity are amplified by the television through a cover of the event in all its details, and particularly through the "scanning" of the faces of the pilgrims so that they are recognized by their relatives.

Television is put at the exclusive service of the President since his first election. A few weeks only after his election, the President proudly proclaims himself as the true editor of the public media. The monopoly of this support will be a determining factor in the hands of the presidential clan to gain the electoral battle.

True magic box of the popular consciences, the television strongly contributes to improve the image of the president in the eyes of the people. It devotes all its power of fascination to achieve this goal.

The least gestures, speeches, visits or tours of the President are transformed into true televised shows. The President is the unique and single star. It is advisable to measure of the powerful impact of this media support on the spirits of the population in particular those of the rif and the southern regions of the country who will have to acquaint themselves with the national political life only through the image, the gesture and the word of the supreme judge.

Television is prohibited to the opposition whose candidates to the presidential election will have access to it only at the event of the program of the election campaign which is even stopped for a short period of 15 days by the Political National Commission in charge of the supervision of the Presidential Elections.

The authority of justice will be strongly instrumental to the presidential clan in order to weaken the opposition and to impede their most possible candidate: Ali BENFLIS, the Secretary-general of the Party of the NLF.

The judges of the Council of State who dare to cancel the judgement made by the administrative Court of Algiers will be suspended and prohibited from entry to the
headquarters of this jurisdiction. Ahmed BELLIL the president of the chamber of the State Council will be subjected to a legal confusion (cabal legal). He is charged with forgery and use of forgery for unrealistic incidents before his retirement.

The President of the National Trade union of Judges was relieved of his post for having attacked in a press conference the night justice, transferred to another region in the country, brought before the commission of discipline and looses his job as a judge.

The President of the Court of Algiers Mohamed ZITOUNI, as for him, was dismissed of his functions because he has declared his ignorance of the night deliberations at the administrative chamber ordering the cancellation of the extraordinary congress of the Party NLF.

The same fate is reserved to the assistant Prosecutor of the Court of Algiers for confirming his absence at the time of this deliberation and denounced the imitation of his own signature.

The President did not hesitate to make to dismantle all the institutions and organizations hostile his re-election. By blows of plots of manipulation, subornation and infiltration, he manages to destabilize and divide these structures. To accomplish this, he uses the experience of experts in plotting such as the actual ambassador of Algeria to Teheran Abdelkader HADJAR (He asserts his the paternity of this nickname of expert in plotting) to create within the NLF party a dissident current called the movement of rectification.

Other movements of rectification appeared within the associations of youth (like the UNJA in particular) and trade unions’ organizations. These dissident tendencies did not hesitate to employ violence to reach their goals. Dogs of the type "Doberman pinschers" were used against the basic structures of the NLF party to expulse the militants of Mouhafadates and Kasmates.

To be a candidate to the presidential election, it is necessary to obtain 75.000 duly legalized signatures, or 1500 signatures of elected representatives. This perilous entry examination made complex by a circular of the Minister of Interior obliging inter alia signatories to go to the town hall, thus six (06) candidates could ensure their candidature among who is the outgoing President. In order to impress his rivals the outgoing president submitted more than 1.200.000 signatures.

It is advisable to note the candidature of a woman, Louisa HANOUN, who succeeded in obtaining 100 000 signatures, and thus entry into the gotha of the candidates of the representative body of a small party - AHD 54 which obtained with difficulty the critical number of 75.000 signatures.

Two influential personalities on the national political scene were reclassified: Sid Ahmed Ghazali, former Prime Minister, and Ahmed TALEB former Foreign Minister whose elimination was a serious enigma especially as much as the justifications of the president of the Constitutional Council were not at all convincing.
Ahmed TALEB had argued that entire cartons containing of the inscription forms were stolen from the room where these were stored. The response of the President of this Council is at least quite eccentric. He, quite simply, blamed the sea air to have forced the bolts of the door of this room.

It begins at the time when the true campaign of the President is completed with blows of media bludgeoning, doped achievements, tours marathoniens, implosions of institutions and settings and humiliating the potential candidates to whom they finally allowed temporarily access to the spaces of communications at the television.

The efforts made by the candidates of the opposition in fifteen days of campaign did not obviously impede the wide advance taken by the president candidate who, continuing on this impetus succeeded in consolidating this gap during his own campaign.

It should be stressed that the government, through multiple tours of its ministers around the country managed to reinforce the progress of the president candidate by continuing the dissipation of the community assets through the distribution of products and equipment to the sports’ and humanitarian associations. The Parties (RND, HAMAS, and the PRA) and the organizations both trade unions and civil having supported the candidate president are increased their activities in their turn to amplify this last campaign.

Though over exhausted by the policies of continuous harassing by the government which did not hesitate to apply the whole means of repression to destabilize it and to dissipate the stakes of the election campaign, the private press succeeded in ensuring in a suitable manner a media covering of this national event. The reports, analyses and daily report summaries on the activities of the candidates allowed the readers of this independent written press to know better the programs and speeches of the election campaign.

The significant contribution of this press, that of nobody considers as partial because it refused to share the totalitarian conception of President Abdelaziz BOUTEFLIKA, is by giving the privilege to the wide coverage of the electoral activities of the opposition which was practically excluded from public media space.

This contribution was not to the taste of the partisans of the president candidate who did not hesitate to use violence, insulting and humiliation against the journalists of this independent press, at the time of the coverage of the campaign of their leader.

Two commissions are established to ensure the framing of the organisational setup of the poll.

The first, chaired by the Prime Minister Ahmed OUYAHIA totally by the side of the President, is charged with the organization of the technical operations of the elections. Its mission basically consisted in drawing up the electoral rolls and setting up the polling stations.
The second, chaired by the former President of the Constitutional Council Said BOUCHAIR has the function of supervising the elections and of ensuring the legality of the operations through the various phases, from the inception up to the official and final proclamation of the results. This commission whose members are composed of the representatives of the candidates and the representatives of the parties was characterised by an obvious violation of the regulations governing its composition. The coordinator took the decision of prohibiting the parties having presidential candidates to have representatives within this commission.

Such an attitude was obviously initially favourable to the president who was presented as an independent candidate. Upon the request of one of the parties concerned, the RCD, the Council of State cancelled this decision 24 hours before the date of the elections.

In addition to the traditional techniques of fraud such as the manipulation of the personnel in charge of the management of the polling stations, the stuffing of the ballot boxes and the false inscription of the results on the legal registers, one is particularly characteristic of the Algerian election system. The poll is statistically distorted on the level of the electoral rolls.

Out of a number of 18,094,555 of registered voters, there are 2,500,000 false registered voters whose identities are not known.

It is evident that his important remaining quota by considering the level of the number of the voters estimated at 10,496,083 is sufficiently detrimental (It represents in fact a quarter (25%) of the number of voters) to reverse any tendency or results of the vote.

It is clear that with such an asset the political authority is able to print out any result of the polls which it organizes.

According to the estimates of analysts and observant political observers who are found in particular among academics, journalists and specialists in the surveys, the score obtained by the outgoing President was amplified voluntarily in order to ensure a strong legitimacy to him.

Abdelaziz BOUTEFLIKA was proclaimed President of the Republic with 84,99% of the votes amounting to 8,489,487 votes. He surpassed, and by far, his principal rival Ali BENFLIS, who obtained 653,951 votes, rating 6,42%.

The constitutional council amplified the provisional score of the elected President by adding to his results more than 162,236 votes. On the other hand, this council dragged back the results obtained by his rival who dropped from 7,93% to 6,42%, thus losing 152,507 votes.

Ali BENFLIS lost even on geographical basis. He lost the one and single city (Mila) where he surpassed the re-elected President.

These same analysts and observers still wonder about the reasons of this manipulation that led to the falsification of the score of these elections.
Apart from the humiliation inflicted on the opponents to the president, and particularly against his principal competitor, observers are unanimous to consider as evident that the political authority is capable of doing anything in Algeria.

11) Schematically, the government is structured according to the system of the counter contract. It sounds appropriate to recall here that this legal concept is characterized by the existence of two contracts. One is formal which contains erroneous indications on the transaction value. The other is hidden which has, however, the advantage of containing the real value of the transaction.
A Chronology of Press Freedom and its Violations in Algeria

01.06.2003- **Assassination Attempt of the Official TV Director**
Authorities announced that the General Director of Algerian TV, former minister Hamrawi Habib Shawgi, had been the target of an assassination attempt on May 21, when he was about to leave his office in Ashuhada Street. The attempt to kill Mr. Shawgi took place three hours after the earthquake that hit the Capital and Mardas Province, but the identity of the perpetrators, remained unknown.

18.8.2003- **The Government Press House Bars 5 Newspapers from Publication**
Five out of seven newspapers failed to appear in the markets because the government press house refused to print them before paying their bills in advance. Liberty, The Express, Le Matin, Le Soir de Algier and Al-Rai, condemned the commercial trick intended to punish and silence independent newspapers because of their role in exposing the scandals of the government.

11.09.2003- **Director of Al-Rai Al-Am Arrested by the Police**
Wahran Province Police arrested Mr. Ali Ahmed Bennaoum, General Manager of Al-Rai Al-Am Foundation the publisher of ‘Al-Rai’ and ‘Le Journal de Lu West’ dailies and ‘Detective’ weekly.

15.09.2003- **Ahmed Bennaoum Released and put under Surveillance**
After four days in custody, police authorities have released Mr. Ahmed Bennaoum, General Manager of Al-Rai Foundation, and decided to put him under surveillance, along with Mr. Mohamed Benchicou, manager of Le Matin newspaper and Ali Dilam the caricaturist with Liberte, who were accused of insulting President Boutafliqa.

22.09.2003- **‘Press Free Day’ in Protest against Harassment**
11 newspapers, including 6 that were already suspended, stopped publication in protest of government harassment. The Arab Journalists Union expressed its deep concern about the situation of the press in Algeria, saying in a statement that the present situation poses a great threat to freedom of expression. ‘The union is following with great concern the developments engulfing Algerian press and the legal and administrative obstacles faced by Algerian journalists and newspapers’ the statement said.

11.10.2003- **The NLF Accuses Boutafliqa of Violating the Constitution**
General Secretary of the National Liberation Front, Mr. Ali bin Flis, accused President Boutafliqa of breaking the constitution, by preventing him from standing for the presidential elections. He said that Boutafliqa seemed to be preparing the way for going back to the era of a one party system, a la soviet model, which Algeria followed since its independence in 1962 up to 1989. ‘This is a threat to the law,’ he said, ‘for government should be neutral and not geared to the service of one man and his electoral ambitions, as is the situation now.’

13.10.2003- **Police Arrest Ahmed Fatati, Manager of the Express Newspaper**
The Algerian police arrested Mr. Ahmed Fatati, manager of the Express newspaper. He was taken from the offices of the paper for an investigation about two articles he had written on the paper’s website, commenting on the suspension of his paper during
August 18 and September 16. Police authorities said that Mr. Fatati had ignored three requests by the police asking him to report to them.

05.12.2003- **Journalists in Buwaira Province Condemn Trial of ‘Elkhabar’**
A group of 14 newspaper correspondents in Buwaira Province issued a statement condemning the harassment of Elkhabar correspondent, Hassan Qataf, ‘by some individuals motivated by blind obedience to their present masters’ the statement said. Mr. Qataf was facing two charges of libel, one submitted by the secretary of the provincial peasants’ union, because of an article written by Qataf on the general assembly of the union which said that the opposition in the assembly asked for the removal of the present secretary because of his past during the Algerian revolution. The other charge was because of a report about the disappearance of a criminal file from the local judicial circuit. An order was issued from the ministry of justice to investigate the criminal case.

07.12.2003- **Elkhabar’s International Panel Arouses the Interest of Politicians**
The international panel on the legal concept of libel against newspapers was met with keen interest from politicians, legal experts and media people. In his opening speech to the panel, Mr. Ali Djerri, the managing director of Elkhabar newspaper, said that the Algerian Press is the only institution of its kind in the world that was not content with its role of enlightening the people, but surpassed itself to play the role of the absent political parties and the weak civil society organizations.

08.12.2003- **Elkhabar Panel Calls for an End to Oppressive Laws**
Participants in the international panel on libel, organized by Elkhabar newspaper, expressed deep concern about the freedom of expression in Algeria due to the existence of stringent laws that seriously curtail this freedom. Calling for the abrogation of these laws, they pointed out the necessity of a homogenous, transparent, legislative process, in conformity with the international covenants to which Algeria is a signatory. The Panel called for a comprehensive review of the present media laws, enhancement of the pace of privatization of TV and Broadcasting services, an end to governmental monopoly and the biased practices of government agencies. In a direct call to the Algerian government, the panel demanded journalists’ free access to the sources of information, guarantee of the independence of the judiciary and an end to the harassment of journalists and newspapers.

19.12.2003- **Arrest of Elkhabar Correspondent Despite his Proven Innocence**
At four o’clock in the morning, Constantine Town Police arrested journalist Al-Tayeb bin Jumaa, Elkhabar correspondent in Bakhshinla, in his room in ‘Panoramic Hotel’ and took him to police headquarters. The arrest was said to be related to a charge that goes back to 2001, for which he had been taken to court, stood trial and declared not guilty. Police authorities said that his case would be reviewed by the representative of republican authorities in Constantine.

23.12.2003- **A Sentence against Caricaturist Dilam**
One of the Algerian courts issued a suspended sentence of 4 months in prison against the caricaturist Ali Dilam for a caricature he published in Liberte newspaper in addition to a fine of 100 thousand Algerian Dinars (1200 Euros). The publisher of the newspaper and its manager were also convicted and fined 50 thousand Algerian Dinars.
Dinars (600 Euros). The caricature, ridiculing a law that targeted 21 low ranking officers in the army while protecting the top brass and their more outstanding violations, was published on April 3, 2002.

23.12.2003- **The Minister of the Interior Orders the Retrial of 3 Journalists**
An Algerian court summoned for retrial the publishing managers of Elkhabar and Al-Watan, together with journalist Salima Tilmisani, to answer for a suit by Mr. Nureddin Yazid Zarhooni, the minister of the interior, who said that he was not convinced with the former declaration of their innocence. The minister’s suit raises the same charges submitted against the accused by the director general of national security, for articles published on 23 and 24 of April 2003.

In the light of the suspended sentence against caricaturist Ali Dilam, The Algerian Association for the Defence of Human Rights, demanded an end to the government’s harassment of independent newspapers. Condemning constraints against the freedom of expression, Mr. Khalil Abdel Mumen, member of the Association, asked the authorities to put an urgent end to these violations of press freedom. In a separate development the Appeals Court modified the two year prison sentence against journalist Hassan Bouras, to a fine of 110 thousand Dinars (1500 US Dollars). Mr. Bouras was previously convicted and barred from journalism for five years.

20.01.2004- **Court Under Pressure to Rule Against Al-Watan & Elkhabar**
Due to the serious health condition of Mr. Ali Djerri, managing director of Elkhabar, who was taken from the court to the hospital, the court decided to adjourn the proceedings against Elkhabar and Al-Watan, in the minister of the interior’s suit, to February 3. The judge said that that would be the last adjournment, and that next time he would continue with the proceedings even if he was compelled to question Mr. Ali Djerri in the hospital. That was considered by the defence to be indicative of the huge pressure on the court to deal with this suit as quickly as possible.

In a discussion panel, six newspaper publishers agreed to express their rejection of the political harassment and judicial pressures to which the independent press had been subjected and disclosed that they would come forward with specific initiatives for the civil society organizations and the international community, to confirm and substantiate their rejection of the different ways of intimidation and neutralization to which they had been subjected, especially during the last few months.

06.02.2004- **APFW Requests Participation in Monitoring the Elections**
In a letter to President Boutafliqa, Arab Press Freedom Watch asked to be allowed to participate in monitoring the Algerian general elections in April, side by side with UN and EU organizations and the Arab League.

12.02.2004- **Security Director Asked Evidence in Elkhabar and Al-Watan Suit**
For the third time the suit against Elkhabar and Al-Watan was postponed, this time because the judge decided to call to the witness box the man responsible for the information section in the National Security Organization, in response to a request from the defence team. The security official was supposed to confirm or deny the
allegation by journalist Saleema Tilmisan, of Elkhabar newspaper that she had contacted him three days before the publication of the article about the letter sent by 56 police officers attributing a series of violations to the Director General of National Security.

21.02.2004- Publishers Condemn Religious Sermons calling for their Murder
In a discussion panel they addressed, newspaper publishers condemned the government’s ‘exploitation of mosques for political purposes’, and warned that they would put on trial government officials who encourage ‘religious sermons calling for the murder of journalists, just like in the 1990s’. The Friday sermon in question, which was broadcast by all official audio-visual media, also called for boycotting the independent press, especially Liberte, for its publication of a caricature, which the Supreme Islamic Council found to be offensive. The Imam said that Liberte refused to publish a letter by the Council condemning that caricature, alleging that the response should be of the same kind as the material responded to. In other words it could not accept a written text in response to a caricature.

23.02.2004- APFW Declares Solidarity with Algerian Independent Press
Arab Press Freedom Watch expressed in very strong terms its solidarity with the independent Algerian press, in the face of the ferocious campaign launched against it by the official media, like the Algerian TV and Broadcasting Service, in collaboration with religious authorities, which was guilty of using mosques as political platforms for the incrimination of journalists and condemnation of independent newspapers.

03.03.2004- Publishers Consider Ways to Protest of Le Matin Suspension
The Judicial Council of the capital postponed to March 17, the request for urgent action submitted by the Le Matin management board for the re-evaluation of its tax status. The newspaper publishers decided in response, to call an urgent meeting to work out an effective way to withstand the plot of the official authorities to stop the publication of the paper. Mr. Mohamed Benchicou, the publisher of Le Matin, said in a statement that the postponement of the case was a reflection of the attitude of the authorities, and the attitude of President Boutafliga personally, towards the independent press, and towards Le Matin in particular for its editorial policy. He said that the book he wrote recently had something to do with that attitude and added that the minister of the interior, Mr. Yazid Zarhouni, who said in a meeting with the press in Jilfa Province that “Benchicou would pay a heavy price”, has decided to, put his threats to the test.

03.03.2004- Elkhabar & Le Matin Journalists Beaten for Exposing Corruption
On his way back home, Mr. Badees Musawi, an employee with the town hall of Bani Sadr, and a correspondent of Le Matin newspaper, was apprehended by someone and beaten severely. Blocking his way of escape a brother of the aggressor beat him even more. The two were joined by a third brother and the three of them took turns to knock him down. The direct reason for the assault was a report sent by the correspondent about the chronic problems in the town and the failure of the local authorities to deal with them. Three other young men, in Shalaf Province, assaulted Mr. Abdel Gadir Dahman, correspondent of Elkhabar while he was making a tour in the town. The reason in this case was also a report sent by the correspondent covering
a demonstration of some inhabitants of the town, in protest of the immoral practices by these young men.

07.03.2004- L’Ibrahimi Prevented from holding a Press Conference
Authorities decided to block Ahmed Talib L’Ibrahimi, President of the Loyalty and Justice Movement, from holding a press conference in the International Press Centre. He was compelled to relocate the press conference to a building in his constituency. Mr. Ibrahimi said that ‘President Boutafliqa abuses the resources and institutions of the state, including government ministries and funds, the media, the diplomatic and consular missions to undermine his adversaries and intimidate them’. He added that he also abuses the judicial system and exploits it in the settling political accounts and punishing those who challenge him.

08.03.2004- Death threats against Journalist for Exposing Corruption
Brother of the incumbent candidate, President Abdel Aziz Boutafliqa, threatened the correspondent of Elkhabar newspaper in Wadi Suwaif Province, with death if he ever wrote again about the social unrest erupting intermittently in the province, in protest of the dire conditions under which people were living in this extremely poor province. The managing director of Al-Waha newspaper had also been threatened with death if he wrote about somebody who had submitted a libel case against the newspaper.

28.03.2004- Boutafliqa: I ‘ll close Le Matin if it is the last thing I do as President
The French Language Liberte said that President Boutafliqa had told one journalist, in confidence, that he would ‘close Le Matin newspaper, even if that was the last decision I take as President.’ Mr. Benchicou, publisher of the targeted newspaper, had recently written a book with the title: ‘Boutafliqa: An Algerian Lie’, an appraisal of the political career of the president full of biting criticism. Security authorities tried to block the publication of the book but changed course later.

29.03.2004- Publishers accuse Boutafliqa of ‘Incitement to Hate and Violence’
The publishers of Al-Khabar, Liberte, Le Matin, Al-Watan, Le Soir de’Algerie, Al-Fajr and Akher Sa’a, decided to submit a lawsuit against President Boutafliqa charging him with incitement of hatred and violence during the campaign he had launched against independent newspapers which resulted in recurrent assaults against journalists covering the election campaign.

29.03.2004- Correspondent of Elkhabar accused of Libel
Elkhabar correspondent in Buwaira Province was subjected to an investigation in relation to a libel case submitted against him by the owner of ‘Hamza Mills’. The newspaper’s lawyer presented laboratory evidence substantiating the allegations of the newspaper. The correspondent was also summoned to the ‘Juvenile Court’ to answer for an unknown charge.

29.03.2004- Journalists prevented from Covering an Election Function
Organizers of an election rally in Sateef, for the benefit of candidate Abdel Aziz Boutafliqa, prevented many journalists from entering the meeting hall. Attempts to convince the organizers that the journalists would do no more than cover the occasion without any comment from their side, ended in failure.
02.04.2004- APFW Condemns Algerian Authorities for the Maltreatment of the Organization’s Delegation

Addressing the Arab and International public opinion, Arab Press Freedom Watch, declared that Algerian authorities denied entrance to the country for its delegation entrusted with monitoring the performance of the Algerian media during the presidential elections and compiling a report to be used for the improvement of the performance of the media in other Arab countries, during similar occasions.

03.04.2004- Revival of 4 Year Old Charges against Elkhabar Correspondent

Mr. Ammar Qawasmi, Elkhabar correspondent in Unnaba, received three orders to appear before Al-Hajar court, to answer for libel cases connected to articles he published during 2000 and 2003. One of the libel cases was related to a report he had sent about a bribery case involving officials in the Promotion and Properties Office; the other was about the sexual harassment of a girl by the former President of the Municipality, and a third one about the purchases from the municipal funds for the President of the Republic.

03.04.2004- Elkhabar Correspondent in Al-Tarf on Trial

Mr. Onis Mulook, correspondent of Elkhabar in Al-Tarf Province, appeared before the court for an investigation connected with an article he had written back in January. The case against him was submitted by the director of the Promotions and Properties Department.

08.04.2004- Election Coverage an Privilege of ‘made to order’ Journalists

Arab Press Freedom Watch (APFW) received a report from Algeria exposing the full extent of the victimization of the independent press by the candidate Abdel Aziz Boutaflia and the way Algerian authorities put the foreign press under siege and prevented it from covering the presidential elections. The only media institutions allowed to operate relatively freely were the French media and Jazeera Satellite Channel. The report disclosed that the ministry of information had invited ‘made to order’ journalists to embellish the image of Boutaflia.

09.04.2004- A Majority of 83.49% Reinstates Boutaflia in Office

President Boutaflia was re-elected for a second term with a landslide majority of 83.49% of the vote (8,489,487). His five challengers trailed him by a long distance.

17.04.2004- APFW Organizes a Workshop on Algerian Press Performance

A two day workshop, in Paris successfully concluded the assessment of the performance of the Algerian press during the presidential elections that took place last month. Arab Press Freedom Watch organized the workshop in France, after the Algerian authorities rejected its participation in monitoring the elections. The workshop was attended by Arab and foreign journalists, representing the organization, Algerian journalists and the international association for the support of the media in Denmark. The main subjects the workshop discussed, were the same objectives which the delegation was supposed to monitor on the ground during the Algerian elections: Access of all Presidential candidates to the media; outreach of all the media to the various candidates on equal basis; monitoring any symptoms of censorship or any constraints imposed on the freedom of expression in the campaign trail; assessment of the objectivity and neutrality in press and media coverage of the campaign functions.
of all the candidates; and the compilation of a comprehensive report about the Algerian elections, with the intent of generalizing the positive sides, and highlighting the negative aspects of that experience and making it available for people in the Middle East.

29.5. 2004- The Family of Journalist Ghoul appeals for his release
In a letter to the President of the Republic, the family of journalist Hifnawi Al-Ghoul asked him to personally intervene and release the journalist. Pursuing the same end, the National Association of Journalists demanded the immediate release of Mr. Ghoul, and compensating him for the moral damage caused by his sentence, and the punishment of all those responsible for his illegal trial. In the statement it issued, the Association expressed its solidarity with Ghoul while at the same time alerting national and international public opinion to the violations committed against the press in particular and against the freedom of expression in general.

29.5.2004- Temporary Release of Le Soir de Algier Correspondent
Mr. Kamal Qasi, Le Soir de Algier correspondent was temporarily released after appearing before the prosecuting magistrate in Bajaya Province, pending the completion of the investigation, conducted by the security authorities, of the interview he had made with a former policeman who managed to escape Bajaya Prison during prison riots.

10.6.2004- 2 Months Sentence for Ghoul for Exposing Corruption in Jilfa
Jelfa Province Court, sentenced Mr. Bin Amer Hifnawi Ghoul, local head of the Algerian Association of Human Rights, to two months in prison and a ten thousand Dinars fine (120 Euro), in a law suit tabled against him by Jelfa Governor and health director of the province as a reprisal for his exposition of serious violations committed by the wealthy and the mighty. Ghoul had reported the death of 13 new born babies in the department of Gynaecology of the local hospital, and the death of another 13 immaturely born babies, in one month as a direct result of blood poisoning during their transfer from one ward to another.

14.6.2004- Two Years in Prison for Benchicou with immediate Effect
Mr. Mohamed Benchicou, the manager of Le Matin newspaper, was taken to prison to serve a two year sentence issued against him by Al-Haraj Court in Algeria, with a fine of almost two billion Centimes. The sentence came as a total surprise to the citizens who attended the court and to the defence team who said that the trial was (politically motivated and constitutes a serious violation of the freedom of expression.)

The total surprise at an unreasonable and unexpected sentence was felt by all the citizens, journalists and lawyers who were closely following this high profile trial, conducted under tight security control, not only inside the court hall, but around all the streets leading to it. Police and security check points were everywhere, support forces were added during the day to face any unforeseen developments, due to the keen interest shown in the trial by representatives of different political parties, the Haroush Movement from A-Qabayel (Tribes) area, as well as tens of individual citizens.

15.6.2004- APFW Request Intervention of the President to Release Benchicou
Arab Press Freedom Watch requested the personal intervention of President Boutafliqa to release Mr. Mohamed Benchicou, manager of Le Matin and to stop the gross violations against the press and journalists, highlighting the necessity of creating a healthy atmosphere for citizens to practice freedom of expression in accordance with the stipulations of article 19 of the Universal Declaration of Human Rights.

15.6.2004- Condemnation and Wide Solidarity with Benchicou and Ghoul
Responses to the imprisonment of Mr. Mohamed Benchicou, manager of Le Matin, and Hifnawi Ghoul, the human rights activist, surged to a new level. Ghoul’s family, commenting on the imprisonment of Benchicou, said in a statement that his ‘imprisonment represents the official launching of the repressive machine of the state against public freedoms, in general, and freedom of expression, in particular, for which many citizens and journalists have offered huge sacrifices.’ Signed by the Ghoul family and many individuals from the Province of Al-Jelfa, the statement called on all Algerians to rise in defence of the freedom of expression and to work for the release of Bin Ghoul and Benchicou. The statement added in a defiant tone that ‘Bin Ghoul’s family is ready to pay any price to defend the freedom of expression.’

16.6.2004- Benchicou’s Defence Team appeal the Sentence
The defence team of Benchicou appealed the two-year sentence issued by the Harash Court in Algeria. The Justice Minister, Mr. Tayeb Belize, on his side, denied that the sentence against the manager of Le Matin was connected in any way to politics or freedom of expression.

16.6.2004- A Solidarity Committee and Website for Ghoul and Benchicou
The National Committee for the release of Mohamed Benchicou and Hifnawi Ghoul, formed the day before in the buildings of the Supreme Council of Journalism Ethics, in Algeria, called Algerian citizens to active participation in a public gathering for the release of the journalists, to be held in Tahir Jawoot Press House, at midday that day.

17.6.2004- Serious Deterioration of the Health Condition of Hifnawi Ghoul
Mr. L’Khdar Ghoul, brother of Hifnawi Ghoul, the journalist and human rights activist serving a prison sentence, said that on visiting his brother in prison, Monday, he found him in a very poor health condition, due to his hunger strike, which continued for more than a week. The Ghoul family submitted a request to the court demanding his transfer to the hospital, which the court unreasonably refused.

19.6.2004- Managing Director of Elkhabar sentenced to Two Months in Prison
Al-Ziadia Court in Qustantina sentenced Mr. Ali Djerri, managing director of Al-Khabar, in absentia, for two months in prison, a fine of 2000 Dinars together with a further fine of 100 thousand Dinars as damages for the plaintiff. A petition against the newspaper was submitted by Mr. Mohamed Bitchen, a former army general, in April, against the managing director of Al-Khabar, for the publication of an article alleging that the general was a partner in an alcoholic drinks plant in Unnaba and that he was a beneficiary of electric power concessions from Sonelgas, the power provider. The general denied any such partnership and his denial was published by the newspaper in accordance with professional practice.

20.6.2004- Le Matin Social Club Sealed off
Due to a court order issued on June 15, the social club of Le Matin, in Hussein Day neighborhood, was sealed off. The court ruling was issued after two previous trials to close the club for tax reasons. But the campaign of support for journalists Benchicou and Hifnawi expanded notwithstanding.

**Minister’s Suit against Elkhabar and Al-Watan Adjourned**

An Algerian Court decided to adjourn the trial of Elkhabar and Al-Watan in the minister of the interior’s law suit against them, to July 6. It was decided to transfer the case to the Press Court, a decision which had been rejected by the same court a few months ago. The present case was actually an extension of the case submitted by Tunisi and Mahmoud Mohanad Amqaran, the General Director of National Security and the General Secretary of Security respectively, which was rejected by the court for mistaken procedures. The minister of the interior intervened and submitted a libel case against the two newspapers, in his capacity as guardian of national security.

25.6.2004- **Justice Minister: No Prisoner of Conscience or Press Crime in Algeria**

During a meeting for the reform of the justice institutions in Algeria, Mr. Al-Tayeb Baleiz, the Justice Minister, declared that there was no prisoner of conscience or press violation in Algeria. He said that Journalism “is by no means a freedom at defamation and staining the honour of other people”, adding that journalist should never be proud of judging others on subjective grounds.

28.6.2004- **Arrest of the Manager of Al-Rai, Imprisoned Before Court Trial**

Mr. Ahmed bin Na’um, manager of Al-Rai Information Centre was arrested while he was preparing to appear before the court in connection to a libel case submitted against him by the Provincial Health Directorate. After his release from prison in a previous arrest, Mr. Na’um wrote an open letter to the President rejecting the reasons for the closure of the Information Centre and stopping its publications which included three newspapers and five other publications. In addition to Al-Rai the centre used to publish ‘Le Journal de L’East’ and ‘Detective’ weekly.

30.6.2004- **Al-Jazeera Office Closed because of a Discussion on Army Generals**

Algerian authorities decided to close Al-Jazeera office in the country after a panel discussion in the “Opposite Direction” show about the Algerian army generals. The authorities which closed the office after one week of the discussion did not give any reasons, but the connection was too obvious to ignore, In the show which invited Mr. Mohamed Al-Arabi Zaitout, the former Algerian diplomat, and Mr. Khalid Omer bin Qaffa, an Algerian journalist, the former ambassador said that there were 15 generals in the Algerian army who are the ‘source of every mischief’. He added that those generals remained in their present positions since their coup in 1992, and that they are the real king makers of Algeria. ‘They install presidents and sack them’ he said.

05.07.2004- **Committee for the Organization of the Press**

Communication minister, Mr. Bujuma Haishur, announced the formation of a committee to review the draft for the organization of the press, which his ministry intends to submit to the Parliament. In the face of a brewing controversy amongst journalists in their evaluation of the committee, the minister held a meeting for the editors of independent and official newspapers, to convince them to work with the
government in the organization of the press and the preparation of the code of ethics in a bid to commit both the government and the press to a unified vision.

06.07.2004- **Symptoms of Relaxation between the Government and the Press**
An Algerian court decided to adjourn the trial of Benchicou, who is serving two years in prison, in the ministry of defence lawsuit against him. It was leaked that the minister of information, Mr. Bujuma Haishour, was entrusted by the government to rebuild bridges with the press and ease the tension caused by the lawsuits of the ministries of defence and the interior. The minister’s meeting with the independent newspapers was held in that context, and the adjournment of the cases against Elkhabar and Al-Watan was also meant to indicate relaxation of tensions.

12.07.2004- **A New Sentence against Ghoul**
Authorities continued their campaign against journalist Hifnawi Ghoul, with a further sentence against him of three months in prison and a fine of 10 thousand Dinars, in addition to 100 thousand Dinars to be paid to the Governor of Jelfa Province as damages for the libel case he submitted against the journalist. Ghoul was already in prison serving another two months sentence.

22.07.2004- **Suspension of Two Newspapers for Financial Reasons**
‘Algeria: New Events’ and ‘Al-Jareeda’ newspapers were barred from publication because of financial reasons, Algeria Press House refused to print them unless they pay their arrears. ‘New Events’ was denied publication because of the arrears of its mother newspaper: Al-Jareeda.

24.07.2004- **Le Matin Suspended**
Simbral Press House decided to stop printing Elkhabar newspaper citing financial reasons. The decision was taken despite an agreement between the minister of information, Mr. Bujuma Haishour, and the newspaper which committed the latter to pay 19 million Dinars of the 38 million arrears and pay the outstanding balance by instalment. Although the newspaper paid the money, the printing house decided to stop the printing.

24.07.2004- **Bennaoum Appeals Against Sentence**
The judge of Assadiqia Court in Wahran, decided to release journalist Ahmed Bennaoum, general manager of ‘Al-Rai Al-Am, after giving him a suspended sentence of six months and a fine of 10 thousand Dinars. Bin Na’um who spent 27 days in prison, decided to appeal against the sentence, denying the ‘theft’ accusation submitted against him by the Promotion and Properties Directorate in Wahran. The directorate alleged that Bin Na’um had stolen some of its equipment to use in his own offices, an accusation which Bin Na’um strongly denies, saying that he had moved the equipment, which was unattended, for safe keeping because it could have been destroyed by the floods. To prove his case he said the equipment was still unused and was just waiting for them to collect.
The court, on the other hand, decided to postpone a libel lawsuit against the journalist submitted by the General Security Directorate, related to an article he published in Le Journal de L’East, which had been later suspended, which the security directorate found to be libellous.
APWF Calls on Algerian Authorities to stop Campaign against the Press
Arab Press Freedom Watch asked the Algerian Authorities to stop their campaign and aggressive attitude against the independent press and democratic journalists. The organization noted that the campaign had gained in force during the last months, especially after the re-election of President Boutaflia last April. The organization mentioned specifically the suspension of independent newspapers and the imprisonment of a group of leading journalists, including Mr. Ahmed Benchicou, editor in chief of Le Matin, Mr. Ahmed Bennaoum, manager of Al-Rai Al-Am, Mr. Ahmed Okeely, publication director in Al-Rai and Mr. Hifnawi Ghoul, the human rights activist who distinguished himself by exposing government corruption.

11.08.2004- Appeals Court Upholds the Imprisonment of Benchicou
The Algerian Judicial Council decided to uphold the sentence against Benchicou, while reducing the fine from 2 billion Centimes to 1 billion and 900 million. The court said that carrying the cheques on his person was an illegal act in itself, refusing the defence’s argument that such an accusation should be raised by the Excise Duties Department and not the police. Arab Press Freedom Watch condemned the sentence which it took to be a continuation of the government’s crack down on the freedom of the press, pointing out that the independent Algerian press is held in very high esteem outside its country, but persecuted and repressed in its homeland.

20.09.2004- Hifnawi Ghoul Starts a Hunger Strike
Journalist and human rights activist, Mr. Hifnawi Ghoul appeared before the Court of Appeal in Jelfa town, to answer for three lawsuits submitted against him. Trying the three cases together, the court decided to convict him in two of them. He was fined 3000 Algerian Dinars (42 US Dollars), in one of them, and 5000 Dinars (70 Dollars) in the other, both being cases of libel. He was, however, absolved in a third case of assault submitted by a private citizen. The court decided to postpone six other lawsuits submitted against Hifnawi, who declared a hunger strike because of neglect and his deteriorating health condition. He said that the doctor had not seen him for the last 15 days.
Bahrain

The state of the Press in Bahrain
By: Maha Al Salih

(Paper presented to the APFW Annual Conference- Rabat- May 2004)

One of the ironies of the situation in Bahrain is that in spite of the relative political opening up and security relaxation, freedom of the press has incurred serious blows and real setbacks, making it the scapegoat of 2003. The movement of political reform and the achievements of the National Charter launched by his Majesty the King of Bahrain, Hamad bin Isa Al Khalifa, have not extended their blessings to the press. Consequently the year 2003 was characterized by the tedious ‘dragging’ of journalists and editors in chief to the offices of the general prosecutor, the banning of many books under the title of ‘prohibited material’, and the suspension of a satire ‘because it makes fun of the Parliament and the Shura Council. ‘Guidelines’ are said to have been issued by the minister of information, Nabil Al Hamr, threatening the suspension of all cultural activities related to the 11th Bahraini Book Fair to be held at the end of March 2004. The ministry of information has continued its policies of closing down Internet websites, using its eternal mantra of ‘demeaning the state and insulting the symbols of government’.

On the other hand the cultural sector has been torn by the struggle between two schools of thought: the official school which concentrates on celebrations, firearms and shows, and the enlightened school that gives culture and the cultural tradition their due respect and sublime position. The ministry of information has caused this sector a very serious blow by undermining Shaykha ‘Mai Al Khalifa’ the undersecretary of the ministry of information and a distinguished historian with many works on the history of Bahrain and the region.

On another level, the Legislative and Legal Committee of the (appointed) Shura Council, has in the course of 2003, concluded the discussion of the Draft Publication Law. The new draft law has effectively dropped prior restraint of publications, the putative responsibility of the editor in chief, the prison sentences against journalists, which is a very positive conclusion for the two-year debate on the Publications and Publishing law number 47, 2003, the constitutionality of which has been questioned by many Bahraini legal quarters.

Another irony of the Bahraini situation during 2003 is that the political struggle, especially between the government and civil society, has become very fierce, no longer focussing on ‘what is to be done and what is not to be done’ but on ‘what is to be said and what is not to be said’. In addition to the rigid constraints imposed on the press by the infamous State Security Act, new ones have been introduced: seminars and conferences have been banned, and foreign guests, Arabs and non-Arabs, have been denied visas to visit Bahrain to participate in the Constitutional Conference.

A very important issue, yet to be resolved, away from the spirit of paternalism, is the right of journalists to form their own independent organization. The ministry of information is sticking to its old policy of imposing an organization of its own making, that serves its own ends and tows the official line in the information sector; a clinically dead organization that doesn’t know how to say the word ‘no’. It doesn’t
matter if this organization has not convened or met for more than two years, or whether the tenure of its board of directors has expired so long ago, all this doesn’t matter, for the most important thing is for the true voice of journalists to be smothered for as long as possible.

The good news for the freedom of the press and the freedom of expression is that some of the journalists are holding fast and continuing the struggle in the face of marginalization, suppression, arbitrary redundancy and repression. They are withstanding all sorts of pressures, as well as promises of bribery because they believe in the freedom of the press and would do whatever it takes to defend it, in defiance of the old guard and their tireless endeavours to set the clock backwards.

Other sources of optimism and assurance are the positive steps taken by the King of Bahrain, from time to time, to extend democracy to the different aspects of life in the Kingdom, and his strong message that no one is above the law or exempt from the rigours of accountability and responsibility. An example of his Majesty’s positive interference is his order to withdraw the case against the Islamic Accord Society for its performance of a political satire criticizing the Shura Council. The minister of information declared a crusade against the Islamic Accord Society classifying the play as illegal and compelling the group to cancel the second show after the resounding success of the first show which was attended by more than 3000 people.

Repeated Summons to the General Prosecutor’s Office:

- On 26 May 2003 the editor in chief of ‘Akhbar Al Khalij’ newspaper, Anwar Abdelmalik, was summoned to the offices of the General Prosecutor because his newspaper published a news item about a sit-in by a woman activist protesting a court ruling depriving her of custody of her children. The editor in chief was released on the payment of 1000 Bahraini Dinars (US$ 3000) as bail. “As a newspaper, we did nothing more than covering the sit-in of that activist,” said Anwar Abdelmalik, “and quoting some comments by the public on that issue.”

- On 19 June 2003 the editor in chief of ‘Al Wasat’ newspaper, Dr. Mansour Al Jamri, and the editor Hussain Khalaf, were summoned by a criminal court to answer for publishing information banned by the attorney general. The formal accusation was formulated as ‘committing the felony of publishing news about a crime on which an injunction has been imposed by the prosecutor’. Al Jamri, who had returned from exile three years ago to establish his newspaper, was ordered to pay 1000 Bahraini Dinars.

Both cases are still pending trial. The summons is the direct result of the implementation of the Publications Law for 2002, which has been criticized by many journalists and political organizations in Bahrain. Their call for the law to be repealed has apparently fallen on deaf ears.

- On 24 September 2002, the writer Ridha Al Musawi, editor in chief of ‘Al Dimocrati’ (The Democrat) newsletter, published by the National Democratic Society, was summoned to the attorney general’s office for investigation. One of the employees in the Ministry of Tourism alleged that the newsletter had published libellous material about him in one of its articles, although the article in question had neither mentioned his name nor specified his job. The general prosecutor decided to release Al Musawi on bail, and although the bail
was reduced from 1000 to 500 Bahraini Dinars, Musawi refused to pay. He was arrested for a further ten hours but finally released at 10 p.m. of the same day.

- Al Musawi’s case escalated when the Court of Appeal turned down, on 11 November 2003, the appeal put forward by the attorney general against the ruling of the Grand Criminal Court in which it had upheld Al Musawi’s claim of the unconstitutionality of the Judiciary Edict and the Criminal Proceedings edict. The Court of Appeal, however, rejected his claim of the unconstitutionality of the Publications and Publishing Edict No. 47, 2003. On 12 November 2003, Al Musawi’s lawyers tabled a constitutional case questioning the constitutionality of the publications law, asking the Constitutional Court to declare that law, the Judiciary Edict and the Criminal Proceedings Edict, to be null and void, citing the fact that they had been issued in contravention of the 2002 Constitution, which clearly stipulates that all laws should be passed by the Legislative Body before being declared by Royal Decree. Royal Edicts, the lawyers said, which have a bearing on basic rights, should only be issued after being debated and passed by the Legislative Assembly, or else they should be considered unconstitutional. The two cases are still under judicial review.

- On 6 November 2003, the Ministry of Information took its crack down against opposition political organizations a step further. The ministry summoned the leaders of these organizations, individually, and told them to restrict their publications to the news of their respective organizations and to abstain from discussing any other issues. To prove that they were serious about what they had said orally, the ministry officials sent letters to these organizations cautioning them that they had violated their mandate by publishing opinion articles, and that they should, in the future, restrict themselves to the news of their own organizations. Their newsletters should be circulated, free of charge, to their own members!

- In the case of the Group of National Democratic Action, the letter contained an additional threat: in case the group violated the rules, it would be shut down. Analysts and observers think that the group has been singled out because of the constitutional challenge it is pursuing against the Publications Law.

**Suppression of the Freedom of Expression:**
The Bahraini Ministry of Information has a long history in suppressing freedom of expression. It doesn’t seem to have any afterthoughts in that respect, let alone feel repentant about that role. Confiscation of publications, prior restraint of newspapers, surveillance of cultural centres and foundations by the security forces, threats to their managers and boards, suspension of activities not licensed by the ministry of information or labour or both, removal of websites, these are the Ministry’s tools of trade, which it keeps ready for use at any time. Issue No. 408, 4 January 2004, of ‘Al Mushahid Alsiyasi’, a London based magazine, was confiscated on arrival at Bahrain International Airport, by the Publications Censorship Section of the Ministry of Information, because its cover story discusses discrimination against women and the absence of freedom in Bahrain. Three issues of this magazine had been confiscated by the Ministry during the last three months: No. 397, on 18 October 2003, No. 405 on 22 December 2003 and then 408 mentioned above. In November 2003, the Ministry
confiscated ‘Bahrain from Emirate to Kingdom’ a book by Ahmed Manees, published by the Egyptian Al Ahram Centre, and removed it from the stalls of the 11th Book Exhibition sponsored by ‘Al Ayyam’, newspaper. That was the same month of the crack down on political organizations.

Many analysts and observers believe that the Kingdom is witnessing a very serious set back in terms of freedom of expression and human rights, and that the Bahraini society is suffering a strong pull back to the days of arbitrariness in that field.

Mounting Pressure on Local Newspapers:
In an astonishing letter sent to local newspapers, Nabil Al Hamr, the Bahraini Minister of Information, spelled out the ‘Newspeak’ to be followed by the press: the constitution should not be referred to as a ‘grant’, the Parliament should not be called ‘half-elected’, or referred to as a ‘vocal phenomenon’, the American Base in Bahrain should not called a base but a ‘facility’. Whoever strays from this straightforward path might lose his job. Editors in chief are asked by the minister to keep an eye on their editors and columnists. The editors in chief in Bahrain feel particularly vulnerable because they are appointed by the minister or the council of ministers, and they feel that any violation of government guidelines would threaten their jobs and livelihood.

The reform project in Bahrain is in real jeopardy because you cannot achieve reform in the absence of the freedom of the press. If the reform project consists in exposing mistakes, wrong policies, administrative and financial corruption, how can this be done without a robust and fully independent press?

The power of tradition cannot be shaken easily. Those who have nurtured for decades, the conception of the press as a defence mechanism for the government, cannot easily believe in the independence of the press, and if the government is keen on its reform project it should deal with this problem first and foremost.

The Right to Form Trade Unions:
The right of journalists to form their independent, representative organizations is still a bone of contention between them and the Ministry of Information, which made no secret of its intention to impose an organization of its own making on them. For more than a year and a half now, continuous efforts have been made to unify the journalist body by reaching an agreement between the Journalists Trade Union (still to be officially recognized) and the Journalist Society, formed by the Ministry of Information. It appeared, however, that the ‘society’ is buying time so as to be able to dismantle the trade union and thus defeat the prospect of an independent journalists’ organization. Its final bid is to obtain recognition of the Bahraini government and the General Union of Arab Journalists as the sole representative of Bahraini journalists.

Although the talks conducted by Dr. Hassan Radhi, the legal consultant who was named as arbitrator, by the society and endorsed by the trade union, have reached an advanced stage and an agreement was just around the corner, the Society chose to return everything to square one. During a meeting held in January 2004, attended by the ‘illegitimate’ president of the Society, editor in chief of Al Ayyam newspaper, Issa Al Shaiji, Mohamed Fadel and Maha Al Salihi, (the latter two representing the trade union), Al Shaiji declared that it was his right to be an active member of the
trade union, despite the fact that he was an editor in chief of a newspaper. This issue has never been raised before. The representatives of the trade union naturally refused any conception that brings together in one trade union, the employers and employees.

Violations against Journalists:
The strong waves of change unleashed in Bahrain more than two years ago, have been broken on the stony shores of entrenched traditions and old habits that take long to die. Many procedures that aim to maintain governmental control of correspondence are still in place. The Ministry of Information has sent letters to all correspondents of newspapers, TV channels and broadcasting services asking them to annually renew their licenses or else they would be cancelled. The ministry is still banning some journalists from being correspondents of foreign media venues or interfering in the content of their messages. Maha Al Salih has lost her livelihood pending a decision on her case, Ahmed Ridha was denied endorsement as a correspondent to Al Manar Satellite Channel (based in Lebanon), Mohamed Al Ghasra for UPI, and Ramla Jawad for Al Alam. The latter applied for endorsement in May 2003 but is yet to receive a response from the ministry of information. In an effort to know the reasons for the procrastination of the ministry, she wrote a letter to the minister of information, Nabil Al Hamr, and met with the undersecretary of the ministry for foreign affairs, Shaykh Khalifa bin Abdalla Al Khalifa. During a meeting with the latter, he asked her about her political affiliation, to which she responded that she had no political affiliation; that she was only a member of the Human Rights Centre and that she defends human rights in that capacity, without any consideration for the political or ideological affiliation, or lack of it, of those she was defending.

Ramla Jawad told Arab Press Freedom Watch that, judging by the suspicious questions they had asked her and their insistence that she belonged to a certain political school of thought, the ministry had actually refused endorsing her as a correspondent of Al Alam Satellite Channel. “When I told him (meaning the undersecretary) that I am financially responsible for the family of my father,” Ramla said, “and that I have a constitutional and legal right to work, he said in a freezing tone: ‘Why do you want to work for that channel? Do you think you are better than those who have waited for years to obtain our endorsement?’!!?”

In addition to all that we have mentioned, the ministry of information interferes in the content of the messages correspondents send to their newscasters, making sure that nothing not to its liking gets a chance to be aired. Correspondent Samira Muhannadi, of Abu Dhabi TV Channel, was ordered not to send interviews she had made with some people involved in the making of the Bahraini Constitution. She was threatened and insulted as she said. Abu Dhabi TV channel asked her to send the interviews after all, saying that it would sort the affair out with the Bahraini information authorities. But when she obliged and sent the material, she was given a final warning that she would lose her job if she ever did anything like that again. The material, however, was not broadcasted as a result of direct interference of the information ministry’s undersecretary for foreign affairs, Shaykh Khalifa bin Abdullah Al Khalifa with Abu Dhabi authorities.

It has become routine practice now for journalists to be asked about their political affiliations and duly classified as ‘with us’ and ‘against us’. Recently it has been
leaked out that the applications of Ahmed Al Bosta, Maha Al Salhi and Ramla Jawad, for jobs in Al Mithaq newspaper, which is expected to be launched in April or May 2004, have been rejected for political reasons. Al Ayyam newspaper has sacked Ahmed Al Bosta and stopped his daily column.

All this confirms that the ministry of information has no intention of loosening its grip on the press, and would not spare any effort to tighten the noose around the neck of all free and independent journalists.

**Serious Efforts to scupper constitutional reform in Bahrain:**

Efforts by the Bahraini government to scupper constitutional reform and to snooker Bahrain and its people from adopting the values of the age continue unabated. What the government did in the run up and during the convening of the constitutional conference, 14-15 February 2004, was a very serious indication of that interference. On the eve of the constitution, Mr. Majid Al Alawi, minister of labour, sent, on 12 February, letters to the four opposition groups convening the conference, (Islamic National Accord, National Democratic Action, National democratic Alliance and Islamic Action), asking them not to convene the conference because it has not been given the go ahead by the authorities. The hotel booked to be the venue of the conference was compelled, under direct pressure from the ministry of information, to cancel the booking. As a result the conference was convened in Al Orouba club which refused to succumb under the pressure of the Youth and Sports Directorate, which also joined forces with those who made a vow that the conference would not see the light of day. On the 13th of February, the government of Bahrain barred many Arab and foreign participants in the conference from entering the country.

A source in the ministry of the interior acknowledged that the authorities have denied many Kuwaiti parliamentarians access to the country, including Ahmed Al Saadoon, former speaker of the Kuwaiti parliament, Adnan Abdelsamad, Abdemuhsin Jammal and Abdalla Al Nibari. Some of those refused entry to the country to attend the conference were Dr. Ali Al Kawari, Qatar, Salih Al Armooti, Jordan, Mr. Mckenzi Lowi, Britain, and Mr. Mark Palace from France. The ministry of the interior source justified the decision on the grounds that those people were coming to Bahrain ‘to attend a conference that had not completed all the legal procedures for it to be convened.’

Al Ayyam newspaper, owned by the minister of information, Nabil Yacob Al Hamar, was quick to join the campaign against the conference, the conferees and the political activists involved in it, who were branded as “calling for an ideological constitution in a constitutional monarchy!” The names of national symbols like Engineer Abdelrahman Al Na’imi, president of National Democratic Action Group and Rasoul Al Jashi, President of National Democratic Alliance, have been fraudulently added to the list of ‘Saddam Coupon Holders’ to smear their reputation. Al Ayyam also alleged that these politicians were black listed and banned from entering Kuwait because of their involvement in the Iraqi oil quotas. The truth, however, came out when the Kuwaiti parliamentarian, Ahmed Al Saadoon, uncovered a letter sent by the Bahraini ministry of the interior to the Kuwaiti ministry of the interior recommending that some of the opposition figures, listed in that letter, should be banned from entering Kuwait.
The Constitutional Conference was convened as scheduled, concluded its proceedings on 15 February with a final communiqué that called for a serious national dialogue between the government and all the opposition parties to resolve the constitutional crisis; expressed the commitment of the conferees to the peaceful resolution of all national issues on the basis of open discussion; renewed its commitment to political pluralism and the democratic transfer of power within the stipulations of the National Charter and the system of constitutional monarchy in Bahrain. On the other side, the government was keen to flex its muscle, through the heavy presence of the security forces, making it known that that was its weapon of choice in the national ‘dialogue’!

The call by the four opposition groups for the constitutional monarchy to be democratic, for the Bahraini people to be the source of legitimacy of the government, has been construed by the government to be a ‘provocation’. Assessing these developments, observers believe that the Bahraini government has violated its obligations under the National Charter and that it is on a collision course with all the democratic rights and freedoms achieved by the Bahraini people through protracted and fierce struggles.
The Press Situation in Bahrain
By Ahmed al-Bousta

(Paper presented to the APFW Annual Conference- Rabat- May 2004)

Let me sum up the present situation of press freedom in particular, and of civil liberties and public freedoms, in general, in the Kingdom of Bahrain, by quoting the famous statement of the Italian philosopher and intellectual Antonio Gramsci who said: 'The old is not yet dead and the new is yet to be born.'

With this background in mind, we are left to contemplate, though not to accept, so many painful facts that can't be wished away. For after the powerful initial surge of the waves of reform, stagnation settled in, the old guards, with their age-old ways, their lethal animosity to change and their arsenal of armoury to stifle and suffocate the new and the promising, have won the day. The carpet of reform has been mercilessly rolled back, after no more than a few months, and many of the benefits, obtained in the aftermath of the abrogation of the state security act and the release of political prisoners, have simply been retracted.

The counter wave of the restoration has been ushered in through the revival of old laws, like the one restricting association of more than five persons, the new publications law with heavy restrictions on publications and the press, law number 56 identifying the victim with the executioner, the organizations law of 1989 and a spate of other laws that sanction repression, persecution, detention of journalists, intellectuals and human rights activists, and make their life intolerable through exorbitant and arbitrary fines. The detention of the representatives of four political organizations demanding the establishment of a constitutional monarchy in the real sense of the term (The National Islamic Accord, National Democratic Labour, The National Democratic Alliance and Islamic Labour) is only a single drop in a sea of repression.

The propagation of the constitution in February 2002, which was presented as a royal gift, on the basis of which the elections were run in October of that year, was marked by salient acts of repression based on the State Security Act, which had never been subordinated to the dictates of the constitution. Many were detained, tortured or shot in the streets in extra judicial killings, despite the constitution and its grand stipulations about human rights and democracy. Civil liberties were smothered, the executive power was put under the tutelage of the security forces, the legislative power was firmly curtailed and a wide umbrella of protection was cast over embezzlers of public funds. All the achievements of the 1973 constitution, especially on the sovereignty of the legislative power, were withdrawn in the new constitution of 2002.

It is an established fact that any constitution has two major functions: legislation and monitoring and holding in check, the executive power. Under the 2002 Constitution, both functions have been divested of their content: the legislative power, which is composed of two houses one elected and the other appointed by decree (both composed of 40 members, while the speaker is appointed) has no right of legislation and no right to monitor the executive power.
Since appointees represent whoever appoints them, it is fair to say that the government has a majority of 50%+1 in the legislative assembly, while the people, the source of sovereignty, have only 49%. Simple arithmetic indicates that it is impossible for any party, acting in unison or in coalition, to pass any legislation not condoned by the government. The monitoring function of the parliament, which is recognized in the best parliaments of the world, has been curtailed by article 45, governing the house of representatives and the Shura Council, which casts an exclusive protection on the executive, stipulating specifically that all public funds stolen since 1975, should be forgotten and considered to be the legitimate property of those who had taken them, but if any public funds were stolen after the enactment of the new constitution, they should be divided between those who have stolen them and the people!!

Democracy in the Kingdom of Bahrain has also suffered a serious blow during the run up to the general elections, when a spate of new laws was issued in the short period between February and October of 2002, amounting to 56 edicts, issued as emergency laws, without prior consultation with the public or with the representatives of the political parties or civil society organizations. 21 of these emergency acts were issued during the month of October alone, including the controversial publications law number 47, act number 56 in clarification of act number 10 for 2001 on the general amnesty, which Bahrainis nickname 'The law of Colonel Adil Flaifil', who fled the country to Australia after being accused of torture resulting in murder, of embezzling millions of Dinars and other serious crimes, and who returned from exile to enjoy his booty in peace and prosperity.

Only 9 bills have been passed during the period 2002-2004, all initiated by the government, while other proposed bills have been put on hold pending further notice.

In short, the government seems to be very keen not to disturb its citizens and their representatives, embracing the age-old adage: 'Dear citizen, don't bother thinking about these complicated issues of governance, for your government takes the trouble of thinking on your behalf!' The other day, when our friend Ali Djerri said in his intervention about the press in Algeria that; 'People in the press publish what they think and people in the government do what they like', Maha al-Salihi commented immediately that in Bahrain, 'People in the government do what they like, and people in the press write what they think the government wants them to write'. It should be added, though, that there are some exceptions to this general state of affairs, but it remains true in its entirety.

Still, there is an active movement for the cancellation of the publications law, that condones the detention of journalists; imposes hefty fines against them; imposes firm restrictions on the publication of newspapers by demanding financial guarantees that amount to 2 million Dinars for the publication of a daily newspaper, and similar huge sums of money for the publication of weekly and monthly magazines, which puts the publication market at the mercy of the rich, irrespective of their real interest in the propagation of the values of a free and authentic press that reflects the concerns of the
people. Even the appointment of editors in chief has been put under the firm grip of the government.

In the face of such developments, and for the liberation of the press from the intervention of the government, we journalists have no choice but to highlight the violations against our profession, expose the laws and practices that threaten the very existence of democracy in our country; work for the establishment of a constitutional monarch within the framework of deeply entrenched human rights and civil liberties; tirelessly work for the abrogation of laws that condone the detention of journalists and exert sustainable pressure to roll back and lift the dark shadow of the ministry of information which we feel in all the aspects of our professional life.
The Year of Jailing Journalists and Futility!!

Youssef Fadel  
Member of the Executive Council  
Editor-in-Chief of the Arab Press Freedom Watch Website

It would not be an exaggeration to say that the condition of press freedom in the Arab world from East to West always reflects the conditions prevailing in Egypt as it lies in the heart of the Arab world. When the beats of this heart race with whiffs of freedom, other Arab countries receive a flow of optimistic blood; but when this heart suffers from disease, the body of Arab journalism falls prey to a hemorrhage of imprisonment, detentions, trials and hunting down of journalists and those who stand in the same trench in search of a human right that is a natural right before being guaranteed by local and international laws.

A look at the conditions in Egypt during the year that this report covers shows reflections and applications of what happened to the heart which other countries copied from Egypt as they copied much of the pioneering acts even if it were an expression common to some of those in the media field.

14 Months after the President's Promise

The most significant issue to monitor in the Egyptian condition is the way journalists are treated, journalists which constitute the backbone of the press and its freedom, before being a mirror that reflects the pulse of citizens who seek more opinions to shape their awareness and position which, in turn, will shape their action if and when they choose to take action.

In February of this year Egyptian journalists from different political and journalistic affiliations and various projects all welcomed the announcement made by their newly elected syndicate head about the promise he received from the president to put an end to punishing journalists by imprisonment in publication cases.

The consensus of journalists overshadowed all other topics addressed in their general conference, the sessions of which witnessed a description of chronic diseases from which journalism in Egypt suffers within press institutions and media climate, while simultaneously being gnawed by a jungle of laws that restrict and deter journalists and the freedom of thinking within the general freedom climate in society.

However, it was soon discovered that the announcement made on behalf of the president was merely a promise left vulnerable for anyone to obstruct or to become possible in the foreseeable future at a time when one lawsuit after another are ongoing against journalists, newspapers and anyone who allows himself to believe that the door to the press freedom and constructive criticism was open during an era of media leadership which was raised as a bright slogan similar to other empty slogans.

Even the elapse of over 14 months after the mentioned "promise" there doesn't seem to be a glimpse of real hope that the invisible power that controls the press situation in Egypt is declining its domination against journalists and their freedom, as if
restricting media freedom and insisting on the detention of journalists and harassing them in many ways represent the sanctuary to these invisible powers from accountability that is the right of both citizens and the society that live under an emergency law that was imposed in a matter of hours but continued over the course of 24 years, not the 14 months that passed after the promise to repeal the imprisonment penalty.

After only a few weeks the Egyptian street and the media were shocked to hear about the imprisonment of Al-Osboa journalist Ahmed Ezzeddin for two years with labor for a lawsuit filed against him by deputy prime minister and minister of agriculture Youssef Wali because of the journalist's articles about corruption in the agriculture sector. Due to this shock, droves of journalists sat-in at the syndicate demanding the penalty be repealed and adherence to the president's promise.

This wasn't the only case against journalists. It was preceded by another lawsuit filed by an actress, another from Upper Egypt governorates and a third from the son of late President Sadat against a journalist he believed was expressing an opinion about the late president two decades after his passing away.

**Disciplining and Reforming Journalists**

The case filed by Dr. Wali against Ezz Eddin marked the start of the media situation in Egypt that journalists make fun of when they say "anti-press ministers" or the ministers who discipline journalists who think of writing about what they believe to be acts of corruption.

Another minister, Minister of Housing, Utilities and New Urban Societies Mohamed Ibrahim Soliman, joined the list of ministers that pursue and harass journalists. He sent warning to national newspapers, particularly warning them against criticizing or attacking his ministry and asking that the papers observe accuracy when publishing. He filed up to 16 lawsuits against editors-in-chief and journalists, including Editor-in-Chief of Sawt al-Umma Adel Hammouda and journalist Mohamed Abdel-Latif, three journalists from the independent daily al-Masry al-Youm, Abdel-Nasser Ali, Alaa al-Ghattrifi and Youssef al-Awmi; as well as Al-Arabi journalist Mahmoud al-Asqalani, journalist Ibrahim Khalil at the government weekly magazine Rose al-Yusuf. All these journalists published news or articles about corruption cases under prosecution investigation or in courts. Even a former government employee was not spared a defamation lawsuit after having sent an open letter to the president which was published by an opposition paper that publishes articles about corruption and corruptors. The former government employee was sentenced to three months. It seems that the list of prohibitions and restrictions on publishing has expanded to include prohibiting publishing articles about corruption or journalists that benefit from the spread of corruption.

It is strange that a new phenomenon emerged, unprecedented in the media or judiciary in Egypt. This is accusing journalists of influencing prosecution investigations, particularly with relation to corruption cases. The custom was to question journalists when they publish false or fabricated news, not when they address details of events that are not confidential, prohibited or subject to publishing prohibitions. This affirms what I previously mentioned that the hidden powers that only work to prevent the
press from exercising its duty and participating in enabling citizens to practice their right to access information, even if this was accomplished by exerting pressure on investigations and judges that are later imprisoned for accepting bribes.

More strange and among the precedents to be added to the list of violations committed against journalists in Egypt and the Arab world is what took place against journalist Abdel-Halim Qandil, Editor-in-Chief of Al-Arabi newspaper after having written articles opposing the idea that power in Egypt be handed down in inheritance, in addition to a number of articles severely attacking the regime in Egypt. Mr. Qandil was kidnapped, beaten, insulted and left naked in the desert. This incident aggravated the journalism community in late 2004 to the same degree as the mysterious disappearance of Al-Ahram deputy editor-in-chief Reda Hilal in August last year. Hilal has not been found to date.

Religious Authorities and Groups that Call Others Apostates
Among the phenomena of the press condition in Egypt is the spread of emphasizing the role of religious authorities with relation to the freedom of expression which reached its peak when a minister of justice resolution granted the Islamic Research Complex affiliated to al-Azhar the authority of judiciary detention or seizure over religious books. This resulted in more confiscation of books under the pretext that they contradict Islam's principles, even if their content was not Islamic, such as the novel "The Fall of the Imam" by Dr. Nawal Saadawi 20 years after its publication and translation to 14 international languages. The book was treated similar to the treatment received by a book written by Gamal al-Banna under the title "The Responsibility for the Failure of Islamic Countries." Another book by a Lebanese author talking about "The End of Israel" which was published in 2002 under the pretext that is falls under the category of foretelling the future.

The Matter was not restricted to prohibiting the publication and circulation of books. It extended to asking the government to prevent conferences organized by Ibn Khaldoun Center run by Dr. Saad Eddin Ibrahim. Sheikh al-Azhar called for putting the Center on trial for what he described as "the destructive role it plays in the Egyptian society."

Within the same religious context, poet Abdul-Mo'ety Hegazy was described as the "Apostasy Poet" after he published a number of articles in the national Al-Ahram newspaper. It is curious that the mentioned accusation was made on part of the religious newspaper issued by the national ruling National Democratic Party (NDP). The party hastened to dismiss the paper's editor-in-chief following foreign objection on publishing an article about the Holocaust against the Jews in Europe during World War II, an article completely not related to Islam.

The matter was not restricted to religious authorities. It extended to religious groups that charge others with infidelity. A group allowed the murder of writer Osama Anwar Okasha following a declaration which involved Egypt's ruler Amr Ibn al-Aas during the era of the Islamic state.

Even the People's Assembly was not spared. Members of the Islamic stream called upon the Minister of Culture to confiscate a book the ministry published which was
written by the ministry's secretary Sherif al-Shobashy under the title "Long Live the Arabic Language and Down with Sebawe!"

Egyptian television censorship continued its known objections related to historical events that reflect what is termed as "circumstances the nation is experiencing". This was demonstrated in the way the censorship dealt with scenes from the television series "The Pro-Women Imam" which addressed conflicts between princes during the Abbasid dynasty rule.

The mentioned practices of Muslim groups or religious authorities were also performed by Coptic religious groups that did not like a film titled "I Love Cinema" that presents the life of a Coptic family as they considered the film insulting to Christianity. In court the judiciary said it was not within its jurisdiction in a session that personnel would not allow journalists to attend.

**Battles with Foreign Ambassadors**

Interference with Egyptian journalism was not restricted to local authorities. We found that other countries' ambassadors in Cairo entered into battles with Egyptian journalists and media. The most significant such interference was on part of the Libyan ambassador because of articles that criticized the change in Libya's policies and declarations made by Libya's president Mo'ammar al-Qaddafi. The Libyan ambassador filed lawsuits against 14 editors-in-chief and journalists based on an article in Egyptian law that prohibits offending foreign countries.

We find the translation of much of what happened and is happening in Egypt one way or another in different parts of other Arab countries.

The best thing to conclude this report is a declaration that drew my attention after the president made his promise to repeal imprisonment sentences against journalists. The declaration was made by Kamal al-Shazly, Minister of Parliament and Shura Council Affairs during a Parliament session held in February 2004 and published in government newspapers where he said: " Freedoms are flourishing in Egypt. It is not true that they are restricted freedoms. The Emergency Law does not threaten freedoms!"

Thus, I don't think that I was very far off the truth when I chose the above title: "The Year of Jailing Journalists and Exercises in Futility!!"
A Chronology of Press Freedom and its Violations in Egypt

28-05-2003 Administrative Court: EJS Elections Illegal:
The Administrative Judicial Court decreed that the elections of the journalists’ trade union, run on June 28, 1999 and July 3, 1999 for the post of secretary general, were illegal due to their violation of the constitution and the law.

02-06-2003 Arrest of Mustafa & Mahmoud Bakri to serve one year imprisonment:
Security agents arrested Mustafa Bakri, editor in chief of the independent newspaper ‘al-Usbou’ and his brother Mahmud Bakri, deputy editor in chief of the paper, to serve a one year sentence which they had received five years earlier, in a libel case tabled against them by Mr. Muhammad Abdel’al, the former president of the ‘Adala’ (Justice) Party and manager of ‘Watan al-Arabi’ newspaper, the party mouthpiece. The sentence against the two brothers was not carried out at the time because the Attorney General stayed execution of the sentence pending the result of the brothers’ appeal to the Appeals Court, which confirmed the sentence yesterday.

05-06-2003 Wafd Party PresidentSuspends ‘al-Bidaya’ Magazine:
President of the opposition Wafd Party, Dr. Numan Jum’a, decided to suspend ‘al-Bidaya’ (The Beginning) Magazine, published by the Wafd Party. The suspension of the one year old magazine added more fuel to the simmering tensions inside the party. According to the editor in chief of the magazine, Dr. Waheed Abdel Majid, the decision was expected, although the timing was a bit of a surprise, because it was taken while the President of the Board of Directors was outside the country and a few days before a scheduled meeting to resolve the problems faced by the magazine.

18-06-2003 Nafie Barred from Contesting Elections:
The Administrative Judicial Court in the Council of State ruled against Mr. Ibrahim Nafie seeking a third term as secretary general of the journalists’ trade union. The court referred to the ruling of the judicial committee supervising the elections of 1999 and 2001, which found out that many who had been deemed by the judiciary to be eligible voters, were barred from registering their names and consequently failed to take part in the elections.

22-06-2003 Bakri Brothers released and barred from travel abroad:
In response to a technical appeal from their lawyer, the Cairo Criminal Court released the Bakri brothers but asked authorities to add their names to those barred from leaving the country.

24-06-2003 Rule against Nafie cancelled:
The Supreme Administrative Court today overruled the Administrative Judicial Court in relation to the barring of Mr. Ibrahim Nafie from contesting the post of general secretary of the journalists’ union for the third time. The Supreme Court, however, rejected the appeals to stop new registrations for the elections which were supposed to
be run the following day, referring the case to the government’s attorney general to report on its legality or otherwise, and scheduled a hearing on September 15.

02-07-2003 - Assada Newspaper suspended under Security Pressures:
The first issue of Assada newspaper has been withdrawn before reaching the market. Mr. Isam Abdel Raziq, the President of the Board of Directors and the general secretary of the Attakaful party, was summoned to the security offices and told that there were serious security objections to the editorial policy of his newspaper, and reservations against its editor in chief, Mr. Yassir Barakat. They asked him to change the editor or else they would go further and freeze the party itself, which, they said, would entail grave consequences.

06-07-2003 - Nafie withdraws his Candidacy:
Mr. Ibrahim Nafie, the secretary general of the journalists’ union, declared that he had no intention of contesting the impending elections for general secretary.

07-07-2003 - Hamdi Gindeel takes the Minister of Information to Court:
Egyptian journalist Hamdi Gindeel submitted a legal complaint against the minister of information and the president of Broadcasting and TV services who stopped his TV program ‘The Editor in Chief’. He said that the program had been suspended at the beginning of the American invasion of Iraq, in gross violation of basic civil liberties, constitutional rights and the freedom of expression. He added that the suspension spells out the disrespect in which authorities hold the feelings and aspirations of the viewers.

13-07-2003 - Journalist Mamdouh Mahran dies after a heart attack:
After a massive heart attack, journalist Mamdouh Mahran, 57, president of the board of directors of ‘Annbaa’ newspaper, died in the Heart Institute. Mahran was serving a three year sentence in the case of the excommunicated priest. He was taken to the intensive care unit in the heart institute where he died shortly after his arrival.

30-07-2003 - Jalal Arif elected as general secretary of the journalists’ syndicate
Journalist and writer Jalal Arif has been elected today to the post of general secretary of the journalists’ syndicate, in the most hotly contested race in more than two decades. He defeated his rival the writer Salah Mansour with a difference of 370 votes, in a free election supervised by judicial authority. Wrangling in the court had postponed the elections twice during one month.

15-08-2003 - The mysterious disappearance of journalist Ridha Hilal:
A sense of foreboding and deep tension gripped the journalistic community after the mysterious disappearance of Mr. Ridha Hilal, deputy editor in chief of the well-known al-Ahram newspaper, from his house and his work. His family reported his disappearance to the security authorities which broke into his apartment but failed to find any clue to his disappearance.

12-09-2003 - ‘Tips on Love of Women’ banned:
President of the ‘Book Association’, Dr. Samir Sarhan, announced that a book by the poet Ahmed Shahawi titled: ‘Tips for the Love of Women’, distributed last January by ‘Usra Bookshop’, had been banned from publication. He added that the book had
been referred to the censorship committee, euphemistically called ‘The Reading Committee’, to look into ‘information’ that the book was offensive to religious sensitivities of Muslims. In a statement about the issue, Dr. Sarhan said that once he had heard that the book might have contained explicitly insulting remarks about religion, he moved to ban and withdraw it immediately from the markets to allow the “The Reading Committee” to reach a judgment about it.

14-09-2003 - **Tips on the Love of Women allowed to come back:**
‘The General Foundation of the Book’, decided to release ‘Tips on the Love of Women’, a poetry book by Ahmed al-Shahawi, following a ruling by ‘The Reading Committee’ that the book didn’t contain anything offensive to religious belief or the sensitivities of Muslims. Dr. Samir Sarhan declared that the objections were related to familiar words and expressions used in everyday discourse. The three verses of the Qur’an mentioned in the book, he said, were parenthesized and no indication was made that they were part of the text. He added that the book ‘is a superb literary text, making liberal use of allegories and imagination in a spirit of poetic creativity’.

24-09-2003 - **Security sources say Ridha Hilal’s Case still Open:**
A security source declared that security agencies were fully engaged in investigating the disappearance of journalist Ridha Hilal. Evidence, he said, was still being collected, and there was no truth to the rumours that security authorities had ruled out criminal intent. He added that the evidence they had up to that point was not conclusive and could not favour a certain hypothesis, including the one that Hilal disappeared by his own choice. The source said that the case was still open, all the possible threads and leads would be followed and whatever information the agencies collected would be meticulously investigated.

28-09-2003 - **Cancellation of Military Orders of the Emergency Law:**
President Mubarak declared today the cancellation of all military orders issued under the emergency law, except those deemed necessary for the maintenance of law and order. He said that democratic practice would be enhanced and the dialogue with opposition parties, public associations and civil society organizations would be encouraged. He added that new legislations to invigorate the role of trade unions would be promulgated. Mubarak called for the amendment of the laws organizing the practice of political rights and the formation of political parties with an eye to removing all the obstacles that hinder their political activism. Mubarak also called on the political parties to formulate an ‘ethical code of practice’ to enable everyone to have a say in national issues.

20-10-2003 - **American Ambassador Launches an Attack on Egyptian Press:**
American Ambassador, Mr. David Welsh, launched a savage attack on the Egyptian Press. ‘Although the history of Egyptian journalism goes back to 1875,’ he said, ‘it is still backward compared with the press in advanced countries.’ During a conference in the American university in Cairo, Mr. Welsh expressed his dismay that “some pitiful articles in the Egyptian press are still propagating conspiracy theories, attacking the US and using offensive and unprofessional language.”

26-10-2003 – **Journalists’ syndicate calls for Boycott the American Ambassador:**
The journalists’ trade union issued a strongly worded condemnation of the American Ambassador’s comments on Egyptian press, describing the comments as ‘brazen and irresponsible and do not express the official point of view of the American administration.’ The statement continued to say that the ambassador’s comments ‘represent a flagrant intervention in the internal affairs of Egyptian press in contravention of the principle of freedom of expression, which is universally acknowledged as an inalienable right’. The trade union called for boycotting any activities initiated by the ambassador.

22-10-2003 - Dream Channel declines airing a recorded interview with Haikal:
For the second time in one year, the Egyptian ‘Dream’ TV channel back pedaled on airing interviews it made with the veteran Egyptian journalist Mohamed Hassanain Haikal, who had declared his retirement last October, after recording the interview. The channel apologized for the second time for not airing the interview.

28-10-2003 - Solidarity with Egyptian Novelist Sunallah Ibrahim:
The Egyptian writers’ union expressed its solidarity with novelist Sunallah Ibrahim after his controversial decision to decline receiving the ‘Novel Writing Creativity Award’. The 2000-member strong union said, in a statement, that it holds the novelist in great respect and appreciates the reasons he put forward for his refusal of the award. The statement added that Sunallah’s standpoint celebrates the independence of the intellectual and the resumption of his role as a pioneer in defending the interests of the Egyptian and Arab peoples.

01-11-2003 – Journalists notifies MF Affairs of Ambassador’s Interventions:
In further escalation between the American Ambassador Mr. David Welch and the journalists’ trade union, the general secretary of the union, Mr. Jalal Arif, sent a memorandum to the foreign minister Mr. Ahmed Mahir, condemning what he called ‘the gross intervention of the American ambassador in the affairs of the Egyptian press, in contravention of diplomatic traditions’. The secretary general asked the minister to convey the union’s stand-point to the ambassador.

01-11-2003 - Journalists syndicate Rejects a grant to train 50 members in America:
The secretary general of the journalists’ trade union declined a grant from American Aid to train 50 of its members in American universities for 8 weeks. The grant was estimated to be one million 350 thousand dollars. A statement issued by the union said that it had formulated rules and regulations for accepting or rejecting grants in accordance with their satisfaction or otherwise of the training priorities of the union, in all fields of journalistic practice.’

02-11-2003 - The Crisis of the Ambassador and the Union goes to Parliament:
Some journalists decided to take the confrontation with the American Ambassador, Mr. David Welch to new levels by submitting a complaint to the ‘People’s Council’ the Egyptian Parliament. The move, however, had been obstructed by President of the Council’s Foreign Relations Committee, Dr. Mustafa al-Faqih, who was reported by some journalists to have said that ‘submitting such criticisms of American policy to the Council is unacceptable’.
03-11-2003 - US Supports its Ambassador in his Confrontation with Press:
Washington defended its ambassador Mr. David Welch in his difficult confrontation with the Egyptian press. Deputy spokesman of the ministry of state, Adam Oriely said that ‘Ambassador Welch is a straightforward and firm defender of free and responsible press’.

04-11-2003 - Al-Azhar issues a Fatwa confiscating ‘Tips on the love of women’:
The Council of Amalgamated Research Projects, an al-Azhar affiliate, issued a fatwa banning ‘Ten Tips on the Love of Women’ by Ahmed Alshahawi, saying that ‘the book advises women to be smitten with the lightening of love without reservations, and to surrender their bodies and souls without any sense of shame in the gratification of their whims.’ Mr. Samir Sarhan, president of the Association of the book, criticized the decision of Al-Azhar and rejected that al-Azhar should have ‘any authority to confiscate or ban books.’

12-11-2003 - A Wafd Journalist takes Refuge in the syndicate Headquarters:
Journalist Mahmud Abdel Azim, of Alwaḍ newspaper, took refuge in the headquarters of the journalists’ trade union, in protest of his sacking by the newspaper board without giving any reasons. He said that his sit-in was in preparation of a hunger strike that would only be broken by his return to his work. The journalist was sacked ten months ago, in January 2003.

13-11-2003 - Legal Organization demands banning ‘Destiny’s Man’ series to:
Lawyer Mamduh Nakhla, president of ‘The Word Centre for Human Rights’, asked the information minister to stop ‘Destiny’s Man’ series, aired by Egyptian TV, saying that it was offensive to Copts. He said that the series which was centred on the historical personality of Omr Ibn Alas, the leader of the Arabian Army that occupied Egypt ‘has caused a commotion amongst the Copts because it elevates a certain religion at the expense of the other, which amounts to the violation of the Egyptian constitution which ensures equality between citizens and does not discriminate between them on the bases of colour, sex, religion or faith.’

22-11-2003 - 14 Human Rights Organizations criticize the Government’s Report and its Failure to Expand the Democratic Margins:
14 Egyptian human rights organizations signed a joint statement expressing concern about ‘the contradictions in the government’s discourse which alleges that it is working for expanding the margins of democratic freedoms and engaging in an open dialogue with the organizations of civil society, on the one hand, and the reality of its policies and practices which tell quite a different story.

27-11-2003 - Al-Azhar Confiscates New Book by Nasr Abu Zaid:
The Council of Amalgamated Research, the highest authority in the ancient religious institute, banned a new book by Egyptian thinker Dr. Nasr Hamid Abu Zaid, under the title ‘The Text and its Interpretation’ and ordered all copies in the market to be withdrawn. The ruling said that Abu Zaid ‘questioned two of the basic tenets of Islam: Unity of God and the preservation and maintenance of the Qur’an’. A member of the council said that Al-Azhar ‘does not confiscate freedom of expression, but it protects the pillars of the faith and the convictions and culture of the people.’
27-11-2003 - Censorship Agency Clears Arrisala Film and Bans an American One:
The central agency of audio-visual censorship, asked al-Azhar to license Arrisala film in both its Arabic and English versions after it has been banned from the Egyptian screens for 22 years. The censorship authority banned, at the same time, the American film ‘Bruce Almighty’ directed by Tom Chadiac, because one of the actors impersonates God and the film was accordingly considered offensive to all religions.

01-12-2003 - Shahawi Supporters demand Lifting al-Azhar’s Censorship:

05-12-2003 - Amnesty International demands the Release of Egyptian Activist:
In a statement issued today, Amnesty International demanded the release of an Egyptian activist, put on trial with a group of others accused of forming a communist organization. The statement called for the unconditional release of Sharaf Ibrahim, a well-known figure in the anti-war campaign in Egypt. His trial will be the first instance of prosecuting communists for what they believe since the arrest in 1987, of a group of intellectuals who were later released without trial.

07-12-2003 - Arrest of Engineer accused of ‘Hating and Insulting the Regime’
A group of legal organizations condemned the arrest of Mohamed Baha Eddin Nada, because of writing of slogans on the wall of Zagazig town rejecting hereditary rule. The Egyptian attorney general’s office decided to keep him under arrest, accusing him of ‘hating and insulting the regime’. Nada did not deny the accusation, but said that he was practicing his right of free speech.

16-12-2003 - ‘The Protocols of the Wise Men of Zion’ submitted to the Parliament:
The heated discussion about ‘The Protocols of the Wise Men of Zion’ and its withdrawal from the Public Library in Alexandria, had at last reached the People’s Council, when an MP tabled a question to the Prime Minister Dr. Atif Sidqi, and the minister of higher education and scientific research, Dr. Mufeed Shihab, on whether the Alexandria Library was directed by Jews. The Library which had previously withdrawn the book, apologized for its exhibition saying that it was a fault of one of its staff and stated that it was ‘a wrong decision lacking in public sensitivity.’

28-12-2003 Apprehension of Journalist accepting a Bribe to stop anti-Corruption Campaign:
The anti-embezzlement of public funds authority in Suwaise, apprehended the correspondent of ‘Afaq Arabia’, Mohamed Hasan Maglad, accepting a bribe of 15 thousand Egyptian pounds, from the general secretary of the teachers’ union and the former MP, in return for stopping a campaign of public defamation against the general secretary. ‘Afaq Arabia’ is the mouthpiece of the illegal Muslim Brotherhood Movement.

02-01-2004 - Nafie denies forms an organization against discrimination:
More than one year of his being accused of anti-Semitism, Ibrahim Nafie, editor in chief of Ahram newspaper, declared the foundation of ‘The Arab Organization against Discrimination’ registered in Paris. He was previously summoned by the French Judiciary, prodded by the pressures of Israel and other Jewish and Zionist organizations, to answer accusations of anti-Semitism.

15-01-2004 – Journalists’ Union rejects monopoly on mobile phones:
The journalists’ trade union declared its intention to break the monopoly on mobile phones enjoyed by two Egyptian companies. The union called for the suspension of calls through the two networks for at least one day. An anti-monopoly draft law had been prepared so many years ago, but has not been discussed by the People’s Council up to now.

09-01-2003 - Conviction of Journalist for Insulting late President Sadat:
Qasr al-Nil Court convicted journalist Mohamed al-Baz, of ‘Sawt al-Umma’ newspaper, in the libel case raised against him by the daughters of late president Anwar Sadat, and was fined 10 thousand pounds. The journalist had written an article with the title: “He insulted the Egyptians, so They insulted Him, He called Them Names, They called Him Names.” Mrs. Ruqia Assadat accordingly made a libel case against him, where the court found him guilty of ‘insulting a national icon’ and fined him. The court however transferred the damages case in which Sadat’s daughter asked for five million pounds, to the appropriate court.

25.01.2005 TV Censorship Dep. objects to Portrayal of Feuds of Abbasid Emirs:
Egyptian TV censorship department objected to many scenes in ‘Imam Annisae’ especially those dealing with the feuds of the Abbasid Emirs and their stratagems to gain power. The department said ‘these scenes are not suitable in the present predicament of the Umma’. The department also demanded the removal of scenes about the wives of Imam Annisae, alleging that they were the figment of the author’s imagination and had no authenticity in history.

26-01-2004 - Journalists in Asyute demand Protection from the Local Gangs:
Newspaper correspondents in Asyute called on the general secretary of journalists to intervene with the security agencies on their behalf to provide some protection from gangs of fugitives who threaten them and make the performance of their work gravely dangerous.

08-02-2004 - Confrontation between Poet Ahmed Hijazi and Religious Newspaper of the Ruling National Party:
The religious paper of the ruling National party attacked the well-known poet Ahmed Abdel Muti Hijazi because of some articles he had published in Al-Ahram newspaper. The religious newspaper alleged that the articles assaulted Arabism and Islam, and called the poet ‘The Poet of Apostasy’. On his side Ahmed Hijazi accused the paper of playing the role of a mouthpiece of Muslim Brotherhood Movement, and said that it represents a force of reaction and betrayal of what Egypt achieved by way of freedom and human rights during two centuries.

18-02-2004 - 15 Legal Organizations boycott the National Council of Human Rights:
15 human rights organizations, declared that they would not cooperate with the new National Council of Human Rights, accusing it of lack of credibility, under the ongoing state of emergency. The organizations called for lifting the 23 year old state of emergency, and allowing the formation of political parties and a free press.

20-02-2004 - **Abdel Muti Hijazi resigns his post as editor in chief of ‘Ibda’a’**: Poet Ahmed Abdel Muti Hijazi declared that he was resigning his post as editor in chief of Ibda’a newspaper, published by the Public Foundation of the Book, in protest of the censorship practiced by the Press House workers. He refused to submit his resignation to the President of the foundation Mr. Samir Sarhan.

20-02-2004 - **American Journalist denied Entrance**: Authorities have barred the entry of American journalist Charles Livingstone, of Cairo Times, an English language weekly published in Cairo, from entering the country. Mr. Livingstone had previously published two articles about torture in Egyptian prisons, in the Boston Globe and San Francisco Chronicle respectively.

23-02-2004 – **The President Cancels Arrest of Journalists in Publication Cases**: The Journalists’ Trade Union’s general secretary, Mr. Jalal Arif, announced that the president of the republic had told him that he had cancelled the arrest of journalists, and the common citizens, for articles they write in the press. Arif said, during the journalists’ conference, that the president confirmed to him that the ‘decision is a step towards freedom and democracy’. The president added that directives to amend the laws in accordance with that decision would be issued shortly.

**Journalists’ Conference calls for further Reforms and the Liberation of the Press:**
The journalists’ conference witnessed heated discussions about the necessity of linking freedom of the press with political reform on all levels. Journalists warmly welcomed the presidential decision to drop arrest as punishment for publication issues, asking for further reforms to empower the press and enable it to perform its mission in the best possible ways. They noted that the press had been seriously handicapped during the few past years. Many journalists laid the responsibility for the deterioration of the press on the shoulders of the officials managing press institutions, their tendency to outlive their usefulness in holding office and their lack of incentives for modernization and development.

25-02-2004 - **Journalists raise 10 Demands including Lifting the State of Emergency and Abrogating Restrictive Laws**: In their conference, Egyptian journalists put forward 10 demands including improving the conditions of the press and journalists, the lifting of the state of emergency, abrogation of all the laws that restrict freedom, putting an end to human rights violations, protection of civil liberties and public freedoms, the implementation of far reaching political and constitutional reform to guarantee peaceful transference of power, and the democratization of all social institutions.

25-02-2004 - **Draft Law Dropping Arrest in Publication Cases to be declared within a Week**:
Al-Ahram daily published that president Mubarak would discuss within a week the bill dropping arrest in cases of publication, which would immediately be tabled before the People’s and Shura Councils, to be passed and implemented. Official agencies have already started drafting amendments of the laws.

27-02-2004 - **Washington Criticizes Egypt on Preserving Emergency Laws:**
In its annual report, the department of state criticized many of Washington’s allies on their human rights’ records, and the Egyptian government on its maintenance of the emergency laws that legalize the arrest, and even murder, of citizens without due process. The report said that state courts had been abolished in May, but the government maintained emergency laws, which could not be indicative of any substantial progress in the field of human rights. The report noted that the security forces were still resorting to torture of prisoners and making arbitrary arrests.

05-03-2004 - **Minister of the Interior Criticises journalists’ Union for Hosting Muslim Brothers’ Conference on Reform:**
Mr. Habib al-Adli, the interior minister, rejected what the Muslim Brotherhood Movement called ‘Initiative for Reform in Egypt’. He said that such calls should come from legitimate not illegal parties. The minister criticized the journalists’ union for hosting the conference, saying it was a blunder for which the union alone would bear responsibility.

06-03-2004 – **Journalists’ Union Rejects Minister’s Criticisms and Accuses him of Initiating a Crisis:**
The secretary of the journalists’ union, Mr. Yahya Gallash, rejected criticisms of the minister of the interior against his union for hosting the Muslim Brotherhood’s conference saying that he wanted to provoke a crisis in a bid to reverse the gains achieved by the union in its last conference. Amongst those achievements was the dropping of arrest as a punishment for cases related to publication. The Muslim Brothers’ conference was presided over by their General Guardian, Mr. Mohamed Mahdi Akif.

**Imprisonment of Editor in Chief of ‘Sawt Al-Gharbia’:**
Mr. Ahmed Utwan, editor in chief of Sawt al-Gharbia, member of the Legal Aid society, and Mr. Ismail Mohamed Ahmed, an editor with the same newspaper, have been sentenced to six months in prison. Both were asked to pay a fine of 5 thousand pounds.

14-03-2004 - **Conviction of Journalist for accusing Minister of Housing of Corruption:**
Cairo Criminal Court convicted journalist Mohmoud Abdel Rahman al-Asqalani, an editor with ‘al-Arabi’ newspaper, mouthpiece of the opposition Nasserite party, and imposed a fine of 20 thousand pounds, and damages of 5001 pounds. The conviction was related to the libel case made by the minister of housing against the journalist who had published two articles accusing him of corruption.

14-03-2004 - **Arab Reform Conference demands widening Public Freedoms and Dropping the Punishment of Arrest in Publication Cases:**
The conference for Arabic reform, held in Alexandria Public Library, demanded the widening of public freedoms, freedom of the press, and the dropping of legal articles allowing arrest as a punishment for publication cases. The conference also called for lifting the state of emergency and emergency laws operative in all Arab countries. In a document released by the conferrees, they said that reform should be initiated by societies themselves and should take into consideration specific conditions in every country on its own, without ignoring common denominators between these Arab countries.

17-03-2004 **Imprisonment of Journalist for insulting Actress:**
A Cairo Court convicted journalist Shafiq al-Tahir, editor of ‘Sawt al-Umma’ in a libel case made against him by the actress Hala Sdqi two years ago. He was sentenced to one year in prison, a five thousand pound fine and five thousand pounds bail that would save him from serving his sentence.

05-04-2004 - **Resignation of MP Fareed Hassanain in Despair of the Practicality of Reform:**
Member of the People’s Council, Mr. Fareed Hassanain resigned his seat in Parliament saying that reform is unlikely in the present circumstances and that the Egyptian political parties are incapable of any real achievement.

13-04-2004 - **The Labour Party tables Complaint against Party Affairs Committee to Human Rights Council:**
The secretary of the Labour Party wrote a memorandum to the Human Rights Council protesting against the efforts of the Political Parties Committee to illegalize his party. The memorandum said that while the president of the republic, in his speeches and daily statements, is speaking about the necessity of defending the freedom of political parties and encouraging the freedom of the press, the so-called political parties committee, which is composed exclusively of the ruling National Party, is trying to violate constitutional principles and binding legislations by taking away his party’s legal status, freezing its activities and confiscating its newspapers. He said that the president of the committee has been doing this since the 20th of May 2000 from the safety of his parliamentary immunity.

14-04-2004 - **Optimism about Cancelling Emergency Law after 23 Years:**
Dr. Ahmed Kamal Abulmajd, deputy president of the National Council for Human Rights, expressed optimism about the abrogation of the emergency law in Egypt. He said that his optimism was triggered by the positive response of the ministry of interior and security agencies toward some research conducted by The Human Rights Council. He added that the reports should be completed in three weeks, after which proposals would be submitted to the ministry of the interior and the ministry of justice for endorsement, on principle. Accordingly, further steps would be taken to abrogate the 23-year old emergency laws. That, he said, would not be a mere security procedure, but a step towards comprehensive reform.

30-05-2004 - **Al-Azhar Prohibits Nawal Sadawi’s Novel ‘The Fall of the Imam’:**
The Council of Amalgamated Research, an affiliate of al-Azhar, has prohibited the circulation of Nawal Sadawi’s novel ‘The Fall of the Imam’, saying that it contradicts the basic tenets of Islam. The novel was first published twenty years ago and
translated to more than 14 languages and was never prohibited before. The novel contains harsh criticism for the tyranny of rulers and the hypocrisy of their followers, among whom there are religious figures. It is set out during the period of President Anwar Sadat.

05-06-2004 - Legal Organizations Reject al-Azhar’s Confiscation of Publications:
Human rights organizations rejected al-Azhar’s implementation of the decision of Justice Minister Mr. Faruq Saif, which empowers them to confiscate hundreds of books and tapes, because they had not obtained clearance from al-Azhar. The organizations said that the decision was ‘seriously dangerous’ for freedom of expression.

08-06-2004 - New Newspaper Launches an Attack against the Government:
For the first time since the nationalization of newspapers in 1960, authorities give the green light for the publication of an independent newspaper. ‘Almasri Alyom’ “The Egyptian Today”. It launched a savage attack against the government, showing in the front page of its first issue the pictures and names of a number of ministers under the caption: These are destroying Egypt. It said in its editorial that the present Egyptian government includes the largest number of ministers ‘most hated on the Egyptian Street’. In an article on the first page, the editor in chief, Mr. Anwar Hawari, asked President Mubarak to ‘destroy those who have humiliated the Egyptian people, thinking that nobody but himself could destroy them.’

16-06-2004 - 2 Year Imprisonment for Journalist despite the President’s Promise:
The Cairo South Criminal Court issued the maximum punishment of two years in prison, against Al-Usbu’ Journalist, Ahmed Izzeddin, in a libel case submitted on behalf of the deputy prime minister, minister of agriculture and land reform, Mr. Youssef Wali. Journalists took the news in a state of shock because it was a flagrant violation of the President’s promise to abolish imprisonment as a punishment in cases of publication and opinion.

17-06-2004 - APFW Asks President to stand by his Promise:
In a statement issued by Arab Press Freedom Watch, the organization requested President Husni Mubarak to stand by his promise to abolish imprisonment in cases of publication and freedom of expression. The organization demanded the release of journalist Ahmed Izzeddin of al-Usbu’ newspaper and other journalists held for similar reasons.

20-06-2004 - Call for Sit-In in Journalist Union Headquarters Demanding Firmer Stand Against Imprisonment of Journalists:
The Trade Union Awareness Committee, of the Journalists’ trade union, called for a sit-in in the journalists’ headquarters, starting on June 26, in protest at the imprisonment of journalist and writer Ahmed Izzeddin for two years. The committee asked the journalists’ council to take a firmer stand on this issue and demanded the immediate release of the journalist.

20-06-2004 - Cancellation of Journalists’ Imprisonment to be discussed in September:
It was declared today that the bill on the cancellation of imprisonment in cases of publication and the code of honour which President Mubarak asked to be formulated by political parties, would be discussed in the second conference of the National Party, scheduled to be held on September 26. The conference is expected to discuss political and economic reform in Egypt and to remove impediments of freedom of expression.

21-06-2004 – Journalists’ Union Asks the President to Release Izzeddin While National Papers Refuse to Publishing Statement:
‘National’ newspapers refused to publish a statement issued by the journalists’ union, expressing deep shock at the imprisonment of Ahmed Izzeddin, despite the President’s promise of abolishing imprisonment in publication cases. The statement asked the President to personally intervene to release Izzeddin.

24.06.2004 - Resignation of Safwat Sharif as Minister of Information:
President Husni Mubarak has accepted the resignation of Mr. Safwat al-Sharif as minister of information, a post he had occupied for 23 years. Sharif was elected for the post of speaker to the Shura Council.

23-06-2004 - APFW: The Arrest of Journalist Izzeddin A Slap in the Face of Freedom of Expression:
Arab Press Freedom Watch sent a letter of solidarity to the Egyptian journalists on the occasion of holding their Exceptional General Conference for deliberations on the arrest of journalists in cases of opinions especially after the arrest of journalist Ahmed Izzeddin of al-Usbu’ independent newspaper. The arrest took place in violation of the President’s promise that he would cancel imprisonment as a punishment in such cases.

24-06-2004 - Solidarity Conference with Izzeddin Launches Campaign asking President to Stand by his Word:
The journalist’s conference held in solidarity with Izzeddin launched a campaign demanding that the President stand by his word and cancel imprisonment of journalists in cases of freedom of expression and opinion. In a memo sent to President Husni Mubarak they said: ‘the continuation of imprisonment of journalists in publication cases is essentially contradictory to any declarations on democratic reform, it is a flagrant violation of your promise to abolish this punishment, an attempt to circumvent that promise.’

28-06-2004 - Speaker of People’s Council Promises Abrogation of Imprisonment Law on Last Day of Parliamentary Recess:
APFW has received reports saying that speaker of the People’s Council, Dr. Fathi Surur, and the Minister of Justice Saifeddin al-Nasr, have tried to assure the journalists delegation headed by the general secretary Mr. Jalal Arif, that the legislation promised by the President would be issued in the near future, without specifying a date. The promise was made 4 months ago. It turned out, though, that the People’s Council went on recess on the same day of the meeting with the speaker and the minister!

30-06-2004 - Calls for Confiscation of Book Criticizing Sibawaih:
Islamist MPs demanded the confiscation of a book criticizing the ancient Arab linguist Sibawaih. The Islamists asked Faruq Husni, Minister of Culture to confiscate ‘Long Live the Arabic Language, Down with Sibawaih’, a book by Sharif Shubashi, published by the Public Foundation of the Book, alleging that the book ‘insults the language of the Qur’an without any convincing grounds’. In a question to the Minister of Culture, Islamist MP Mr. Hamdi Hassan accused the author of the book of ‘assaulting the Arabic Language using the language of the colonialists’ and rejected the thesis developed in the book that ‘the Arabic Language is the cause of the backwardness and reactionary attitudes of the Arab mind.’ He also rejected the author’s call for dropping ancient criteria for the beauty of expression, the so-called ‘Balaqa’, which has become alien to the spirit of the age.

03-07-2004 - Copts attempt to stop film:
Coptic Lawyers and clerics have started procedures to stop shows of a film they consider to be offensive to Christianity. ‘I Love Cinema’ is about the life of a Christian family, its scenario writer, directors: brothers Usama and Hani Gerges Fawzi, are all Christians. Lawyer Najib Gibrael said that the film ‘Is sarcastic towards the Christian faith.’

05-07-2004 - Libya stops Litigation against Egyptian Journalists:
Mr. Ahmed Qazf Aldam, the general coordinator of Libyan Egyptian relations, declared that Libya has withdrawn all cases against some Egyptian journalists in the wake of the campaign they had launched against Libya. Mr. Qazf Aldam made his statement during a visit he paid to the journalists union, where he met with general secretary Mr. Jalal Arif. He also put forward some proposals for the strengthening of relations between Libya and Egypt.

Mohamed Hassanain Haikal on al-Jazeera:
The Qatari al-Jazeera satellite channel has succeeded in convincing the veteran writer Mohamed Hassanain Haikal to engage in a series of talks from the platform of the channel. In his first appearance Haikal said that no government today would be able to isolate its people from the rest of the world or prevent its problems from being known by the entire world. He added that some governments have not yet understood this fact. He said that in the Arab world there are now 2000 newspapers, 95 satellite channels and more than 800 hundred foreign news channels which can be seen in the Arab world.

14-07-2004 - 300 Intellectuals Demand End to Monopoly on Power and ask for Direct Presidential Elections:
More than 300 intellectuals and trade unionists have demanded an end to the monopoly on power and to allow for a peaceful transfer of power starting with the presidency. In a statement issued hours after the formation of the new Egyptian government, which includes for the first time ministers from the inner circle of the son of President Mubarak, the group said that ‘The total tyranny which has bedevilled our society necessitates comprehensive political and constitutional reforms to end monopoly on power, to open the door for a peaceful transfer of power starting from the Presidency, the rule of law, independence of the judiciary and to put an end to the monopoly on wealth which has led to staggering corruption, social deprivation, injustice and rising unemployment.’
15-07-2004 - Ghaitani Denies Calling for Solidarity with Bath’ists:
Novelist and writer Mr. Jamal al-Ghaitani declared that he had no relationship whatsoever with the call for solidarity with Ba’thists which was issued under the title ‘French Campaign to Free Ba’thist Officials Held by American Forces.’ Ghaitani said that involving him in such a call was a conspiracy to smear his name and his history, and that he would send a statement to newspapers to distance himself from that call.

26-07-2004 - I Love Cinema before the Court:
Cairo court for fast track cases has started hearings of the case raised by consultant Najib Gibrael and a group of lawyers asking for withdrawing from theatres the film called ‘I love Cinema’, which they alleged was offensive to the Christian faith, portraying a place of worship in a very bad light. 19 human rights organizations have declared solidarity with the film in the face of attempts of clerics and others to withdraw it from the theatres.

27-07-2004 - Formation of Arab World Democratic Reform Forum:
A number of eminent persons and legal professionals in 8 Arab countries have decided to form ‘the Democratic Reform Forum in the Arab World’ to enhance and encourage the process of democratic reform in Arab countries. They entrusted the Cairo Centre for Human Rights to lead the process of coordination in this early period.

31-07-2004 - al-Azhar bans Book Anticipating End of Israel in 2022:
The Council for Amalgamated Research, an affiliate of al-Azhar, refuses to print a book anticipating the end of Israel in the year 2022, written by Lebanese Bassam Nihad. The centre’s report said that the book was built on prophecy and knowledge of the unknown, which is the sole prerogative of God, and should be banned on that basis.

01-08-2004 - Journalist Initiates Procedures Against Speaker of the Shura Council for Keeping Editor in Chief of Sharq al-Alwsat News Agency:
Cairo Administrative Court started hearings in a case raised by journalist Ibrahim Dasouqi Ibrahim, of Asharq al-Awsat News Agency, against the Speaker of the Shura Council for keeping the editor in chief of the news agency in his office although he had passed the maximum age for employment. The journalists’ union joined Dasuqi as a second plaintiff in the first incident of its kind.

04-08-2004 - Editor in Chief compelled to resign under American Pressure:
Editor in chief of ‘Liwa Islami’ “The Islamic Flag” newspaper, Mr. Mohamed al-Zarqani was compelled to submit his resignation following a number of visits by a delegation from the American Embassy to a number of Egyptian officials to convey protests from the Congress and the Egyptian Ambassador in Washington about a series of articles published in the newspaper about the Holocaust. The articles, written by Dr. Rifaiat Sid Ahmed, were considered anti-Semitic.

04-08-2004 - Egyptian Journalism Loses Abdel Wahab Mutawie:
Egyptian journalism and the al-Ahram family have suffered a heavy loss in the death of the distinguished journalist Abdel Wahab Mutawie, 64, editor in chief of the Youth Magazine and supervisor of the letters section in al-Ahram.

07-08-2004 - Cairo Criminal Court Rejects Two Cases Against Wafd Newspaper:
Cairo Criminal Court has rejected both the civil and criminal cases raised by the President of Asyute South Council against journalist Ahmed Mohamed Abu Rish for publishing an article about illegal demolition of a building on orders from the President of Asyute South Council.

Move to stop I Love Cinema Rejected:
The Cairo Court for Fast Track cases has rejected the case tabled five weeks ago by 20 prominent Coptic figures to stop the ‘I Love Cinema’ film, alleging that the film was offensive to Christianity in general and the Orthodox Church in particular. Justice Nader Ellaiwa, the President of the court said that ‘The basis of fast track justice does not go deep in meting out justice. What the plaintiffs demanded was based on personal impressions, lacking specific expressions that insult the Copts.’ Despite the public nature of the trial, police prevented journalists from entering the court hall to hear the ruling.

08-08-2004 - Literary Figures Reject Religious Institutions Hegemony:
Activists in human rights and civil society demanded wider freedoms of expression and creation. They asked for the removal of religious and military institutions from literary and intellectual life. In a panel organized by the Egyptian Organization of Human Rights, in support of the film ‘I Love Cinema’ which was threatened with being withdrawn from cinemas, heated discussion centred around the hegemony of the religious institutions, their suffocation of intellectual freedom and their suppression of artistic works once they approach what they call ‘taboos’ and red lines. Participants in the debate called for lifting censorship of literary and artistic works which has become a sword hanging dangerously over the necks of literary people.

10-08-2004 - Al-Azhar Sheikh Demands Stopping Ibn Khaldoun’s Conferences:
Mohamed Sayed Tantawi, the Sheikh of al-Azhar calls for ‘The immediate stopping of conferences held by Ibn Khaldoun’s Centre, directed by Dr. Saadeddin Ibrahim. ‘These centres play a destructive role in Egyptian society,’ the Sheikh said, ‘It has to be closed and put under trial’. The Sheikh’s comments came after the ‘Islamic Conference for Reform’ held by the centre which recommended that ‘Religious heritage should be purified especially in its Hadith side, composed of sayings attributed to the prophet, and that the Qur’an alone should be treated as the source of Islamic belief.’

11-08-2004 - Egyptian Writer asks: Where is Ridha Hilal, on the anniversary of his disappearance:
Journalist and writer Salah Muntasir wrote in his column in al-Ahram under the title ‘Where is Ridha Hilal?’ on the anniversary of the disappearance of the distinguished writer, deputy editor in chief of al-Ahram Mr. Ridha Hilal. Mr. Hilal disappeared in mysterious and suspicious circumstances on August 11 2003, an incident that caused deep anxiety in Egyptian and Arab circles. The search for him is still on.
18-08-2004 - **al-Azhar Prevents a Book about ‘Islamic Prophecies’**:  
The Centre of amalgamated research refused access to the Egyptian book markets to David Cook’s book ‘The Islamic Prophecies’ because of what the centre called ‘Lies and fabrications about the noble Qur’an and the heritage of the Prophet’. The report of the Ulama said that the book was no more than vacuous research meant to insult Islam and Muslims. The report says that the author tried to prove that the Qur’an contains prophecies akin to those contained in the Book of Visions. The author accordingly added so many fabrications, confused Islam with falsifications attributed to it by its enemies and with Israeli fables and other nonsense.

19-08-2004 - **Investigating Ibrahim Khalil of Rose al-Yusuf**:  
The attorney general’s office has called journalist Ibrahim al-Khalil, of Rose al-Yusuf Magazine for investigation about accusations raised against him by Dhiya al-Manieri, owner of Civic Consultancies and brother in law of the Housing Minister. The journalist was asked about a report he had published about the attorney general’s investigations with al-Maneiri and others in a bribery case. He was later released on bail.

22-08-2004 - **Al-Azhar Orders Confiscation of Book Allows Women to Wear Hats**:  
The Amalgamated Research Council recommended the confiscation of a book titled ‘The Responsibility for the Failure of the Islamic State’ by Jamal al-Banna son of the founder of the Muslim Brotherhood Movement. The Centre said in its report about the book that ‘It should not be allowed circulation for the protection of the faith.’ The book discusses the issue of Hijab for Muslim women and says that they ‘Should abide by the rules of Islamic decency which does not necessarily mean their wearing of the traditional Hijab, but can cover their hair with a hat which would serve the purpose of hiding it’. The book condones hedonistic marriage which means a limited contract to be terminated at the end of the stipulated period, even if it was for one day, but it should be confined to Muslims in foreign lands. The report says that it has ‘Some more objections’ against the book.

23-08-2004 - **Attorney General Summons Editorial Board of Multaqa al-Dawli**:  
The Cairo Attorney General’s Office summoned the Board of Directors of al-Multaqa al-Dawli ‘International Forum’, for investigation about a libel case raised against them by Sri Lankan businessman Mr. Saifeddin Ayed al-Jaafari ‘nicknamed Saif al-Mufaddal’, who accused Mr. Abdel Fattah Abdel Monem, a journalist working with the newspaper, of insulting him in an interview he had made with Egyptian grocers in Athar al-Nabi and the Sahel areas. The retailers said that the Sri Lankan businessman was enjoying a monopoly on grocery products and raising prices artificially.

23-08-2004 - **Opposition Parties call for Political Reform, Lifting Emergency**:  
Three opposition parties launched a document calling for political reform. The Wafd, Nasserite and Alliance parties called for wide ranging changes including the lifting of the state of emergency, operative since 1981 when Husni Mubarak became President, the introduction of radical amendments to the constitution before the end of the present term of the President in October 2005. The three parties demanded the introduction of a parliamentary republic, changing the present system of electing the president and replacing plebiscites with free multi-candidate elections, the restriction
of powers enjoyed by the President and shortening his tenure from 6 to 5 years with his right to stand for no more than two terms.

26-08-2004 - Release of Al-Usbu’ Editor in the Case of Saadeddin Ibrahim:
Journalist Mustafa Bakri, editor in chief of al-Usbu’ newspaper, has been released on bail after investigations about two libel cases initiated against him by Dr. Saadeddin Ibrahim whom he called the ‘Egyptian Ahmed Chalabi’, the pro-American Iraqi opposition leader. Bakri portrayed Saadeddin as anti-Egyptian and said that he was financed by foreign institutions in return for harming Egypt.

02-09-2004 - Nafie: Defence of Our Rights should not entail discussions of things unrelated to our History:
The Arab Organization Against Discrimination, under the leadership of Ibrahim Nafie, issued a statement saying that the defence of our national issues like Palestine, does entail discussions about issues unrelated to our history. The statement added that the denial of the Holocaust, as expressed in two articles in ‘al-Liwa al-Islami’ “The Islamic Banner”, could not be the best way for us to defend our rights and demands.

05-09-2004 - The Electronic News Letter ‘al-Mithaq al-Arabi Banned:
The editorial board of the electronic news letter ‘al-Mithaq al-Arabi’ “Arabic Charter”, declared that the authorities have banned their website at www.almethaqalaraby.net inside Egypt. The board declared that they have been able to temporarily break the ban by transferring the website to an internal service provider and thus return on Thursday September 3, two days after the ban, but the website was closed again on September 5.

09-09-2004 - Campaign for Change: No for Renewal, No for Hereditary Rule:
Political parties and organizations, from across the political spectrum, with civil society organizations, trade unions, intellectuals, artists and normal citizens, have launched a public campaign under the slogan: No for Renewal, No for Heredity, Yes for multi-candidate elections of the President of the republic. The campaign declared that participants would work hard to introduce radical changes in the constitution before the Presidential elections in October 2005, declaring that the present term of President Husni Mubarak should be his last. The campaigners insist that the amendments should take place right now so as to allow the different political forces to participate in the coming Presidential elections and so as to enable the Egyptian people to choose its rulers and to hold them accountable. This, they said, would be the only way for the Egyptian people to live in dignity and prosperity, free from unemployment, corruption, repression, maiming and torture in the prisons and police stations.

20-09-2004 - Conclusion of Freedom of Expression Conference in Alexandria:
The conference on freedom of expression held in the Public Library of Alexandria has successfully concluded its deliberations and activities. The conference was held by the library authorities in cooperation with the Norwegian Government, Arab Reform Forum, UNESCO and the Swedish Institute in Alexandria. During three days the conference discussed more than 40 papers presented by leading international media people from across the globe and was attended by more than 300 intellectuals and
journalists representing major news makers, news agencies and international organizations related to freedom of expression in different parts of the world.

21-09-2004 - **7 Parties Reform Project calls for Direct Elections of President:**
Seven political parties demanded that the President should stop being a member of any party while in office. The Wafd, the National Progressive Alliance, the Nasserite Party, the Umma, Labour, New Generation and Egypt parties, said in a statement they issued jointly, that the President of the Republic should be “Chosen through multi-candidate elections, for a five year term and for two terms as a maximum.” The statement called for ‘Freedom of political organization, lifting the legal and political state of siege prevailing now, ensuring the freedom of the audio-visual media and liberating them from the control of the state.’

29-09-2004 - **Licensing Two New Newspapers:**
The committees of the Supreme Council of the Press recommended the licensing of two new newspapers, allowing Egyptian journalists to work with foreign media institutions and extending the contracts of some journalists working for national newspapers.

29-09-2004 - **Journalists Protest against ‘Massacre’ by the Wafd President:**
APFW has received a report about the violations of the President of the Wafd Party of the rights of the journalists working for the party newspaper. The report says that he had up to that point sacked 20 journalists who later organized a demonstration against what they called ‘The Massacre of Journalists’. APFW asked the party to review these decisions, to abide by the rules of the freedom of expression and human rights, and to preserve the rights of journalists. It pointed out that these principles have been endorsed by the party itself and have been codified in its statutes and rules, which makes the present violations totally unacceptable.

02-10-2004 - **Serious Crisis in the Arab Journalists’ Union:**
A serious crisis devastated the meeting of Arab Journalists’ Union, when the general secretary of the Egyptian Journalists’ Union, Mr. Jalal Arif, and four of his delegation, walked out of the meeting and issued a statement saying that what happened on the first day of the meeting ‘Was shameful and perverted’. Arif said that he wished for the meeting to conclude its agenda successfully but pointed out that ‘There was a deliberate effort to ignore the Egyptian Journalists’ Union and a failure to invite delegates in the name of the hosting union, which is the Egyptian one in this case.’

03-10-2004 - **Campaign against Arif:**
The official Al-Ahram newspaper launched a ferocious campaign against the general secretary of the Egyptian Journalists’ Union, Mr. Jalal Arif, accusing him of making ‘A desperate move to torpedo the conference of the Arab Journalists’ Union.’ Alwafd newspaper expressed similar sentiments and said that the walk-out was a ploy by Mr. Arif to manipulate the meeting and control it.

04-10-2004 - **Arab Journalists’ Conference continues without Arif:**
With the tenth conference of Arab Journalists’ Union in session, the campaign against Arif reached new heights when Al-Ahram called the Egyptian delegates 'Arif' and the
Gang of Four’. A statement by the conferees condemned ‘Individual attempts to undermine the conference’ but did not mention Arif by name. Alwafid continued its campaign and dubbed the walk out as ‘An insult to Egypt’.

05-10-2004 - AJU Renews For Nafie and Calls for Cancellation of Emergency Laws:
The tenth Arab Journalists’ Union unanimously re-elected Mr. Ibrahim Nafie for president for a third 4-year term. It also re-elected Mr. Salah Hafiz as general secretary. The conference issued ‘The Arab Journalists’ Charter’ asking its members to work for freedom of expression, the lifting of emergency laws, exceptional legislations and to push for political, constitutional and legal reform in all Arab countries. Of special interest, the statement said, was the freedom of the press, a quest by journalists to seek the truth and uphold the ethics of good professional practice.

11-10-2004 - Death of Journalist Mahmud al-Maraghi in Car Accident:
Journalist Mahmud al-Maraghi has died in a car accident. He had a massive heart attack while he was driving his car in Haram Street. Losing control of his car, it collided with a tree and fell into a canal. The famous journalist died on his way to the hospital. APFW expressed its deep sorrow at the death an outstanding colleague who had contributed in its activities and worked tirelessly in defence of the freedom of expression, the dignity of the profession, freedom of the press and independence of journalists.

13-10-2004 - 1000 Citizens sue to the Parliament for Extending Emergency:
1000 Egyptian citizens made a case against the People’s Council for its extension of the state of emergency. The Human Rights Organization for Support of Prisoners, which represents the plaintiffs, in the first case of its kind, said that the signatories should have been double the present number, had it not been for the difficulty of paying the court duties in that case.

14-10-2004 - Case against Government for Closing 3 Internet Websites:
The Court of State Council adjourned to November 23, a case raised by representatives of three websites closed by the government. The adjournment was to enable the government’s attorneys to prepare their defence in the first case of its kind against Mr. Ahmed Nazif who represents the government.
Iraq

Between Guns and Ideologies: The Situation in Iraq
By: Zuhair al-Jazaery

(Paper presented to the APFW Annual Conference- Rabat- May 2004)

The wishful mentality of the Ba'ath Party was incapable of understanding David Hume's statement to the effect that 'It is wrong to invade a people in revolt'. The sole strategy adopted by the leadership of that party was hinged on temporary military superiority and the Nazi concept of Blitzkrieg. The possibility of a protracted war was totally lost on them and didn't enter into their calculations. Lost on them as well, was the fact that the population of Iran was three times greater than that of Iraq, standing at the time at 42 million to 13.5 million for Iran and Iraq respectively. Despite widespread opposition to the autocratic theocracy in Tehran, the Iraqi forces were not received with any degree of hospitality even from the people of the western province of Khuzistan, who consider their relations with Basra more important than their relations with Tehran. On the contrary the Khuzstan people fled their province in the face of the unprecedented brutality of the Maghaweer forces who allegedly invaded their land to liberate them from Khumeini. In the face of a foreign force, the patriotic spirit surged and internal divisions were either forgotten or cemented, at least for the moment, and the whole situation lent itself to the adept exploitation of the cunning and merciless Mullahs in Iran. This phenomenon was later repeated almost literally in the wake of the counterattack of the Iranian regime and its invasion of Iraq which enabled Saddam Hussein to exploit the conflict to freeze any internal conflict.

The invasion of Iran presented the Mullahs with a rare chance to mobilize the people and to neutralize the catastrophic consequences of the disintegration of the official army. The Friday prayer was turned into a platform to send tens of thousands to the front, without prior preparation, their aim being martyrdom not victory. Although the Iraqi forces were able to penetrate deeply inside Iran and to hold Iranian territory, they were denied any chance of advance because of the continuous flow of raw fighters stampeding towards the front lines, defying death and destruction.

The blitzkrieg had lost its potent characteristic of surprise and lack of preparedness from the enemy in the first weeks, and thus failed in achieving its ambitious end of toppling the Mullahs' regime and neutralizing the lethal influence of the Islamic revolution. As a consequence of this failure, the war stopped being a pursuit of politics through other means, as Karl von Clausewitz said, and turned into a battle of wills, where each party uses all the power it can muster, and all the wickedness that the human mind can conjure up, to crush the other side. The means came to defeat the ends, individual fantasy and pride obliterated the sensible approaches of real politic. For the Ba'ath party it was a national war, launched in defence of the strategic interests of the Umma, while for Khomeini it was the war of Islam against the infidel, the fact that the enemy was also a Muslim nation, did not deter the Ayatollah from drawing his transcendental conclusions, daring profane 'facts' to defy the word of God! Khomeini declared the Ba'ath party to be a Jahiliyya in a new garb, and declared its avowed ideologue, Michel Aflaq, a Christian-cum-Muslim, to have nothing to do with Islam, having entered the realm without the cleric's benevolent permission. Aflaq was not only denied his new-fangled faith, but also his nationalist
credentials, when Khomeini said that his nationalism was only a tool to divide the Muslim world by classifying Muslims as Arabs and non-Arabs. Iranian mass media was mobilized to brand the Ba'ath party as Kafir, led by infidel elements like Aflaq, and by a bunch of nationalists who borrowed their ideas from Christians with western affiliations and with sinister intentions against the Muslim world.

Viewing history as discrete units that can only be made coherent and meaningful through individual will, in the best interests of an urgent ideological need, and trying to give some justification for a war that had lost its raison d'etre, the Iraqi leadership, responded in kind and mobilized its propaganda machine to refer to the Iranians as Majusi Furs, (Fire Worshipping Persians). The revival of the age-old epithet was invoked to serve two purposes:

1- A nationalistic one invoking the history of hate between Arabs and Persians.
2- A religious one of invoking Paganism against Islam.

In the face of the mainly religious justifications of the Iranians, the Ba'ath resorted to a mainly racial justification, which was not quite an aberration in its ideological history. Sami al-Jundi, one of the founding fathers of the Ba'ath party wrote:

(We were a group of Iraqi admirers of Nazism, reading Nazi books and embracing its intellectual forefathers like Nietzsche, especially his seminal book 'Thus Spake Zarathustra', and Fichte's book: ‘Letters to the German Nation’… And we were the first to think of translating 'Mein Kampf' to the Arabic Language… It was a strange coincidence that when I had been searching for 'The Myth of the Twentieth Century' by Rosenberg, I only found a shorter version in French in Michel Aflaq's library borrowed from one of his disciples.) 5

The member of the ‘National Leadership', Gasim Salam, speaks about the concept of race for Joseph Lobone 6 and says: (We agree with him in his definition of the concept of race, for us the concepts of race and nation are synonyms)  7

In contrast to Sattie al-Husari, who criticized the mystical side of the nationalism of German Romantic philosophers, Michel Aflaq was inspired by the racial side from which he took his concept of the Umma with a sacred mission, and defining this mission as the (spiritual revival of the world), in response to a divine calling from God. The nation for Aflaq is not an open political structure capable of accommodating different people along the principles of citizenship, but a racial construct held together by the cement of culture and religion. Following the German concept of race, Aflaq explains the degeneration of the Umma by the impurity of its racial elements. He says:

(Because the period during which the Arabs shifted from Jahiliyya to Islam, was too short, they were soon drowned in the tumultuous sea of strange nations and races… Feeling the sheer weight of the powers propelling them away from themselves, they soon returned to their shells and rekindled, once again, the old dogmatic conceptions of Jahiliyya. The ages of degeneration that followed could only be explained by that regressive attitude.) 8
The regression into Jahiliyya was accompanied by xenophobia against the 'other', inside and outside Arabian lands, and viewing strangers, especially those inside the land, as the enemy within, spawning conspiracies and looking for the weak points of the nation to figure out how to defeat it. It is only natural for this attitude to consolidate the feelings of hate towards other nations and to narrow, if not totally obliterate, the margins of coexistence.

The Ba'ath idea of a nation put under siege by lesser nations of barbarians, who are, at their best, only consumers of the fruits of civilization, not creators thereof; and who have nothing to offer but hate and envy, had been consolidated during the Iraq-Iran war, and extended to new horizons. The whole political and cultural space was claimed by, and for this ideology. On the academic level, an almost forgotten book, written by Suleiman Fayeq who died in 1896, about Iraq-Iran Wars, was adopted and reprinted; and by a direct decree from Saddam Hussein a team of 17 academicians was formed to rewrite the history of Iraq along racial lines and within racial concepts.

By 1985 two books had been published by the team under the titles: 'Iraq in History' and 'Arabian Farsi Conflict', which was dedicated to university and partisan indoctrination of new generations of Iraqis. The single argument that runs through the pages of these books is that war has been a permanent phenomenon in the relationship between the two countries and has constituted the leitmotif of more than three thousand years of history shared between them. The learned academicians simply turned a blind eye to the intricate mosaic of peaceful nations and ethnicities doing business together, exchanging goods, information, intermarrying and influencing each other culturally and socially. History, not ideology, tells us that many of the peoples who lived in the Iranian plateau were of Semitic origins, while many of those who lived in ancient Mesopotamia, especially the Sumerians, were of non-Semitic origins. This simply means that you cannot claim any Semitic 'purity' for Iraq, and you cannot impute a non-Semitic character to Iran. While you cannot deny that many wars erupted between the two peoples, equally you cannot claim that war was the only relationship that held them together. History tells us that there were many Semitic-Semitic wars, sometimes launched and fought within a certain geographic territory in competition for rare resources and conflicting interests like those between farmers and peasants, for water, food and fodder. The Acadian kings: Surgeon, Sennacherib, Nuram Sen and Auto Heikal, had launched extensive wars against many Sumeric cities, the cities of Dalmon in Bahrain, then proceeded to invade the Iranian plateau. The Ba'athist ideological history, on the other hand, would have us believe that Iraqi history was nothing but the perennial effort by peaceful Iraqis trying to defend their country against the invaders who never fail to appear from the North East. A chronology of wars was put together to prove that the contemporary war between the Ba'ath and the Mullahs, was but a culmination of a historical saga that is now playing out its final scenes. The ideal state of the chosen people, surrounded by neighbours of lesser human worth, is insurrection, because if they let loose and drop their guard they would give these lesser peoples their long-awaited chance to flaunt their power and follow their pretence of a feigned superiority. For the superior race to preserve its sublimity it has to be at war: that is her destiny and her mission.

**War as a Historic Test of Wills**
When they decided to go to war with Iran, the leaders of Iraq dubbed that war as an (Historic Arab Initiative). Oblivious to the real political implications of the war, and consciously ignoring the nature of the enemy, the (National Leadership) of the Ba'ath party, the Arab Commintern, was jubilant for the very fact that the (Arabs) were this time the aggressor. Dr. Illias Farah, a Ba'ath ideologue, has this to say about the true mission of the Umma:

( The Arab nation has for a long time been at the receiving end of aggression. That has almost turned into its fate. But the Ba'ath of Iraq has put the equation on its feet… This attack is tantamount to the return of the soul to the Arab body.)

That was the theoretical basis for calling the war (The Second Qadisia) recalling the ancient battle of 610 a.d., when the Muslims defeated the Persians, for the first time under the leadership of Saad ibn Waqas, opening the gates of the East for Islam. The war was called (Saddam's Qadisia) invoking the symbolic analogy with the ancient military namesake and magically pre-empting the result of the war in favour of the new Saad, the legitimate heir to those great empire builders, the Prohibitive Leader: Saddam Hussein.

The ideological nature of the war, for the Ba'ath, was revealed in the conditions submitted by the regime to the then secretary general of the UN, Kurt Waldeheim, on April 24th 1980, when the long list included the recognition of Iraqi sovereignty over Shat al-Arab, the immediate Iranian withdrawal from the three islands of (Tumb al-Sughra, Tumb al-Kubra and Abu Musa), the recognition of the national rights of Khuzestan Arabs and the national rights of the Iranian Kurds. Shahpour Bakhtiar, the then Iranian prime minister, was right when he considered this a call for the removal of the Khomeini regime.

When the initial assault was halted, and Iraq was driven to a defensive position, and the value of the Iraqi conditions deteriorated in an inverse proportion to the power of the Iranian counter attack, the Ba'ath ideologues highlighted the importance of the Will as a substitute for military progress in the fighting. In an interview with 'Alif Ba' Magazine on the first anniversary of the war, Ilias Farah shifted from History and Geography to the realm of ‘Philosophy’, or is it pure fantasy?

‘The issue here is not the liberation of the land; it is first and foremost an issue of the Will. The most important thing is to have a battle going on… The decision to go to war cannot be confined to a geographical position or a certain moment in time. A battle, in reality, transcends the limits of time and place.’

By disregarding the limits of time and place, war becomes an end in itself. When Farah says that the ‘the decision to go to war was related to the Ba'ath philosophy itself', he means to ground that decision in the early writings of Michele Aflaq, inspired by Nietzsche, where the Will is treated as sacrosanct in itself, no matter what its objectives or results were. Treading the footsteps of the Nazi philosopher Alfred Rosenberg, Aflaq tried to generalize and constitute the supremacy of the will and to recommend it for the whole nation. In his book 'For the Ba'ath', he tells his Arab brethren that before struggling with life, they should struggle with the self, they should engage in suffering and not shy away from the possibility of catastrophe so as
to 'purify the will' and make it indestructible. That struggle should be an end in itself, even if there were no material results in sight.

‘Struggle, understood as the practical expression of the idea of transformation, is meant to help the Umma redeem itself after that protracted slumber, that submission to easy life, that fear of the hardships of life. Through that baptism of fire, life will be viewed as a heroic struggle where the effort is more important than the fruits of the effort. In this way the Umma would be worthy of life, and would be capable of embracing its eternal mission consciously and willingly. ‘In pursuit of that eternal mission it would enjoy suffering, hardship and sacrifice as an acceptable price to realize that eternal mission.’ No test is better for the Will of the Umma than the test of war, with all its attending pain and tragedy. To confuse the mind and defy the tangible and the real, Aflaq differentiates between military victory and psychological victory. Claiming that the latter takes place within the self independently of the first type of victory. Military victory demands certain conditions like technical superiority, geographical advantage and the element of surprise, factors, the lack of which does not hinder the knight, who is driven by personal courage and blind faith, to follow his metamorphosis of the soul. Psychological victory has nothing to do with the liberation of the land. Saddam Hussein bluntly expressed this idea in his speech to the nation on the 60th anniversary of the Iraqi army, when he said,

‘The historical value of what you have achieved, lies neither in the occupation or liberation of the land, nor in the destruction of the malicious enemy, it lies in the fact that you have launched a new era of the actual psychological insurrection of your Nation.'

The psychological victory was thus elevated at the expense of military victory in response to the failures at the front, and with the mounting defeats the word victory was seldom used as a simple concept denoting a real state of affairs, but was always qualified by words like the 'spirit' of victory, 'confidence' in victory, 'ultimate' victory, and so on and so forth. The spiritual gradually takes the place of the material, illusion gradually replaces reality, the will is more important than the achievement and the struggle is an end itself, which is the essence of knighthood for Aflaq.

The concept of 'knighthood' was a recurrent theme in the speeches of Saddam Hussein. In the Ba'ath jargon knighthood is the ‘sacrifice of the self in the defence of principles' to which Aflaq adds 'without expecting any sort of material reward'. In the speeches of Saddam Hussein the concept of knighthood was employed to counteract and deny legitimate demands, by different sections of society, for a better life and for the provision of basic necessities. Knighthood demands the sacrifice of sectarian and class interests for the 'eternal mission' of the Umma, a sacrifice that obviously doesn't include the leadership. For Aflaq, the concept of Knighthood and sacrifice was introduced to neutralize the influence of Marxism, which calls for the satisfaction of the material needs of the working people. But the price of knighthood was rapidly rising with the deterioration in the war, not only were the working people asked to sacrifice their material demands, but they were also asked to sacrifice their blood and souls. Knighthood became synonymous with blind courage and mindless obedience, where people cease to ask questions even about their own destinies. In almost all his speeches for soldiers heading for the front, Saddam Hussein cited the example of
Hussein bin Ali, the grandson of Prophet Mohammad, who was martyred in Karbala. Not only was it expedient to address the Shia soldiers who accounted for 60% of the Iraqi army by citing this highly emotional example, but it was also important because Hussein bin Ali engaged in a war which he knew he would lose. The idea expressed by Aflaq, that struggle becomes more valuable when it is desperate and tragic, again comes to the mind.

**Martyr Worship:**

In a joint meeting of the cabinet and the leadership of the Ba'ath party, Saddam uttered his famous expression ‘You must remember that the Martyrs are more honourable than all of us’. I think that that was the first time for Saddam to relinquish superiority to another human being, even a dead one. This sentence was immediately transformed to a daily way of life with attending rites and practices and even elevated to a new religion, having the dead as a subject of worship. This Necrophilia assumed three dimensions:

Firstly, morally the martyrs were elevated above the living in all walks of life and specific routines had been adopted on a daily basis, to bear this out: in schools across the country, when students assembled in the morning, the sons of martyrs were given a prominent position in front of the others, they alone were the ones honoured by raising the national flag, and when teachers entered the classroom, the monitor of the class went to the blackboard and wrote Saddam's statement: The Martyrs are better than us, and the teacher and the students observed one minute of silence while looking at that statement and contemplating its meaning. The sons of the martyrs took the front seats in the classroom and teachers were strictly forbidden to punish them in any way, whatever mistakes they might possibly commit. When preparing the final school results at the end of the year, five marks were automatically added to their results.

Saddam was in the habit of making televised visits to schools, and the first thing he used to do was ask about the sons of martyrs to introduce himself as their surrogate father, and to later visit some of them in their homes with presents.

Martyr worship became a permanent source of embarrassment for the living, especially when Saddam visited a place and asked about the number of martyrs they have sacrificed for the nation. The officials, whose area did not offer its presumed quota of martyrs for the Saddam Qadisia, felt very small and repentant. The dead had come to rule the living and pass them the eternal stigma of shame and cowardice, the very fact they had managed to remain alive, was ample proof of their lack of patriotism. The writer Youssef Saigh, expressed this feeling of shame, smallness and inferiority, in his column 'Thinking Allowed', and under the title 'The Small Tiger' he described how his son became jealous of the other boy whose father had gone to the front and was martyred there. He quoted his son as saying:

’... From that moment they started treating him differently, the teacher caresses his cheeks, strokes his head, and wipes his tears, the schoolmistress asks to see him, in the math lesson Ms Hanan, the math teacher asked the class to applaud him although my answers were better than his. I cried and cried and asked my mom: Why? Why? Was it only because his father was a martyr and mine was not?'
The martyr worship was canonized in 1983, with the decree 49, issued by the Revolutionary Council, fixing an annual anniversary of the martyr, which started with the laying of the wreath on the symbolic grave of the martyr, by Saddam himself, followed by similar rites all over the country, during which time the whole country came to a stand still in mourning and reverence. Slogans were to be raised all over the country with the words: The Martyrs are better than us, and with similar expressions like: Our martyrs are our pride in the world; every Iraqi is a potential martyr, and the like.16

Secondly: Saddam knew very well that moral compensation was not enough for families who lost their loved ones, and bread winners in a war that they didn't understand, so he introduced the dynastic law of blood money to compensate these families by giving them some money and perks. The Revolutionary Council decreed that every martyr's family would receive a compensation of 10 thousand Iraqi Dinars, a house or its value, a tax-free car and the cancellation of the family's debts and a pension, even if he was not working for the state.

With the rising rates of death at the front, the compensations also rose: martyr's families were given both the salary of the dead member and his pension, it was also decided to raise the martyrs three degrees in the chain of command and admitting their children and wives in universities and colleges even if they did not satisfy academic and age requirements.

As a result of this policy a new social class appeared overnight, composed of the families of the martyrs, who moved along the fast track from poverty to riches and from the village to the town, which led to the impoverishment of the country and the ruralization of the town. Paradoxically, these privileges threatened the cohesion of the family itself, by inflaming internal conflicts between its members about their respective shares in the inheritance of the martyrs, with ferocious feuds between wife and children and their extended families. Some families, anticipating this discord rejected the compensation and chose to keep the dear memory of their loved one and to live with their muted anger and grief.

Thirdly: at the beginning of the war the Iraqi press adopted a sarcastic tone towards the religious forms of mobilization employed by Iran, including giving their fighters the keys of their houses in paradise, to wear around their necks! That was depicted in the Iraqi press as evidence of senility on the side of the Iranian leadership. But when the material and moral compensations given to Iraqis proved to be insufficient in raising the morale of both the citizen and the fighter, the Iraqi leadership didn't hesitate to pluck some pages from the book of the Ayatollah. Nationalistic romanticism quickly passed into religious mysticism by invoking the myth of the resurrection of the martyr. The wisdom of the Ba'athist ideologues who, like Ilias Farah, used to talk about the martyr's 'unification of the personality in life and death', gave way to incantations of the religious clerics. A fatwa by Dr. Ahmed Salih al-Ali, was published in al-Jumhuria newspaper in January 1983, in which the cleric puts forward the Islamic definition of martyrdom: Fighting entails the sacrifice of the self… if the fighting is performed on behalf of the Umma and the country, then it is martyrdom for the sake of God and in the service of his cause… the martyr in that case will go straight to paradise. Another cleric, Mohammad Bahjat al-Athari adds in
the same vein: he is called shahid 'martyr' because the angels of mercy witness 'tash-had' his transference to paradise where he remains with his God, for ever.

Clerics didn't hesitate to embellish martyrdom and to draw graphic images of the angels carrying the souls of martyrs on a bed of feathers to their place in heaven. The fact that the clerics were more adept at addressing the common man and appealing to his religious prejudice came in handy to the otherwise secular leadership of the Ba'ath. Sending people to almost certain death became a great offering of eternal bliss. Since it was a bit difficult to convince a well-connected contractor, for example, that the grass is greener on the other side, the message of the clerics was mainly designed and delivered to the poor people for whom the margin between life and death had been obliterated by long suffering. This Ba'athist idea was expressed in the 'Martyr Statue', designed by Ismail Fattah al-Turk, to celebrate the relationship between the womb and the grave: the ascendancy of the martyr to heaven was depicted as akin to its deliverance from the womb.17

**War by Proxy:**
At the beginning, Saddam Hussein did his best to present the war with Iran as an Arab war against the Persians. He tried to convene an Arab summit for this reason in 1981. When almost half the Arab countries refused to attend a summit with the war against Iran as its first item on the agenda, Saddam convened a 'summit of the willing'. It appeared later that the willing were not quite enthusiastic, for the war merited no more than a brief reference at the end of the final communiqué commending Iraq for its 'peaceful intentions' and calling on the two sides to stop the war. Deeply disappointed in his brethren, Saddam said in a press conference after the aborted summit that 'Iraq is fighting on behalf of the Arab nation, for Iraq is entrusted with the defence of the honour of the nation. Victorious Iraq would redeem the honour of the nation, even if the Umma was not concerned about the redemption of its honour.'

In that way, the isolation of Iraq in the Arab world was presented as a heroic drama, as a mission the Iraqis were destined to shoulder alone. The portrayal of the war as an act of defence of the 'Eastern Gate' of the Arab world was also meant to embarrass Arab regimes and to appeal directly to the Arab people. On their side, Arab regimes were either neutral or moving clandestinely to stab Iraq in the back.18

The isolation of Iraq, which enjoyed neither the membership of the Gulf Cooperation Council nor the 'Persistence and Confrontation Countries', resulted in an injured pride and an enlarged ego, celebrating its alienation from a wicked world. Ba'athist apologia, especially in the writings of Ilias Farah, stressed the importance of the war as an ethical school for the Umma, bestowing on those who launch it an aura of benevolence and vivacity. With its suffering and pain, the war was presented as ethical purgatory for Iraqis, creating the new Ba'athist man. The final document of the Ninth Congress of the Ba'ath party, came out with a separate chapter called 'New Values and Practices in the Revolutionary Society', where the positive effects of the war on Iraqis were enumerated:

(Deep loyalty to the motherland, Belief in collective work, rectitude, a feel for justice, activity and productive labour, patience, preservation of the balance between rights and duties, and optimism.)19
The enlargement of the individual Iraqi self was a corollary of the enlargement of the value of Iraq as a country. The popular feeling of isolation and the tribal attitude of individuality and insubordination were liberally used to serve the political ends of the Ba'ath. Iraq is the only country amongst its Arab neighbours that has no direct access to the sea; it is the least involved, amongst these neighbours, in commerce, travel and exposure to other peoples. This feeling of uniqueness becomes stronger the deeper we go into Bedouin lands. The Ba'ath leadership decided to exploit this feeling of uniqueness and individuality, and to claim it as its own. This, they said, was the achievement of the Ba'ath, the realization of its ethical ideal, as the documents of the ninth conference of the Ba’ath say. 20

Notes:

1- The aim of the first strike, as general Shahbour Bakhtiar said in an interview with a Iranian opposition newsletter published in Paris, was 'the liberation of Iran from the Khomeini regime' by annexing the lands which the Iraqi army would occupy, to the territories under the control of the forces of the Bakhtiar, followed by the formation of an interim government in preparation for the overthrow of Khomeini.

2- In an interview with the leader of the 'Arabian Front for the Liberation of Ahwaz', Mr. Hilal Sheikh Khaz'al, the latter said that the armed guerrilla forces had frozen military operations immediately after the Iranian revolution, in anticipation of a better treatment from the new government, which they hoped would stop acting as an occupying force, as was the case under the Shah. He went on to say that they had quickly realized that there was no change in attitude, and decided to cooperate with other ethnic minorities like the Kurds, Turkmen and Baluch to obtain regional autonomy, which seemed quite probable, given the weakness of the Islamic government. Prodded by its worsening relations with Iran, the Iraqi government tried to cooperate with the Iranian insurgents, using the good offices of the very Arab clans, which they formerly betrayed in their security deal with the shah in 1975. The Iraqis sent a delegation to negotiate with the 'Arabian Front', encouraging them to continue the armed resistance and telling them that the military arsenals of Iraq were at their disposal. But when the Iraqi army reached the town of al-Humra, it acted like an occupation army, in the worst traditions of war, pillaging properties and destroying housing and businesses. The Arabs who were waiting for their Iraqi 'liberators' had no choice but to take refuge in the camps of their Iranian 'occupiers'! Mr. Khaz'al, who came to the town to set his interim government, found nothing but ruins. He went back cursing the new 'occupiers'!

3- The Main Report of the Ninth Conference, Page 183.

4- Khomeini: A speech to the Iraqi People, and a letter to Islamic Governments commending their efforts to stop the Iran-Iraq war.

5- Sami al-Jundi, The Ba'ath, page 27.

6- A French sociologist, whose writings were extensively used by the Nazis, especially Alfred Rosenberg, to adopt racism as the practical ideology of the state; in his Mein Kampf, Hitler pointed out the importance of his book: The Sociology of Groups.

7- Gasim Sallam, al-Ba'ath and the Arab Homeland, Paris.
8- Michele Aflaq, For the Ba'ath: The Mission of the Arabs, page 143.
9- Iraq in History, a group of intellectuals 1983.
10- Ilias Farah, in an interview with 'Alif ba' magazine, April 4, 1981
11- Contrary to the Ba'ath allegations, the first Qadisis 633 a.d., under the reign of
    the first Khalifa Abu Bakr, and under the leadership of Khalid bin al-Waleed,
    was fought inside Iraq in al-Haira area, which was an important centre for the
    Sassanid Empire. Some Arab tribes fought shoulder to shoulder with the
    Persians against the Muslim armies.
12- Michele Aflaq, For the Ba'ath, page 160
13- Michele Aflaq, The Cultural Charter of the Ba'ath, page 59
14- Ibid, page 161
15- 'Alif Ba' magazine, 1983
16- Iraqi News Agency, April 23. 1983
17- The British journalist, Robert Fisk, visited this statue and wrote an article for
    the Independent under the title ' Saddam builds a Tomb for the Martyrs,'
    explaining the process of engraving the names of more than half a million of
    martyrs in the Iraq-Iran war on the rocks of this tomb. Fisk mentions that the
    names of whole families were crammed together in one stone due to the
    constraints of space
18- The main report of the ninth conference says: ' The hostile positions of some
    Arab quarters against the party and the revolution have played a pivotal role in
    encouraging the Iranian regime to go to war with Iraq… The standpoint of the
    collaborationist regime in Syria was continuously supplying false information
    about the alleged weaknesses and the deterioration of the situation in Iraq. The
    hostile positions of the Libyan regime, some Palestinian organizations and
    other Arab regimes, have also contributed to the embellishment of the war for
    the Iranians.' Page 192.
19- The Ninth Conference Report, pages 171-180
20- Ibid
A Chronology of Press Freedom and its Violations in Iraq

11-05-2003- **Fire destroys TV Building:**
A huge fire erupted in the building of the Iraqi TV in Baghdad. Correspondent of Alam (World) Radio reported that the fire had destroyed the 1930s building completely.

17-05-2003- **4 Thousand Items Library in Nasseria Burnt Down:**
A 4 thousand books and related items library in Nasseria has burnt down completely. Abdel Amir al-Hamdani, director of ancient artifacts in the area said that unidentified arsonists have burnt the library of the museum which was composed of 3900 books some of them classified as ancient irreplaceable references.

27-05-2003- **Investigation Committee casts Doubt on Pentagon Investigation:**
A report by the committee of journalists protection in New York casts doubts on the Pentagon’s version of the facts involved in the bombing of ‘Palestine Hotel’ in Baghdad, which was the headquarters of the press during the war. The bombing, in April 2003, led to the death, as a result of tank fire, of two journalists: a cameraman working for Reuters and a Spanish cameraman.

31-05-2003- **Islam-OnLine accuses Americans of beating its Correspondent:**
Islam on line website accused some American soldiers of apprehending its correspondent in Baghdad, the Somalian Ali Hilfi, threatening beating and imprisoning him and confiscating his camera. The statement said that ‘an American military convoy stopped the Islam on line team in the area of Yarmouk and interrogated them at gun point while the team was returning to the hotel.

01-06-2003- **APFW in International Conference on Future of Iraqi Media:**
An international conference on the future of Iraqi media has been held in Athens under the sponsorship of UNESCO, in which APFW actively participated. Eleven more organizations also participated. APFW was represented by its President Mr. Ibarhim Nawar who joined 80 media and legal professionals representing more than 40 media organizations working in the field of freedom of expression and the press.

10-06-2003- **APFW Delegation in Baghdad:**
A delegation representing APFW has safely arrived in Baghdad in a fact finding mission and to start negotiations with Iraqi journalists and Iraqi political leaders about the restructuring of the Iraqi press on the basis of democracy, freedom of expression and opinion in the new Iraq.

13-06-2003- **An Unemployed Citizen Publishes Hand Written Newspaper:**
Mr. Hussein Abdel Raziq al-Ayesh, an unemployed citizen, issued a hand written newsletter under the name of ‘Raseef’ “The Platform”. The newsletter is written on white paper, displayed on the road for readers, with articles dealing with issues like occupation, rations and the disbanding of the old ministries.

20-06-2003- **APFW Delegation Leaves Iraq:**
The APFW delegation left Baghdad for London concluding its visit to the country from June 10 to June 17. Headed by Ibrahim Nawar with six of the leaders of the
organization, the delegation held a series of meetings with Iraqi journalists and political leaders, in addition to a prolonged meeting with the UN envoy in Iraq Mr. Sergio de Milo. The delegation was composed of Siham bin Sadrain (Tunis), Maha al-Salihi (Bahrain), Mustafa al-Hussaini (Egypt), Haitham Manaa (Syria) and Youssef Fadil (Egypt).

23-06-2003- The First Issue of the Official Gazette:
The first issue of the official Gazette has been issued both in Arabic and English. It included five edicts by the Civil Ruler of Iraq. The Gazette kept its old name ‘Iraqi Notes and Records’, and the first issue was given the number 3977, volume 44, on June 17, 2003, carrying the famous saying of Ibn Khaldun: Justice is the Basis of Governance.’ The Gazette has been published by the Ministry of Justice and was introduced by a short statement by Ambassador Bremer, addressed to the Iraqi citizens.

24-06-2004- Incitement against Americans to be punished by Arrest and fines:
Administrative director of the Coalition Interim Authority, issued a statement warning Iraqi citizens and others resident in Iraq, on permanent or temporary basis, from publishing any material inciting violence or calling for the return of the ancient regime of the Ba’ath, stating that such practices would be punishable by one year imprisonment and a fine of 1000 US Dollars.

26-06-2004- UN Representative in Iraq calls for Transfer of Power to Iraqis:
The representative of the UN in Iraq, Mr. Sergio Viera de Milo, called for the formation of an Iraqi government and the transfer of sovereignty to it as soon as possible. In his first press conference in Baghdad, Mr. Milo said that ‘No foreigner can rule Iraq’. The UN also called for a meeting to choose the members of the international committee for overseeing the Iraqi development and reconstruction fund and setting out the principles of its operation.

02-07-2004- APFW Publishes the Iraq Fact Finding Report:
Arab Press Freedom Watch had issued the final report of its fact finding mission in Iraq. The report contained meticulous analysis of the political situation in the aftermath of the fall of Saddam’s regime and the situation of the media there.

13-07-2004- Three Bullets in the Back of Iraqi-British Cameraman:
Cameraman Raed Jawad, a British citizen of Iraqi origin, narrowly escaped death when he was attacked by the American forces and sustained three bullets in his back. He said that the only reason for his being attacked was that ‘he looked Iraqi’.

21-07-2004- Arrest of Iranian TV Crew Working on a Documentary:
President of the Iranian TV office in Baghdad, Mr. Ghulamallah Kotchak, announced that the American forces arrested, on July first, an Iranian TV crew composed of two journalists, a translator and a driver. He added that the crew was arrested in Alkut area while it was working on a documentary film. The Americans apprehended the crew, he said, and took them to the army headquarters in Diwanya.

29007-2004- Jazeera & Arabia Reject American Accusations:
Both Jazeera and Arabia satellite channels denied the accusations leveled against them by the deputy defense secretary Paul Wolfowitz that they were inciting violence against the American forces in Iraq. The two channels stressed the objectivity of their coverage. Jazeera managing director Mr. Adnan Sharif said that the western media didn’t expect to find strong competitors in the region, adding that Arab media had forced their voice through its truthfulness and credibility and that certain quarters might not be happy about that.

30-07-2004- **162 Iranian MPs demand Release of 2 Journalists arrested in Iraq:**
162 Iranian MPs demanded, in an open letter to President Mohamed Khatami, the release of two Iranian journalists arrested in Iraq by the American forces. They said that the arrest of the journalists during their work on a documentary was a flagrant violation of democratic norms.

11-08-2004- **‘Iraq Today’ Editor accuses American Forces of Maltreatment:**
The American forces in Iraq acknowledged that they had killed a Reuters cameraman, saying that they thought the camera carried by the Palestinian journalist Mazin Dana was a missile. A spokesman for the Joint Chiefs of Staff said that the troops attacked somebody they thought was pointing a missile towards them.

24-08-2004- **First Internet Cafe in Tikrit:**
The first internet cafe has been opened today in Tikrit, the birth place of the former Iraqi dictator Saddam Hussein. The cafe cost 26 thousand dollars, provided by the American forces as part of a fund of one million dollars to be spent on projects in and around Tikrit.

24-08-2004- **Iraqi Interim Authority releases al-Mustaqilla Editor in Chief:**
After 21 days in custody without charge, the Iraqi Interim Authority released journalist Abdel Sattar al-Shalan, editor in chief of al-Mustaqilla newspaper. The newspaper which had been suspended for one month has also been allowed to appear again.

10-09-2004- **Pillaging the Archives of Iraqi TV and Broadcasting Services and Setting them on Fire:**
Unidentified thieves and arsonists have pillaged the archives of Iraqi TV and broadcasting services and set on fire the fourth storey of the five storey building. Tongues of fire were seen from afar with smoke bellowing towards the skies.

11-09-2004- **American Forces Arrest Jazeera Correspondent:**
Jazeera satellite channel announced that the American forces have arrested its correspondent in Baghdad Ms. Atwar Bahjat and a cameraman working for the channel. The arrest took place in West Baghdad near al-Ghazalia bridge, where a bomb went off killing one American soldier.

**Iraqi Ruling Council Bans Jazeera and Arabia from Covering its Activities:**
Iraqi Interim Authority brought pressure to bear on the Ruling Interim Council so as not to close the offices of Jazeera and Alarabia and to warn the two channels, instead, ‘against violating the rules under which the media are operating in Iraq’. The amended decision banned the two channels from covering the works of the Ruling...
Interim Council, and denied the correspondents of the two channels access to ministries and other official buildings for two weeks.

23-09-2004- Reuters Criticizes American Investigation of the Death of Mazin Dana:
Reuters news agency criticized the report issued by American authorities about the investigation they made on the death of Reuters journalist Mazin Dana. Reuters said that the American authorities notified neither the agency nor the family of late cameraman of the findings of the report, declaring that it would seek more information about the incident that happened on August 17.

24-09-2004- Death of American Journalist following Heart Attack:
American journalist Mark Fineman, 51, of Los Angeles Times, died in Baghdad following a heart attack. For 29 years he had been working in trouble spots and was preparing for an interview with a member of the Iraqi ruling council when he had the attack.

25-09-2003- Assault on NBC left One Dead and Two Injured:
Journalist David Moody died in a bomb attack near Ayk Hotel in down town Baghdad, where NBC crew used to live. The target of the attack was the foreign media.

26-10-2004- Assassination of Journalist Ahmed Shawkat in Mosul:
Ahmed Shawkat, an editor with ‘Bila Ittijah’ newspaper was assassinated in Mosul by an armed group. The journalist was led to what turned out to be an ambush to be shot down and killed. Mr. Shawkat had been imprisoned many times under Saddam, the last time in 1997 when he inserted veiled criticism of Saddam in one of his short stories. The Mukhabart, which was enraged by the story, collected everyone of the thousand copies of the novel, asked him to burn them himself in Mosul and later sent him to prison for 9 months.

27-09-2003- Formation of Journalists Union and Preparation for a National Conference:
The formation of a journalists union had been declared in Baghdad, with the provisional committee issuing a statement reviewing the history of journalists unions since 1946. The statement said that Iraq was going through a period of reconciliation and healing, preparing for a reconstruction and getting ready for the future. It added that the idea of the journalists union was not a new one, that Kurdish journalists had already formed their union and that the circumstances had ripened after April 9 for the formation of a national organization for Iraqi journalists.

10-11-2003- The Case against Sahaf Still Upheld:
Minister of Culture, Mr. Mufeed Jaza’eri, said that his ministry was still upholding the case against former minister of information, Mr. Mohamed Sa’eed al-Sahhaf accusing him of theft and embezzlement of public funds. He said that the ministry of culture asked the Interpol to arrest Sahhaf to stand trial for stealing a number of cars belonging to the department of Archeology.

14-11-2003- Portuguese Journalist taken Hostage:
Portuguese journalist Mr. Carlos Rallera had been taken hostage. Another female Portuguese journalist who was traveling with him near the Kuwaiti border sustained some injuries.

14-11-2003- **International Association of Journalists Complain about Mistreatment of journalists in Iraq.**
The International Association of Journalists, a half million member strong organization operating in the whole world, complained about American military authorities mistreatment of journalists in Iraq, which amounted, the organization said, to shooting down. While acknowledging that such incidents had happened, the American military authorities said that they had already sent orders to their troops not to interfere with the work of journalists and not to confiscate their cameras,

15-11-2003- **Pentagon Launches New Satellite Channel:**
The Washington Post newspaper reported that the Pentagon was preparing to launch a satellite channel from Baghdad, operating 24 hours a day. The Pentagon is planning for the new channel to provide all American channels operating locally, with live footage of the fighting in Iraq.

15-11-2003- **Portuguese Journalist Released:**
Portuguese Journalist Mr. Carlos Rallera, abducted earlier by unidentified armed men, had been released. A correspondent of Euro News, who said that he had talked with the armed group, said that they had asked for a ransom of 50 thousand dollars and promised that they would do their hostage no harm at all.

24-11-2003- **Provisional Ruling Council Closes Offices of al-arabia:**
Following a decision issued by the Provisional Ruling Council, Iraqi police moved to close the offices of al-Arabia TV satellite channel. The council said the channel had been involved in encouraging violence and murder by broadcasting a tape attributed to the fallen Iraqi Dictator Saddam Hussein calling for attacks against the members of the ruling council.

26-11-2003- **Rumsfeld accuses Jazeera & al-Arabia of Cooperation with the Insurgency:**
American Secretary of Defense, Mr. Donald Rumsfeld said he had evidence that Jazeera and Arabia satellite channels had cooperated with the resistance in Iraq, alleging that the two channels had on many occasions announced attacks before their taking place.

04-12-2003- **Minister of Culture Sacks Many Literary People and Critics:**
a number of Iraqi intellectuals condemned the decision of the Minister of Culture, Mr. Mufeed Jaza’eri for sacking many literary people and critics from their jobs in the ministry, with which they had been working for many years on authentic contracts. Jaza’eri had sacked a number of intellectuals and critics from almost all the departments of the ministry. The list was composed of more than fifty employees, including novelist Abdel Khaliq al-Rikabi, novelist Khudair Abdel al-Amir, poet Yasin Taha Hafiz, critic Tarrad al-Kabeesi, poet Abdel Monem Hamdi, and others who left their deep imprint on Iraqi culture, and who hold many Arab awards for their
creativity. The members of the group have to their credit, tens of poetry and literary books.

12-11-2003- **Iraqi Cultural Publications Stopped:**
Director general of the Iraqi Cultural House, Mr. Jamal al-Itabi had stopped publication of cultural works published by the House including the magazines of Afaq Arabia, (Arab Horizons), al-Mawqif al-Thaqafi (The Cultural Scene), al-Aqlam (The Pens), al-Tali’a al-Arabia (Arab Pioneer), al-Adab al-Ajnabia (Foreign Literature), al-Ulum (Sciences). The director said that he had taken these decisions in response to the calls of many intellectuals who expressed concern that all these magazines were propagating the culture of the old regime. He said that the new policy of the House would be the publication of the works of those who did not find a chance to publish their works before.

08-12-2003- **Formation of National Agency for Licensing Newspapers, Broadcasting and TV Stations:**
Iraqi Ruling Council declared the formation of a national agency for the supervision of the media in Iraq. Spokesman of the council, Mr. Hameed al-Kifae, said that the agency would not be affiliated with the Ruling Council, but with the Iraqi state and its elected institutions. He said that the mandate of the agency would be to license newspapers, give the green light for the formation of broadcasting and TV channels, help train journalists and enhance their efficiency and professionalism.

17-12-2003- **Jazeera Cameraman Released after One and a Half Months:**
The Investigative Court, part of the Central Iraqi Criminal Court, had decided to release Jazeera cameraman, Mr. Salah Hasan, who was arrested in Baquba, because of insufficient evidence. American forces had arrested the cameraman on October 3 accusing him of relations with the ‘terrorists’.

22-12-2003- **‘Rafidayn’ First Electronic Publication after Fall of Saddam:**
The publication of the first electronic news letter had been declared in Baghdad under the name of ‘Rafidayn’, referring to the two Iraqi rivers of Tigris and Euphrates. The electronic news letter is supposed to be developed into a daily newspaper in the coming few months.

05-01-2004- **American Army Releases 4 Correspondents arrested in Falluja:**
The American army had released 3 local correspondents working for Reuters in Baghdad and a fourth one working for the American channel NBC. The four had been arrested after the fall of an American Helicopter in Falluja, a few days earlier. A statement by Reuters said that their arrested crew was composed of cameraman Salim Uraibi, another cameraman form Falluja and a driver. The statement confirmed that a third journalist working for an American satellite channel had also been released.

09-01-2004- **Harris Corporation Entrusted with Development of Iraqi Media:**
Harris Corporation for the manufacture of communications equipment declared that it had won a defense department contract worth 100 million dollars for the development of the Iraqi media sector. It said that it would be working in cooperation with a Lebanese and Iraqi-Kuwaiti companies to build a ‘state of the art’ information network in Iraq. The director of Harris said that his company had signed an agreement
with the Lebanese LBC satellite channel for training Iraqi broadcasters, and with Fawaris Iraqi-Kuwaiti company who won the cell phone contract.

11-01-2004- **Attack against ‘Sabah’ Newspaper:**
The building of ‘Sabah’ newspaper, issued by the Coalition Interim Authority, was the target of an armed attack when a group of armed men alighted from a van and started shooting at the guards of the building. The exchange of fire between the attackers and the guards lasted about 15 minutes, when the attackers escaped. No casualties were sustained by either side. The attack came in the wake a similar one against the journalists union headquarters which also resulted in no casualties.

19-01-2004- **American Forces Release Three Reuter Correspondents:**
American Forces declared that they had released three Iraqi journalists working for Reuters, who had been arrested by American soldiers in South Baghdad a week before.

27-01-2004- **Japanese Agency, Kyodo, withdraws Correspondents from Samawa:**
Kyodo, a Japanese agency, withdrew its correspondents from the town of Samawa, in southern Iraq after information it said to have received that its headquarters was supposed to be the target of an impending attack. The withdrawal took place one day after a warning issued by the Japanese ministry of foreign affairs about the situation in Samawa where 30 Japanese soldiers were stationed in waiting for the arrival of a Japanese force of 600 soldiers.

27-01-2004- **Two Iraqis working for CNN die in Ambush:**
Two Iraqis, working for CNN died in an ambush in the outskirts of Baghdad. A third employee escaped with some injuries. The TV channel said that the crew was coming back to Baghdad from a mission in Southern Iraq, when they were attacked by a group of armed men.

10-02-2004- **Kurdish Journalists Union informs International Journalists Union about Victims of Arbil Attack:**
In a letter to the International Union of Journalists, the Kurdish Journalists Union said that 9 of its members had died and four injured in the attack led by two suicide bombers, on February 1, against the headquarters of both the National Union of Kurdistan and the Democratic Party of Kurdistan in Arbil.

14-02-2004- **Al-Hurra Satellite Channel Launched:**
The American financed, Arabic speaking, Al-Hurra Satellite Channel, had started broadcasting today. Spokespeople for the channel said that the aim of the channel was to restrict the influence of al-Jazeera and Alarabia and the improvement of the American image in the area.

16-02-2004- **Faisal Gasim Declines to comment on Documents relating him to Saddam Mukhabarat:**
Al-Mutamar newspaper, the official paper of Iraqi National Congress led by Ahmed Chalabi, published documents alleging that the Iraqi Mukhabarat under Saddam Hussein had recruited the presenter of the ‘Opposite Direction’ program aired by al-
Jazeera, Mr. Faisal al-Gasim. Al-Gasim who had seen the documents said that he had no comment on them.

21-02-2004- **Al-Mada Published Authentic Documents with Names of Oil Coupons Holders:**
The Iraqi newspaper, al-Mada, has started publishing the original documents of the gifts Saddam’s regime handed out to its clients and friends in what had come to be known as ‘Saddam’s Oil Coupons’. The list included Arab and foreign officials, politicians and journalists. Deputy editor in chief of al-Mada, Mr. Zuhair Jazaeri, said that the documents had been issued by the Iraqi Presidency and the Iraqi Mukhabarat in the reign of Saddam Hussein.

18-03-2004- **Alarabia Cameraman killed by the American Forces:**
The American forces killed a cameraman working for Alarabia satellite channel and injured a correspondent of the same channel in Baghdad. The channel announced that its crew was on its way to the site of a bombing when their car was shot at by the American forces, Cameraman Ali Abdel Aziz died immediately and Ali al-Khateeb was shot in the head and taken to the hospital.

19-03-2004- **Another Correspondent of Arabia Dies:**
Arabia satellite channel declared that another of its correspondents in Iraq died as a result of injuries he had sustained when the American forces opened fire arbitrarily in downtown Baghdad.

19-03-2004- **Media People Walk out of Powel’s Press Conference in Protest of Killing Arabia Correspondents:**
A group of media people walked out of Mr. Colin Powell’s press conference, in protest of the killing, by the American forces, of two of Alarabia correspondents. Mr. Paul Bremer commented that ‘ respect for the standpoints and opinions of journalists had not been practiced here for 30 years.’ He added that he was sorry that some people lost their lives, journalists or Coalition troops.

20-03-2004- **Arab Journalists Union asks UN to condemn Killing of Journalists in Iraq:**
The general secretariat of the Arab journalists union condemned in the strongest terms the American occupation forces in Iraq for killing a number of journalists in a premeditated way. The statement said that the killings call to mind all former crimes of killing journalists during their work.

27-03-2004- **Provisional Ruling Council Imposes Fines for Incitement:**
The Iraqi Provisional Ruling Party issued a ruling that Iraqi media indicted for incitement to violence would be asked to pay a 10 thousand dollar fine. Sources in the council said that the ruling number 80, refers to articles 47-48-49 of the penal code which prohibit incitement against the Ruling Council.

27-03-2004- **Death of Iraqi Translator:**
Time magazine announced that Omer Hashim Kamal, a translator working for the American magazine had died as a result of injuries he had sustained a week before.
27-03-2004- Journalist Organization calls for Investigation of Cameraman’s Death:
Journalist Without Borders, demanded the investigation of the death of an Iraqi cameraman working for the American channel NBC. The journalist was hit during the confrontation in Falluja, with a bullet in his head. A statement issued by the organization said that Burhan Mohamed al-Lahibi died when he was covering violent clashes between armed Iraqi militias and the American forces. It asked the American forces to investigate the death.

28-03-2004- Closure of ‘Hawza’ Newspaper for Incitement against the Occupation:
American authorities in Iraq closed ‘al-Hawza’ newspaper, affiliated to the Shiite cleric Muqta al-Sadr and published in Baghdad. The newspaper was closed by Paul Bremer, the American civilian Ruler, after publishing articles considered offensive to the American occupation.

01-04-2004- Iraqi Journalists Sue Bremer:
Iraqi journalists made a legal suit against the American civilian ruler, Mr. Paul Bremer, because of his issuing a decree dissolving the Iraqi ministry of information, in the aftermath of the fall of Saddam’s regime. The suit said that Bremer was acting illegally when he issued a decision that dissolved the ministry.

13-04-2004- French Journalist Kidnapped:
General manager of KABA TV announced that French journalist, Alexander Jordanov, 40, who works for the channel, had been kidnapped 50 km to the south of Baghdad, thus becoming the first French journalist to meet a similar fate. Ivan Serier, a cameraman who was working with him, was released.

19-04-2004- Iraqi Satellite Channel announces Death of Journalist and Driver:
Workers in the Iraqi satellite channel, financed by the US, said the American forces had killed one of the channel’s correspondents and his driver to the north of Baghdad.

19-04-2004- Bremer announces New Appointments to the National Communications and Media Department:
Paul Bremer, the American Civilian Ruler of Iraq, had appointed Mr. Siamend Ziad Osman, hailing form Arbil, as executive director of the National Communications and Media Department, with 3 other members of the board of directors. The appointees had been chosen form a list submitted to him by the Iraqi Provisional Council. Bremer said that the agency would be entrusted with defending freedom of the press and close cooperation with the journalists union, the international media, and all other concerned organizations, in formulating proper ethical standards for the profession.

15-05-2004- Bremer appoints Board of Directors for Iraqi Broadcasting Service:
Ambassador Paul Bremer announced the appointment of 4 members of the board of directors of Iraqi broadcasting service in addition to the general director of the board. The appointees have been chosen form a list submitted by the Iraqi ruling council after consultations with civil society organizations. Appointments were made in accordance with Law number 66, on the formation Iraqi Media Network.
19-05-2004- **Arrest of Members of the French Canal Bruce:**
American forces had arrested the members of a crew working for the French Station: Canal Bruce and took them to Baghdad. A relative of their Iraqi driver said that the American forces had arrested Stefan Rosso, Mohamed Ballout, Michel Debrai, while they were making a TV film in front of an hotel guarded by the American forces.

19-05-2004- **INN and Warka’ Agency mourn Death of Journalist al-Izzawi:**
Iraqi News Network and ‘Warka’ Agency reported the death of Bassam al-Izzawi, correspondent of both the network and the agency in Karabala. A joint statement said while ‘we declare with sadness the death of our colleague, Bassam Izzawi, who died as a hero while performing his duty, and becoming the third martyr of Iraqi correspondents, we make it clear that we hold the American forces responsible for his martyrdom, especially when he was wearing the conspicuous outfit of a journalist.’ At the time he was covering the situation in Karbala.

A list of banned local issues had been distributed by the Provisional Ruling Council to the newspapers. These issues, the council said, should not be discussed because they cause confusion and disorder among Iraqis. From now on newspapers should not report differences between the Ruling Council and the Coalition Authority, should not attack the members of the council, or exaggerate the size of violence and bombings, should express no opposition to the Kurdish federation in the North of Iraq. Newspapers have also been asked to take their news form the official spokesperson of the council. News of mass graves during the reign of Saddam should merit special attention.

21-05-2004- **Jazeera Announces the Martyrdom of its Employee in Baghdad:**
Jazeera satellite channel announced the death of Rashid Wali, 44, one of its correspondents in Baghdad, while he was working in Karbala with the other members of the crew and the channel’s correspondent in Karbala Abdel Azeem Mohamed. Rashid Wali was hit immediately after sending his report about confrontations between al-Mahdi Army and the American forces. He became the second martyr of al-Jazeera who died one year after the death of Tariq Ayyub, the channel’s first correspondent who had lost his life.

29-05-2004- **Death of Two Japanese Journalists and their Translator:**
Officials of the Japanese embassy in Baghdad, received the bodies of two Japanese journalists who died in an attack on a car they were driving along the road of Hilla-Baghdad. Their Iraqi translator also died in the attack, while the driver escaped with some injuries. In another development the Coalition Authority announced the release of NBC crew and their Iraqi companion after 48 hours of their arrest in Falluja. The crew included correspondent Ned Colt, Cameraman Maurice Robert, voice expert Robert Colville and Iraqi journalist Sharaf al-Tayefi.

31-05-2004- **Kurdistan Journalists Unions agree on Unity:**
Kurdistan journalists union and Kurdistan journalist trade union held a joint meeting in Sulaimanya town and decided to call a general meeting of all Kurdish journalists in a move towards unity.
18-05-2004- **Prime Minister decrees Return of al-Hawza:**
Prime minister Iyad Allawi, issued a decree allowing the return of al-Hawza newspaper, the official organ of the Shiite cleric Muqtada Sadr. PM expressed his unconditional belief in the freedom of the press and his optimism that giving a chance to all cultural activities of the Iraqi people in general and the Shiite trend in particular would enrich the prospects of freedom, security and abundance for the Iraqi people.

25-07-2004- **Iraq threatens al-Jazeera with Closure, and accuses it, Alarabia and Manar with Incitement:**
Iraqi foreign minister, Mr. Hoshyar Zibari, launched a strong attack against Jazeera satellite channel and described its coverage of the Iraqi scene as ‘perverted’, indicating that Iraqi authorities are considering the closure of its offices and kicking it out of the country. ‘We would not tolerate this one-sided and subjective coverage of the situation in Iraq,’ he said, ‘We would not allow abuse of the freedom of expression. The incitement we suffer is not only from Jazeera, others implicated in this practice are Alarabia, al-Manar and al-Alam. These have become venues of incitement against our country, against the security and safety of the Iraqi people, the Iraqi government and we would not allow this to go on.’

28-07-2004- **Organization of Broadcasting Services Statute Prohibits Violence, Incitement, Sectarian and Ethnic dogmatism:**
The National Agency for Communications and the Media issued the rules that govern the media in Iraq. From now on the media would be subject to specific and codified rules. Mr. Siamend Zaid Osman said that the statute was formulated with an eye to the best rules in this field and guarantees freedom of expression as stipulated by the International Agreement on Civil and Political Rights and the Universal Declaration of Human Rights. It has a strong position on the protection against incitement to violence and sectarian and ethnic extremism.

31-07-2004- **Nawar participates in Preparations for the Iraqi National Conference:**
Mandated by Mr. Kofi Anan, the general secretary of the UN, Mr. Ibrahim Nawar, President of Arab Press Freedom Watch, arrived in Baghdad to participate in the preparations for the Iraqi National Conference which had been postponed to the middle of August. Mr. Nawar’s mandate included the participation in laying down the strategy of political and information mobilization, to guarantee the success of the convening of the conference that would chooses the constitutional assembly which would in turn write the provisional constitution of Iraq. The provisional constitution would lay down the basis for a democratic Iraq. Free and fair parliamentary and presidential general elections would follow and the bases for a new democratic Iraq would be firmly in place.

07-08-2004- **Iraq closes Jazeera Offices due to the Channel's role in disseminating hate and Incitement to Violence:**
Iraqi Prime Minister, Mr. Iyad Allawi declared that his government had decided to close the offices of Jazeera satellite channel in Baghdad for one month, in compliance with a recommendation from the National Security Committee. He said that the aim of the move was the protection of the Iraqi people from incitement to violence which is practiced by Jazeera on daily basis. He added that his government had formed a
committee to review the performance of Jazeera on a daily basis for four weeks. The result of the review, he said, was that the channel makes a point of hosting in its programs those who encourage violence in Iraq, and that it encourages the dissemination of hate and violence.

15-08-2004 - **Police threatens to arrest Journalists if they Stay in Najaf:**
Gun toting policemen threatened to arrest journalists if they fail to leave Najaf. On their side the journalists expressed concern that the information blackout might be a cover for something sinister. At least 20 journalists were in town at the time. Alam satellite channel, the Iranian Arabic service financed by the Iranian government, said that police fired in the air and then arrested journalist Mohamed al-Kazim, working for the Iranian channel while he was viewing the scene from the rooftop of a house.

14-08-2004 - **Release of British Journalist Kidnapped 24 Hours earlier:**
Journalist James Brandon, 23, who works for the Sunday Telegraph, has been released after less than 24 hours of his arrest from his hotel in the Southern city of Basra. 'At the beginning, I suffered very cruel treatment' he said, 'I think that after the abductors heard the call of Sadr Office they changed their treatment.'

15-08-2004 - **Death of Iraqi Journalist working with ZDF:**
German TV Network “ZDF” announced that an Iraqi journalist working for the network had died in Falluja. ZDF said that journalist Mahmud Hamid Abbas, 32, died on Sunday in suspicious circumstances while he was taking some shots.

17-08-2004 - **American Journalist and his Translator Kidnapped:**
Iraqi police confirmed the kidnapping of Mika Garine, an American journalist of French origins, and his translator, in the town of Nassiriya. Police said that the kidnapping took place while the two were strolling along in a crowded marketplace. Eye witnesses said that two armed men in civilian clothes confiscated the journalist’s camera before taking him to an unknown destination. In another development police released Iraqi journalist Ahmed al-Salih, correspondent of Alarabia satellite channel who was previously arrested in Najaf. Police threatened to arrest all journalists if they left the hotel where they were residing at the time.

20-08-2004 - **Two French Journalists Kidnapped:**
Two French journalists have been kidnapped. Christian Chino of the French Broadcasting Service, and French International Broadcasting Station, and George Malborno correspondent of Le Figaro and West France. Jazeera satellite channel showed two shots of the journalists saying that they were in the custody of the Islamic Army in Iraq. The kidnappers demanded that France should cancel the law prohibiting the wearing of religious icons, symbols and uniforms in French schools. They asked the French Government to respond positively to their demands but stopped short of threatening the lives of the journalists.

25-08-2004 - **President of Arab Press Freedom Watch reviews Preparations for the Elections of Iraqi Journalists Union:**
President of Arab Press Freedom Watch, Mr. Ibrahim Nawar, held a meeting with a group of Iraqi journalists in Baghdad to review the preparations to hold the journal union elections. The situation had been complicated by internal discord and conflict.
after the American invasion and the dismantling of the institutions of Saddam Hussein’s regime including the journalist’s trade union.

01-09-2004- **Journalists Trade Union call for Release of French Journalists:**
The group of Iraqi professional journalists which is working for the restoration of good professional practice through fair elections, called for the release of the French journalists, Christian Bicho and George Balberneu who had been kidnapped in Iraq. In a statement issued by the group after discussing the issue, the group considered the kidnapping harmful to Iraq and a gross violation of the laws of Islamic Sharia and the freedom of the press in searching for, and digging out the truth.

04-09-2004- **APFW asks Iraqi Government to publish Report on ‘Jazeera’:**
Arab Press Freedom Watch condemned the Iraqi government’s decision to extend the closure of Jazeera offices in Baghdad. The organization had previously asked the government to publish the report of the independent committee which said that ‘Jazeera disseminates hate and encourages violence’, to allow the Iraqi public opinion and the Iraqi people to support the decision on the basis of solid information and knowledge. The organization warned against the relapse to the days when anybody with authority could talk on behalf of the people and define its interests form the condescending position of better understanding and knowledge.

12-09-2004- **Death of Palestinian Journalist Mazin al-Tamizi in Iraq:**
Palestinian journalist Mazin al-Tamizi, 26, correspondent of al-Akhbarya channel in Iraq, had died after he was being hit by a missile launched by an American aircraft at a group of Iraqis.

15-09-2004- **Media Agency imposes more Constraints:**
A senior source in the Iraqi cabinet announced that the information agency was preparing for issuing strict guidelines that would be binding on everyone. Ibrahim al-Janabi, president of the agency mentioned that most Iraqi newspapers had not been licensed before publication, indicating that the government might be thinking of a far-reaching review of the Press situation, after the occupation of Iraq, with newspapers reaching more than 200, of which 100 are still being published.

18-09-2004- **Supreme Agency of Information confirms Support for Freedom of the Press and Respect for Plurality of Opinion:**
The supreme agency for media confirmed its unwavering support for the freedom of the press and plurality of opinion and said what been published by some newspapers about closing some newspapers and cracking down on the press, was false.

06-09-2004- **Government expresses Readiness to help in Release of French Journalists:**
Iraqi minister of foreign affairs, Mr. Hoshiar Zibarim, expressed the readiness of his government to help in working to release the French journalists kidnapped in Iraq. Zibari said that the Iraqi provisional government did not express a definitive position on the arrest of the journalists, because it wanted to avoid being involved in a very intricate situation. The government was also concerned that any interference on its side might have complicated the negotiations between the French government and the kidnappers.
Although freedom of expression is recognized as a fundamental constituent of human legacy, the tendency to censor and constrain it is global in nature. Being opposite phenomena, each of these tendencies has its own ends, justifications and those who stand for and defend it. But, it has to be asked, how far should the freedom of expression, (the different forms of the media being its loud speaker) be allowed to go? What dimensions should it to be allowed to take? This is the real dilemma that poses itself from Somalia to the United States.

Since freedom of the press is one of the fundamental freedoms, and since the opposite liberties, as a whole, have existed essentially for the protection of the individuals vis-à-vis the powers of the state, freedom of expression should not be taken in isolation from those freedoms, which are organically linked to it, like the separation of the powers; the process of law, the formation of organizations and peaceful association, but should be treated as part and parcel of them.

If a contradiction arises between two liberties, the freedom of the press being one of them, the contradiction should be resolved in favour of the latter and at the expense of the other. The question should always be: which of those two liberties is more worthy of our guardianship, the freedom of expression or the freedom of the protection of privacy and the suppression of information?

Before delving into our discussion of the web of Arab legislation and how it impacts the freedom of the press, we should remind ourselves of two important points:

1- The relative strength of the executive power in all Arab countries compared to either the legislative or the judiciary powers.

2- The way the laws are implemented and the real situation of the press may widely vary in different Arab countries. The situation may even be a reflection of either the heavy handedness, or tolerance of the executive power, rather than a consistent implementation of the law. In either case, governments tend to seek some legitimacy for their behaviour by invoking the authority of the law.

In its first meeting of December 14-1946, the general assembly of the United Nations declared that: ‘The freedom of information is an inalienable right of man; it is the cornerstone of all freedoms adopted by the United Nations’. On the other hand, ruling Arab elites are trying hard to bestow a modicum of legitimacy on their all-pervading hegemony over Arab media. The first tool they employ to achieve that end is legislation, through which they control the media and jeopardize its role in monitoring and exposing those in power.

Starting with Jordan, we find so many legal constraints that directly impact on the freedom of the press, especially in the Publishing and Publications Law; Protection of State Secrets Law; Criminal Law and some articles of lesser importance in other laws.
The best way to bring our point home is to review the most important of these laws in some detail.

**Publications and Publishing Law:**

No 8, 1993:

**Article 9:**

a- A correspondent of regular publications or foreign media should be a Jordanian, an Arab or foreign journalist, who has been approved by the journalists’ trade union and after the consent of the minister.

b- Endorsement of these journalists should be regulated by a special law.

c- Journalists should only be allowed to work for foreign institutions in conformity with the stipulations of (b) above.

**Article 10:**

No one who is not a journalist should practice journalism in any of its forms, including correspondence with regular publications, foreign media or to introduce himself or act as a journalist. This, however, does not include those whose work is confined to writing articles.

**Article 11:**

a- Every Jordanian citizen, or company owned by Jordanians, may publish press publications.

b- Every registered Jordanian political party has the right to publish its press publications.

c- The Council of Ministers may, on the recommendation of the minister, permit the following agencies to publish newsletters:

1- The Jordanian News Agency.

2- Non-Jordanian news agencies on the principle of parity.

**Government Ownership of Newspaper Shares:**

Although article (19-c) of the Publication Law (No. 10) 1993, stipulates that the government and its agencies should own no more than 30% of the shares of daily newspapers, this percentage has been dropped from article 27 of the 1997 Publication Law which was later declared to be unconstitutional. Subsequent laws have simply ignored any restrictions on government ownership of newspapers, despite the zeal for privatisation shown by the government in other fields. Government shares in (Al Ra’y) newspaper stand at 53% now and at one third in (Addastour) newspaper.

In contravention of the functions of newspapers as instruments of public scrutiny and monitoring of the executive power, the government has exploited its weighty ownership of newspaper shares to influence press performance and editorial policies on political grounds and for political considerations.

It is high time for the government to disown its shares in all newspapers, since it has been established as a fact that government ownership is a bad influence on newspaper policies.

**Article 13:**

Irrespective of stipulations of other legislations, the following financial requirements should be met before a regular publication could be licensed:
a- Deposited capital, for regular newspapers, should not be less than half a million Dinars.
b- Deposited capital, for non-daily newspapers, should not be less than fifty thousand Dinars.
c- Deposited capital should not be less than five thousand Dinars for specialised publications.
d- Daily and non-daily publications of political parties should be exempted from the capital requirements mentioned in (a) and (b) of this article.

Article 14:
Specialised publications issued by ministries, official agencies, universities and public institutions working for the public interest, should be exempted from the financial requirements in article 13, on recommendations put forward by the minister.

Article 17:
a- The Council of Ministers should, on the recommendation of the minister, decide on license applications that fully satisfy the relevant requirements, within 30 days, otherwise the application should be taken to have been accepted. In the case of turning down the application, the reasons for the rejection should be clearly spelt out.
b- The Council of Ministers should, on the recommendation of the minister, decide on license application for specialized publications or the licensing of any of the publications mentioned in article (15) above, that fully satisfy the relevant requirements, within 30 days, otherwise the application should be taken to have been approved. In case of turning down the application, the reasons for the rejection should be spelt out clearly.
c- The applicant should be informed of the decision of the Council of Ministers, or of the minister, within 15 days of taking any of those decisions.

Article 19:
a- A license of a regular publication is considered automatically cancelled in the following cases:
1- If the press publication fails to appear after six months of its licensing.
2- If the daily publication fails to be published for three consecutive months.
3- If a weekly publication fails to publish for 12 consecutive issues.
4- If a publication with a more than weekly tenure, fails to appear for four consecutive issues.
5- If its owner, wholly or partially, surrenders its ownership in contravention of article 18 of this law.
b- A court of law may cancel the license of any publication if it is found to contravene any of the conditions of its licensing, including its specific mandate and field of specialization, without permission from the minister, and after two previous warnings concerning similar contraventions.
c- Publications of registered political parties should be exempted from the conditions mentioned in (a) of this article.

Article 20:
a- Press and specialized publications should depend on legitimate sources, and they are to be strictly forbidden from receiving any financial support from a foreign government or a non-Jordanian agency.
b- The owner of the publication should provide the minister with a copy of the annual budget of the publication, during the first four months of the next year; and it is the right of the minister, directly or through a proxy, to review the financial sources of the publication.

Article 21:
The owner of a press publication or specialized publication should be:

a) A Jordanian citizen or a company owned by Jordanian citizens or a registered Jordanian political party.

b) Not to have been convicted in a crime related to honour or public morality.

Article 23:

a) Any publication should have an editor in chief, satisfying the following conditions:

1. He should be a member of the journalists’ union for at least four years.
2. He should be a resident Jordanian citizen.
3. He should not be an editor in chief of another publication.
4. He should master, in reading as well as writing, the language in which the publication is issued, and should have sufficient knowledge of any other languages in which it is issued.
5. He should not have been barred from the practice of journalism before.

b) The editor in chief of a publication issued by a political party is subject to the stipulations of (a) except (1).

c) The editor in chief is responsible for all that is published in the newspaper of which he is an editor in chief, and he is specifically responsible for any article in tandem with that article’s author.

d) No publication should have two editors in chief.

Article 24:

a) The editor in chief loses his position in the following cases:

1. Resignation.
2. Absence of any of the conditions stipulated in article 23 of this law.

b) In the case of the vacancy of the position of editor in chief, or his absence for whatever reason, the owner of the publication should temporarily appoint somebody in his place, for a period of no more than two months, while informing the director of what he did; and if the editor in chief fails to show up, the owner is in duty bound to appoint a replacement, failing which the minister has the right to suspend the publication pending that appointment.

c) Prior to the assumption of the new editor in chief of his responsibilities, the owner of the publication would be held fully responsible for all the material published in the publication.

Article 26:

a) A specialized publication may not tackle issues outside its mandate or field of specialization, or change that field without prior permission from the minister acting on a recommendation by the director.

b) Every specialized publication should provide the Directorate with three copies of every one of it issues.
Article 27:

a- In the case of the publication of a false news item, or an article containing false information, the person concerned has the right to correct that information or ask the editor in chief to correct it on his behalf, and the editor in chief should publish the correction or negation, free of charge, in the following issue, and in the same place and with the same prominence and font, of the original item or article.

b- In the case of the publication of a false news item, or an article containing false information, negatively impacting public interest, the editor in chief should publish, free of charge, the written correction sent to him by the respective government agency or the Director, in the first issue after the arrival of the correction, in the same place and with the same prominence and font of the original item or article.

c- Stipulations of (a) and (b) are also holding for any non-Jordanian publication circulated inside the Kingdom. (For the sake of comparison we mention that the Supreme Court in the United States had ruled that response of the other party, should not be taken as a right.)

Article 29:

If the authorities responsible for any foreign publication circulated in the Kingdom refuse to publish a correction of false information, in accordance with article 27 of this law, the Director has the right to ban that publication for two weeks from entering the kingdom.

Article 34:

Owners of press institutions, including newspapers, should abide by the following conditions:

a- The keeping of a register of the names of all regular publications, and the number of copies published of each of them.

b- The keeping of a register of all the titles published by the respective press, the names of the authors and the number of copies printed.

c- Making the registers available for the Director or anyone to be named by him, whenever such need arises.

d- Submission of two copies of their publications with the Directorate.

Article 35:

a- Two copies of the manuscripts of books intended for publication inside the kingdom, should be submitted to the Directorate before the commencement of publication, and while the Director may allow the book to be published, he may also deny publication if the book contains illegal material; he should, however, inform the author of his decision within a month of the submission of the book.

b- The Director may reverse a previous permission for the publication of any manuscript if its owner has abrogated, through addition or omission, any of the conditions on which the permission is based, and may confiscate any copies that have already been printed.

(In most European countries and the United States, the laws protect the right to obtain information from overseas, which means the right to import publications. Books, for example, are exempted from the American embargo on Cuba.)

Article 36:
a- The owner or director of a printing house should neither publish any material which had previously been banned from printing, publication, circulation or sale, nor should he reprint any publication not cleared for republication or banned from circulation.

Article 37:
Quoted press material should be treated on the same level as the original material.

Article 38:
a- Publications should avoid commenting on any issue or crime, committed inside the kingdom, during any of its phases of investigation, unless permitted by the prosecution.
b- Publications may publish court hearings and procedures unless the court decides otherwise.
c- Clause (a) of article 38 is also binding for correspondents of the foreign media who are subject to the punishments stipulated in clause (c) of article 45 of this law.

(This article bans publication of criminal proceedings during investigations, unless the prosecution gives the green light for that. Thus, banning publication becomes the rule rather than the exception. In the light of public demand for information, it would have been better to reverse the situation and make publication as the rule while introducing certain exceptions and restrictions, especially in relation to such crimes as juvenile delinquency, family crimes or crimes related to national security. It is true that investigation and the processing of evidence, should be done in secrecy, but it is also important to strike the correct balance between the right of the public to know, and the demand for the secrecy of the investigation. The great demand for information could easily make the public a fertile soil for wild rumours and bland insinuations. The Banking Concessions scandal is a case in point.)

Article 39:
The owner, editor in chief, managing director, regular writer or any journalist working for any publication, should not receive, in his capacity as owner of that publication or his relation to it, any financial support or grant from any Jordanian or non-Jordanian agency or association.

Article 41:
a- All crimes committed in contravention of this law, should be seen by the court of first instance, with crimes of publications given priority over all others.
b- Cases of public interest related to the contravention of the publications law, should be tabled against the editor in chief, the author or processor of the material in question, with the owner of the publication held responsible, by association, for any damages or legal expenses incurred by the publication, but should not be considered criminally involved, unless it is proved beyond reasonable doubt that he actively participated in the criminal act.
c- Cases of public interest related to the contravention of the publication law by irregular publications, should be tabled against its author as the original perpetrator and against the publisher as an associate, in case of the anonymity of the author and the publisher, the owner of the printing press and its managing director, should be indicted and answer for them.
Article 42:
Owners of printing houses, bookshops, publishing and distribution institutions, think tanks and pollsters, would be held responsible for any damages or court expenses in publication cases involving their employees.

Article 43:
The court that issued the ruling may order the convicted person to publish the full text of the ruling, or a condensed version of it, without charge, in the first issue after its declaration, in the same place and with the same font of the article that was the subject of litigation. If necessity arises, the court may order the publication of the same text or a condensed version of it, and at the expense of the convicted, in two other publications.

Article 44:
  a- If the editor in chief of the publication contravenes clauses (a) and (b) of article 27 of this law, he should be indicted by the injured party.
  b- If a publication issued abroad contravene clauses (a) and (b) of article 27 of this law, it would be indicted by the Director.

Article 45:
  a- If the publication contravenes the stipulations of clause (a) of article 20 of this law or any other clauses in articles 39 and 40 of the same, a fine of no more than double the money received should be imposed.
  b- In case of the failure of the owner of a regular publication to satisfy clause (b) of article 20, a fine of no more than a hundred Dinars should be imposed. In case of continued failure, the court may suspend the publication for whatever time it deems appropriate.
  c- If a regular publication publishes any material that contravenes the rules of article 38 of this law, a fine of not less than 500 hundred Dinars, and no more than one thousand Dinars should be imposed. This, however, should not undermine the right to take the culprit to a criminal court in accordance with the operative laws.

Article 46:
  a- If the convicted person contravenes the rules of article 43 of this law, a fine of not less than one hundred Dinars and no more than one thousand Dinars should be imposed; the proceedings of the court should be published by him and at his own expense.
  b- Whoever brings into the kingdom, through illegal means, a foreign publication, or participates in its circulation, is subject to a fine of no more than one thousand Dinars, in addition to the confiscation of the publication.
  c- Any other contravention of this law for which a specific punishment has not been set, should be punished by a fine of no more than one hundred Dinars.

Article 47:
Whoever publishes a regular publication or assumes any of the institutional functions stipulated in clause (a) of article 15 of this law, without the proper license, should be served with a fine of not less than five thousand Dinars and not more than ten thousand Dinars.
The Criminal Law:

Many of the articles in the criminal law, number 19 for 1960, have a direct bearing on the freedom of the press and the right of access to information, especially article 150, which had been issued through an emergency procedure and later annulled through the same procedure.

Article 118:
‘Whoever engages in actions, writings or speeches not permitted by the government, consequently exposing the kingdom to the threat of hostilities or undermining its relations with a foreign state or exposing Jordanians to acts of vengeance on their persons or properties, should be temporarily detained for no less than five years.’
(As a precedent we have the case of our colleague Fahd Al Rimawi, editor in chief of ‘Al Majd’ weekly, who had been accused of the contravention of this article, by undermining Jordanian relations with Bahrain, and was put on trial before a criminal court only to be declared innocent after 30 sessions.)

Article 136:
Whoever prints or publishes a statement or a pamphlet issued by an illegal organization or serving the interests of that organization, should be detained for a period of time not more than six months or served with a fine of no more than fifty Dinars.
(Some of our colleagues have been indicted under this article and accused with publishing statements issued by ‘Al Tharir Party’ and the committee for the Resistance of Naturalization with Israel. They were mostly declared innocent after lengthy procedures)

Article 224:
‘Whoever publishes news or information or critical remarks that are liable to influence any judge or witness or to hinder anybody from coming forward with any information he might have, should be detained for a period of time not more than three months or a fine of not more than fifty Dinars.

Article 319:
This article incriminates any sale, display or distribution of any printed material or photographs or paintings offensive to public morality and metes out a punishment of no more than three months in detention and a fine of no more than fifty Dinars.

Article 195:
This article incriminates insolence. Its punishment is 1-3 years, and it falls within the jurisdiction of the State Security Court.

The Journalists’ Trade Union Law, No 15 for 1998:
The law of the journalists’ trade union bars from the practice of journalism, anybody who is not a registered journalist.

Article 20 of the Universal Declaration of Human Rights reads as follows:
1- ‘Anyone has the right to freedom of peaceful assembly and association.'
2- No one may be compelled to belong to an association.’

The American Human Rights Court and many European courts have frequently ruled against the mandatory nature of belonging to journalists’ unions or associations. One of the rulings of the American Human Rights Court runs as follows:
‘Whenever the freedom of expression is violated, the violation is not limited to the right of the individual (the journalist in this case) but extends to the rights of all those who ‘receive’ the information and ideas’

This ruling was a result of a case taken to court by a journalist after being barred from practising the profession because he had not been a member of the Costa Rican trade union of journalists.

Membership in professional associations in Europe, is only mandatory for some of them (doctors, engineers and the bar association), but not for other associations like journalists. In the light of these considerations, it is a gross violation of his rights, to prevent a journalist from practising his profession because he is not a member of the trade union. Many European courts, and many other courts the world over, have ruled that it is unconstitutional to treat membership in journalists’ associations as mandatory.

Journalists are also subject to punishment under articles 26-51: violation of the traditions of the profession, where the journalist may be permanently barred from practising journalism.

The State Security Court and the Press:
The State Security Act was amended in 2001 so as to add to its jurisdiction 43 crimes committed by newspapers and journalists, under the following articles of the criminal law:
- Crimes against the external security of the state.
- Crimes of incitement related to international law.

Article 118:
A sentence of temporary detention, for at least five years, should be served against anyone who:
1- violates the arrangements set up by the state to guarantee its neutrality in war.
2- performs acts, writings or speeches not condoned by the government, consequently exposing the kingdom to the threats of hostilities or undermining its relations with a foreign state or exposing Jordanian citizens to acts of vengeance against their persons or their properties.

(Our colleague Fahd Al Rimawi, editor in chief of Al Majd weekly, had once been indicted and taken to court for writing an article construed to be violating this article. Mr. Al Rimawi called on Bahrain to follow the lead of King Hussein of Jordan, when he ‘Arabized’ the leadership of the Jordanian army in 1956, and to expel the British Intelligence representative, Mr. Anderson, from Bahrain. He was later declared innocent and set free.)

Article 121:
Any Jordanian citizen found to be guilty of inciting the troops of a friendly country, in the air force, the navy or the army, to flee or to mutiny, through the methods stated in
article 118 of the criminal law, should be detained for a period of time not more than two years and a fine of no more than twenty thousand Dinars.

**Crimes of Libel and Contempt related to International Law:**

**Article 122:**
The same punishments mentioned in the previous article are to be meted out in the following cases, if committed without any justification:

a- Publicly declared contempt for a foreign country, its army or its flag.

b- Publicly declared contempt of the president, the ministers or political representatives in the kingdom, of a foreign country. The authenticity or substance of contempt should not be subject of discussion or considered for proof.

**Belittling and demeaning the Standing of the state and offending national sentiment:**

**Article 130:**
Anyone who undertakes, during times of war or preparations for an impending one, acts of propaganda that are liable to weaken national sentiments, or contribute to the incitement of racial or sectarian hatred, should be sentenced to temporary hard labour.

**Article 131:**
1- The same punishment in article 130 above, holds for anyone who propagates inside the kingdom, during such times as mentioned above, any information he knows to be false or exaggerated, and is liable to weaken the morale of the nation.

2- If he believes on good grounds and in good faith, that the information is correct, he should be detained for not less than three months.

**Article 132:**
1- Any Jordanian citizen, who knowingly circulates, outside the country, false or exaggerated information, that is liable to undermine the prestige or standing of the state, should be detained for a period of time not less than 6 months and a fine of no more than 50 Dinars.

2- He should be detained for no less than one year if the said information is about the king, the crown prince or any of the successors to he throne.

**Crimes against the Security of the State:**

**Crimes against the Constitution:**

**Article 137:**

1- Any act intended to incite military mutiny against the constitutional authorities is punishable by death.

2- In case of the mutiny actually commencing, instigators and all mutineers should be punished by death.

**Crimes undermining National Unity or Relations between the Constituent Parts of the Nation:**

**Article 150:**
Any writing or speech or action intended to enflame sectarian or racial attitudes, strife between different sects, or constituent parts of the nation, or leading to any of those
results, is punishable by detention for no less than 6 months and no more than three years, and a fine of no more than three thousand Dinars.

(This is the final version of this law, as formulated in the Temporary Act No. 45, 2003, published in the official Gazette No. 4600, on 1st June 2003. The original law had been amended by the Temporary Act No. 54, 2001, published in the official Gazette on 8/10/2001. It is to be noted, however, that the temporary act was passed by the Council of Ministers on 2/10/2001, 28 days after the attacks on New York).

**Undermining the Financial Status of the State:**

**Article 152:**

Anyone who circulates false information, lies or untrue allegations, through any of the means mentioned in clauses two and three of article 73 of the criminal code, intended to devalue the national currency or to undermine confidence in the strength of the finances of the state, its stocks or any issues related to confidence in public finances, should be detained for six months to three years and the payment of a fine of no less than 100 Dinars.

**Article 153:**

The same punishments mentioned in 152 above hold for anyone who tries, through the same means, to incite the public to:

a- withdraw money from the banks and public funds,

b- sell government stocks or any other public stocks, or abstain from buying them.

**Article 159:**

The following are to be declared illegal societies:

1- Any group of people, registered or otherwise, that incites or encourages, through its organizational set up or its propaganda material, the commitment of any of the following illegitimate actions:

a- Overthrow of the Constitution of the Kingdom through revolution or sabotage.

b- Overthrow of the constitutional government of the kingdom through force and violent means.

c- Sabotage or destruction of Jordanian government money inside the Kingdom.

2- Any group of people required by law to submit its organizational system to the government and fails to do so, or continues convening its meetings after being disbanded in accordance with this law. This also includes any branch or centre or committee or association or department, of an illegal organization, and any institute or school run by an illegal organization or on behalf of it.

**Article 161:**

Anyone who encourages others, through speeches or writings, or through any other means, to commit any of the acts considered illegal under article 195 of this law, should be detained for a maximum of two years.

**Article 163:**

Anyone who prints, publishes, sells, displays, or mails, a book or newsletter or brochure or advertisement or statement or pamphlet of an illegal organization or
serving its interests, or issued by that organization, should be detained for a maximum of six months or made to pay a fine of no more than fifty Dinars.

(Violations of this article used to be seen by the first instance court. Our colleague Abdullah bin Issa was put on trial because of an interview he made with Atta Abu Al Rashita, spokesman of the Tahrir Party, and was sentenced by the court of first instance to be detained for six months and pay a fine of five hundred Dinars. The court of Appeal, however, dropped the sentence saying that the publication of such ideas and answers was not a crime under article 163, because the published interview with the spokesman of Tahrir Party, had not been prepared for publication in advance.)

The Crime of Insolence:

Article 195:

1- Anyone who commits any of the following crimes should be detained for one to three years:
   a- Proved to be insolent to his Majesty the King.
   b- Sent a hand written, electronic or oral letter, or a portrait or caricature to his Majesty the King, or displayed that letter or portrait or caricature in a way intended to undermine the dignity of his Majesty the King. He would also be liable to the same punishment if he convinced somebody else to commit any of those acts.
   c- Circulated by any means what had been stated in clause (b) of point (1) of this article and made it available for the public eye.
   d- Falsely attributed to his Majesty the King a statement or act or tried to propagate it for the public.

2- The punishment stated in (1) of this article should also hold if those acts were committed against his Majesty the King, the Crown Prince, any of the successors to the throne or any member of parliament.

(This article had been amended by the Temporary Act No. 54, 2001, published in the official Gazette on 8/10.2001)

The State Security Tribunal:

Since the commencement of the process of democratic transformation, many journalists, writers and other citizens have been tried before the State Security Tribunal. Here are some of the sentences of that tribunal:

Sentences related to the violations of article 150 of the criminal law:

1- Editor in chief of Al Hadaf weekly, Nasr Jimish, its managing director, Roman Haddad, the columnist Muhannad Mabiadain, were given detention sentences of 3, 2 and 6 months respectively.

2- Nahidh Hatr was acquitted.

3- The former MP Tujan Faisal was sentenced to one and a half years in prison.

4- Five minors, of less than 18 years of age received detention sentences.

It is important to point out that the sentences of the State Security Tribunal, related to delinquencies, are not subject to appeal. This was stipulated by the Temporary Act No. 44, for 2001 issued on 28/8/2001, which confined the right of appeal to criminal cases, making an exception of delinquencies. The court of appeal cited this act in its
refusal of Tujan Faisal’s appeal against her sentence of one and a half years, and
decided to bar her from standing for election to the Parliament because she was
sentenced for more than one year, due to the fact that the court of first instance dealt
with her imprisonment as non-political.

Article 150 of the criminal law was not subjected to any amendment for 41 years. The
criminal law was first promulgated in 1960 and was published in the official Gazette
The substance of article 150, however, was abolished by the Supreme Court when it

Future Amendments:
The formulation of a new draft of a Press and Publication Law is now under way. We
hope that it would be a qualitative leap in the protection of freedom of expression and
the press.

Some of the most important articles in the new draft are the following:

Article 7:

a- The journalist has the right of access to information, and all official agencies
and public institutions should facilitate the accomplishment of his work and
enable him to have access to its programmes, projects and plans.
b- An information unit is to be established by the respective authority, and
whenever necessary, in every ministry, foundation or public institution, to
facilitate the achievement of the above.
c- Abstention from the imposition of any constraints on the free flow of
information, or the right of the citizen to obtain information and knowledge
should be the rule of conduct.
d- With due respect to the above, the journalist should act in accordance with
operative legislation in obtaining information, statistics or news that are not
considered to be classified.
e- The respective authorities in ministries, foundations or public institutions
should provide the journalist with information, statistics or news within a
period of no more than 24 hours, if these are deemed to be urgent, and within
a period of no more than one to two weeks in the absence of urgency,
provided that the disclosure of the information does not violate the
Government Secrets and Documents Protection Act or contravene other
operative laws.
f- Within the limits of the performance of his work, and in accordance with
procedures set out by the respective authorities, the journalist has the right to
attend meetings, court sessions, Eminent Citizens Council sessions,
parliament sessions, general assemblies of parties, trade unions, clubs, if they
are not restricted or closed in accordance with the law.
g- It is prohibited to interfere, in any way, in the professional work of the
journalist, or to threaten his personal security through:
1- Subjecting the journalist to any form of pressure or coercion with the aim of
influencing him.
2- Pressuring him to disclose the sources of his information.
3- Deprivation of the journalist from the performance of his work or from writing
or publishing, without a legitimate cause or justification, without prejudice to
what is reasonably taken as the authority of the editor in chief to decide the suitability or otherwise of that material, in accordance with the rules of the profession.

**Article 52:**

a- Any author or publisher of a book, printed or published inside the Kingdom, should submit one copy to the authority immediately after its printing.

b- In case the Director concludes that the book which is printed inside the kingdom contains violations of operative legislations, he should take the proper decision within one month from the date of the submission of the book to the authority, while the author or publisher of the book has the right of appeal to the Supreme Court of Justice, against the decision of the Director to ban the publication of the book. The court has the right, at its own discretion, to issue the decision it deems appropriate.

c- In case the author or publisher of the book is driven by prudence to submit a copy of the book to the Director, to make sure that it does not contain any legally objectionable material, the Director should inform the author or publisher of the book, in writing, and within one month of the submission of the manuscript, of his decision on whether the manuscript contains any violations of the laws.

d- The Director may reverse his decision on the publication of the manuscript if the author or publisher violates any of the conditions of permission, through addition or omission of material, and may confiscate all printed copies. The Director’s decision could be challenged before the Supreme Court of Justice.

**Article 58:**

a-1- Irrespective of the stipulations of any other law, the first instance court is entrusted with seeing all crimes committed by different publications in violation of this law, or any other related law, and should treat such a crime as a matter of urgency which should be heard within two months of its submission to the court.

2- One or more of the judges of the first instance court should be assigned for dealing with publication cases.

b- In the case of appeal, the court of appeal should deal with cases tabled for its review within one month of their submission.

c- Investigations of crimes of publications should be made under the supervision of the general prosecutor, who should appoint one of the prosecutors for the case; the latter should reach a decision about it in no more than 15 days.

d- Cases of public interest related to violations of the publications’ law, are to be tabled against the editor in chief, the author of the material in question, as original culprits, and the owner of the publication who is responsible, by association and support, for the expenses of litigation and the amount of damages paid to the injured parties. The owner should bear no criminal responsibility unless he is proved to have participated or intervened in the crime.

e- Cases of public interest related to crimes committed by irregular publications, should be tabled against the author of the publication as an original culprit and its publisher as an associate. In case of the anonymity of the author and publisher, the case should be submitted against the owner of the printing press and its managing director.
e- No journalist should be suspended in publications’ crimes, except the crimes stipulated in article 195 of the publications’ law.

f- No journalist should be arrested in relation to publications’ crimes, unless a warrant has been issued by the general prosecutor.

g- Any journalist accused of a crime under the publications’ law may appoint a legal counsellor to handle the case of behalf of him, unless his personal attendance is required by the court.

Draft Law for the Audio-Visual Media:
An audio-visual law has been drafted recently, in which the private sector would be allowed to invest in broadcasting and television services. An obvious drawback is imposing additional fees on news and political programs.

Unwritten Laws:
Prior Restraint:
All Arab states permit prior restraint under special circumstances like states of emergency. Kuwaiti, Tunisian and Libyan laws, however, resort to prior restraint even under normal conditions. Prior restraint is not only a violation of the freedom of the press, but is above all, a violation of the right of the public to know.

The Egyptian High Constitutional Court states:
‘No one should impose silence on another, even if he has the law on his side... and if the freedom of expression is to be allowed to breathe freely, a certain degree of excess should be forgiven. The extremism of certain points of view should not be used as licence to smother them.’

The pretence that prior restraint is meant to protect journalists from being prosecuted, is unacceptable for the following reasons:

1- Although threatening the journalist by the prospect of prosecution and the imposition of harsh punishment may undermine the freedom of the press to some degree, prior restraint freezes it completely.

2- Punishment after publication can only be exacted by a court, which may find the journalist not guilty.

(The Indian High Court states: ‘Even during times of emergency, the censor should be the nurse-maid of democracy, not its gravedigger’)

The Right of Access to Information:
Although the publications’ law states the right of the journalist to have access to information, no guarantees for the practice of that right have been put in place. No Arab country has a Freedom of Information Act up to now. Guarantees for the protection of this right should make any abstention from providing unclassified information to journalists a punishable offence.

Access to information has become a constitutional right in many countries of the world; a statutory law and practice to regulate and guarantee access to information for the journalist and the public at large.

Since free access to information has become the cornerstone of all other forms of press freedom, and since most of the information is obtained from the government and
its various agencies, journalists should be allowed to acquire and disseminate information to enable the public to take an enlightened stand on matters of policy and governance and all the issues that directly or indirectly impact their lives.

Free access to information is a just and justified demand at this time of information revolution, globalisation, transparency and the need to fight corruption. It is to be noted, however, that state secrets and documents’ protection laws, state security tribunals and the criminal law, operate in unison to contradict and undermine the principle of maximum disclosure.

The Egyptian High Court states that it is not acceptable to impose exaggerated punishments that are liable to restrain the journalist from practising his natural right to criticise for fear of prosecution.

**Arrest and Detention of Journalists:**

Jordanian laws sanction the detention of journalists for certain crimes, in addition to fines and damages which they might incur. The Jordanian journalist is subject to four types of punishment:

1- Criminal: meant to curtail his personal freedom like arrest and detention.
2- Civil: consisting of fines.
3- Additional: like temporary or permanent suspension from the practice of journalism or the publication of the sentence in one or more newspaper.
4- Disciplinary: like punishments exacted by trade unions against their members. These might also include suspension from the practice of the profession or deprivation from standing for election for the trade union committee or the position of editor in chief.

The most important feature of these punishments is their tendency for harshness and their vengeful attitude which are meant to deter the journalist and create a vast distance between himself and his freedom as a journalist. They are not tools of reform, they are means of suppression. (In Morocco, the punishment for insulting the ‘Emir of the Muslims’ i.e.: the King, is 25 years in prison).

Many of the punishments lack proportionality compared to the crimes committed. It is high time, in publications’ crimes, to abolish criminal punishments and to replace them with civil ones for the culprits and damages for the injured party. We have for our guide and support, in calling for the replacement of criminal punishments in crimes of publication, what the legislator has already said about the non-criminal punishment for the owner of the printing press. If he is only responsible for paying damages and costs of litigation, and not to be subjected to any criminal punishment, why shouldn’t that be the case with journalists and editors in chief?

This case is very obvious. A press institution that has originally been established for profit should be punished financially and so should the journalist.
The European Court of Human Rights has stated that freedom of expression needs special protection if it is to be capable of performing its crucial role of being a public watchdog and a generous provider of information and ideas badly needed by the public. The European Court for Human Rights also declared that imprisonment for slandering the government or expressing contempt for the authorities is not a balanced punishment as far as the act is concerned. The European courts have not issued any sentences of imprisonment in press cases since the end of the Second World War, nor has any democratic government sought judicial proceedings against any newspaper or journalist who has allegedly expressed contempt for the institutions of the government or any public figure in contemporary history. Although some of these countries have laws that incriminate such contempt or slander, but they have not been particularly keen to invoke them whenever a wayward word has been dropped by some journalist or other. Even if we take all the democratic governments together, we find that the cases in which press material has been suppressed and banned from publication, can be counted on the fingers of two hands. (Refer to: The Press from the Perspective of Human Rights, published by the Cairo Centre for Human Rights Studies)

**Conclusion:**
The freedom of the press is no luxury.

[In its 20/10/2003 report on the freedom of the press, ‘Reporters Without Frontiers’, placed Arab countries at the tail of its list, as far as freedom of the press is concerned, while putting Scandinavian countries at the top. Advanced countries come next, which clearly attests to the fact that freedom of expression is firmly wedded to economic development.]

In their book: The Right to Talk, published by the World Bank, two of the Nobel Prize laureates, one of them the economist Joseph Stiglitz, have this to say about the freedom of the press:
“Freedom of the press and the freedom of expression, don’t only reduce the threats of the abuse of power, they also enhance the opportunities for the satisfaction of peoples’ needs.”

“For the sake of reducing poverty,” says James Wolvenson, “we should allow free access to information and improve its quality.”

* Yahia Shukair, Chairman of the Freedoms Committee of the Jordanian Journalists’ Syndicate.*
A Chronology of Press Freedom and its Violations in Jordan

21.04.2003- **Jordan Drops Imprisonment of Journalist for Publication Cases**
The Jordanian Council of Ministers decided to drop article 150 of the publication’s law that transfers press violations to the State Security Court instead of civil courts, and the restoration of the original text before the amendments of the Criminal Law. Dr. Mohamed Al-Udwan, minister of state for political affairs and information, said the abrogation of the article coincides with the activation of the role of the Supreme Council of the Press and its assumption of its full responsibilities and also with the journalist code of ethics being prepared by the Journalists’ Union to organize and elevate journalistic practice. The journalists’ union, which intends to open a training centre for journalists, welcomed the government’s decision.

24.05.2003- **Tujan Faisal’s Candidacy still Rejected**
An Amman court upheld a decision by the election committee to ban former parliamentarian Tujan Faisal from contesting the elections for the Jordanian Legislature scheduled to be held on June 17. The court ruling, which Tujan Faisal described as unconstitutional and politically motivated, was said to be final and not subject to further appeal. The court said that the decision to ban Tujan from standing in the elections ‘was right and in conformity with the law, because she had been convicted the previous year for a non-political charge and was sentenced for a year and a half in prison’. The court added that although she had been released by a royal amnesty it was not a general amnesty but a special one. In that case she did not satisfy the legal requirements for standing for the elections, which say that ‘Anyone seeking to be a parliamentary candidate should not have been imprisoned for more than a year for a non-political crime and should not have been included in a general amnesty.’

20.08.2003- **Suspension of Al-Wahda Newspaper**
Jordanian authorities banned the publication of Al-Wahda newspaper because of an article claiming that contacts had been made between Saudi and Israeli officials to discuss alleged Saudi financial support for some Palestinian organizations like Hamas and Jihad. A spokesman for the newspaper said that the decision to suspend the newspaper was taken before the printing, when the newspaper was asked to remove the article. The spokesman added that his newspaper intended to publish news about these contacts which had merited wide coverage in the Israeli press on its front page.

24.09.2003- **Al-Wahda suspended for a Report on Torture**
Security authorities suspended Al-Wahda newspaper because of a report on torture in Jordanian prisons. Mr. Muwafaq Mahadin, the newspaper spokesman said that “issue number 106 of the weekly has been suspended because of a report about torture in prisons in which people who have been found innocent by the courts, say that they had been subjected to torture inside the prisons.”

08.11.2003- **The Government Investigates the Banning of a Caricature:**
Government spokeswoman Asma Khidr disclosed that the government was investigating the banning of the publication of a caricature related to the Prime Minister, Mr. Faisal Al Faiz, stressing that the government was against any form of censorship of the press. The spokesman for Al-Wahda newspaper Mr. Muwafaq Mahadin said that the printing house demanded the withdrawal of a caricature.
involving the Prime Minister and some members of his cabinet. He commended the Jordanian government for its positive stand against censorship. A columnist in ‘Addustour’ said that he had never come across any Jordanian government, since his birth, that would investigate one of its departments for any wrongdoing especially in connection with news and the press. ‘What we had always known was absolute negation of any wrongdoing and counter accusations against those who ‘are behind’ the news.’

29.12.2003- Journalists’ Union Amends the Press and Publications Law to Block Administrative Suspension of newspapers
The Jordanian Journalists’ Union introduced amendments to the Press and Publications Law, the most important of which were the ones against prior censorship of Jordanian newspapers and the suspension or withdrawal of licenses without a court order. The amended draft was then sent to the Legislative Directorate for review and endorsement. The amendments stipulate that the court should not suspend the newspaper unless it had been previously warned, at least twice, of violating conditions of licensing. In cases where a regular publication violates the conditions of registration, the relevant or injured party has the right to take it to court. Another important amendment was the one confining the implementation of the law to regular publications instead of extending it to all press publications. Article 42 says that the specialized publication needs a manager, while the Press and Publications Law speaks about an ‘editor in chief’, although the conditions are the same in both cases.

08.02.2004- General Security Investigate Journalist Muwafaq Mahadin about Material Considered ‘Implicating the Army’
Mr. Muwafaq Mahadin, the Jordanian writer and journalist, general manager of Al-Wahda newspaper, has been investigated by the General Security and Military Security authorities about a news item published by the newspaper and considered ‘implicating the army’. The report mentioned that American military units operating in the Jordanian Iraqi border, are using Jordanian transport vehicles and Jordanian cell phones, and that Jordanian Military Coordination Committee is manned by high profile Jordanian officers with low rank and NCO American counterparts. The report also mentioned that some of the American officers had previously served in the American embassy in Amman.

19.05.2004- Al-Majd Weekly Declares Indefinite Voluntary Withdrawal
Al-Majd weekly decided to suspend publication till further notice. In what it called its last issue, it published a long article explaining its decision to withdraw indefinitely from the markets. The editor in chief, Mr. Fahd Al-Rimawi, in the article titled ‘Al-Majd Chooses Absence and Withdrawal till further Notice’ said: ‘In a stand dictated by the glow of conscience, by the honour of principles, by the dignity of Abdel Nasser, Al-Majd has subjectively decided to terminate its existence, to muffle its voice, to lower its flags and to withdraw from the arena of publication and public presence, starting with this issue, and till appropriate circumstances prevail, if they were ever to prevail.’

19.05.2004- Journalists Union Condemns Violations by Four Newspapers
The Jordanian Journalist Trade Union condemned the violations committed by four newspapers of the code of ethics and principles of good journalistic practice, passed
and agreed upon by the general assembly of journalists. The union also noted that the attitude of these newspapers falls short of the requirements of constructive and objective criticism and constitutes violations of the principles of the freedom of the press.

20.07.2004- **The Media Open their Gates for Communists**
In a new move towards openness, the official media have opened the gate for the communists who had been barred for decades from self expression. The Jordanian Communist Party has started to appear in the Jordanian political and information scene along with other political organizations.

25.07.2004- **Plans to Reshuffle the Supreme Media Council**
It was declared that the Supreme Media Council would be reshuffled in the near future, since Parliament had passed the council’s bill that reduced the membership of the council from 11 to 9. Mr. Ibrahim Izeddin, President of the council, said that the reshuffle of the council was a foregone conclusion after the new law, but the timing and the naming of the new appointees, was the sole prerogative of his Majesty King Abdullah, on recommendations from the Prime Minister Mr. Faisal Al-Fayez.

26.07.2004- **Al-Majd Weekly Reappears:**
The Nasserite oriented Al-Majd weekly reappeared after a voluntary absence of two months. The paper had refused to give an explanation for an article it published, and was considered insulting to the relations between Jordan and Saudi Arabia. The explanation, which the paper refused to submit, was the condition for allowing it to continue publication, according to the decision of the State Security Court.

01.08.2004- **Al-Ghad, a New Daily on the Stands:**
Al-Ghad (Tomorrow), a new daily, became the fifth daily Arabic newspaper in Jordan. Mr. Imad Al-Hammoud, the editor in chief of the new daily said that Al-Ghad introduced itself as ‘an Arab newspaper that would make use of the atmosphere of openness and would strictly adhere to the professional values of objectivity and truthfulness.’ The capital of Al-Ghad, which is published by The United Jordanian Company for the Press, is said to be 4 million Dinars (6.5 million dollars aprox.)

04.08.2004- **The Government Threatens the Head of the Anti-Normalisation Committee**
The government warned that it would put the president and members of the committee for the resistance of normalisation of relations with Israel in the union of professional associations under arrest, if they did not desist from punishing Mr. Ra’id Khakhish, an MP and member of the union. The reason for the intended punishment was the participation of Mr. Khakhish, with Sharon’s office manager Mr. Ranan Ghiseen and the Palestinian researcher Mr. Sirri Nasiba, in a discussion panel on Al-Horra Satellite Channel, about the decision of the International Justice Tribunal in The Hague that declared the construction of the so-called ‘Security Wall’ as illegal.

20.09.2004- **State Security Court Suspend Al-Majd as Punishment for its Editor**
The General Prosecutor of the State Security Court, Mr. Muhannad Hijazi, decided to close down Al-Majd Foundation, the day after an earlier decision to suspend the newspaper which the foundation publishes under the same name. Al-Majd editor in
chief, Mr. Fahd Al-Rimawi was arrested for 48 hours as a punishment for an article considered by the authorities to be harmful to the relations between Jordan and Saudi Arabia.

17.10.2004- **Jordanian TV Stops ‘The Way to Kabul’ Series after Threats**
‘The Way to Kabul’ series had been abruptly stopped after an intense promotion campaign. The series which was supposed to be aired from the first day of Ramadan was stopped after some fundamentalist websites declared that those responsible for the series would be ‘shot down’, if they expose the Taliban in a bad light and give a negative impression of its rule.
Kuwait

The State of Press Freedom in Kuwait

By: Ahmed Al Deyain

(Paper presented to the APFW Annual Conference- Rabat- May 2004)

The media in Kuwait, as in most Arab countries, is subject to the hegemony and intervention of the state in contravention, in our case, of the Kuwaiti Constitution of 1962. Article 36 of that constitution says: “Freedom of opinion and scientific research is guaranteed, and anyone has the right to express his views and publicize them aurally or in a written form or in any other way, in accordance with the stipulations of the law.”

Article 37 continues to say: “Freedom of the press, printing and publishing is guaranteed, in accordance with the conditions and in the circumstances defined by the law.” The irony, however, is that Kuwaiti media is subject to the Publications and Publishing Law, which had been issued in 1961, not only before the Constitution, but before the independence of Kuwait, with heavy restrictions on the freedoms of the press, opinion and expression which had been guaranteed by the constitution. It is a very primitive and undemocratic law, devoid of the spirit and values of the age, oblivious of the achievements of the information and communications revolution and acting as a tool of governmental hegemony on the press.

The government has almost total monopoly on the broadcasting services and TV stations which have been turned into a huge, official propaganda machine. Private ownership of the media has lately been allowed for only one media firm, and although this is a positive development, it is too restricted and modest to be called a new trend, especially in the absence of a clear legal regulation for this domain.

Despite the earnest and repeated calls for a modern democratic law for the press and publications; a law that could ease the governmental hegemony over the press and limit gross interventions in the affairs of the media, the draft law written since 1992, and repeatedly amended, is still sealed away in the lockers of the Education, Culture and Guidance Committee in the Umma Council (The Legislative Assembly in Kuwait). So are so many draft laws tabled by members of the council.

A positive development, however, happened when the Journalists’ Trade Union, together with the editors in chief of newspapers, put forward a draft law for publications and publishing which was later endorsed, in at least most of its articles, by the legal parliamentary committee. Although this new draft contains many positive amendments to the present law, it still has its weaknesses, constraints and negative aspects.

The Defects of the Present Law:
The defects of the present law, which would remain in force till further notice, are the following:

1- It imposes heavy constraints on the licensing of newspapers, where the government considers this to be an absolute governmental right, directly related to the sovereignty of the state. The decision either rests with the
government as a whole or with the minister in question, and no one should try to reverse the governmental decision by appealing to the courts. Article 13 of the Kuwaiti Publications Law states that: “No newspaper should be published without a license from the head of publications and publishing directorate.” Article 15 adds the following: “An applicant for a newspaper license should receive a reply within 30 days of his application, in case he does not receive a reply within this period, his application should be considered rejected.” Article 16 adds, however, that if the applicant does not receive a reply within 30 days, he may appeal to the head of publications directorate within 10 days, either from the date of the rejection of his application or the expiry of the 30 days period. In case of the rejection of his appeal, he may further appeal to the council of ministers, whose decision would be final and should not be subject to any further appeal. Those restrictions also apply to bookstores and newspaper kiosks, where a license from the ministry of information is mandatory for anyone who wants to practice such activities. It goes without saying that publishing houses, distribution, promotion and artistic production firms are also subject to the same restrictions.

2- It imposes harsh punishments on crimes of opinion, as in article 26, which includes a maximum of 6 months imprisonment to be raised to one year in case of repeat violations.

3- It contains harsh administrative punishments like confiscation, administrative closure, withdrawal of licenses without a court ruling and the like. Article 35 of the Kuwaiti Publications Law says: “The Council of Ministers may close the newspaper for a maximum period of two years, or permanently withdraw its license.” The minister of information may also close the newspaper for a maximum of three months without a court ruling. Although the Umma Council has cancelled this article, the Kuwaiti government has not yet acknowledged the cancellation.

4- The multiplicity of laws and regulations for the media, where press felonies and crimes are not subject to the press and publications law only, but are met with a very strong tendency to extend the indictment and involve other criminal laws that are not directly related to the press. The criminal law, for instance, contains articles that deal with publications crimes, like articles 111 to 113 which incriminate the publication of any material that offends religious sensitivities, or public morality, and articles 209 to 216 about libel and invective. There is also another law called Act 31 for 1970, which mainly concentrates on state security crimes, but deals at the same time with publications crimes, like article 12 about the publication of inciting material during a war situation, article 15 on the propagation of false information from outside the country that is liable to weaken the financial standing of the state or to undermine its prestige and respectability or to cause any damage to the public interest, and article 29 on proselytizing and propaganda for convictions that tend to destroy the ‘basic convictions of the nation’. The bottom line is that if prosecutors fail to apply one law against journalists they have a vast arsenal of laws from which they can choose with total liberty.

5- The vast extent of prohibited material that is considered a no-go area for journalists. These include:

- It is prohibited to publish anything that is liable to offend heads of states or to spoil Kuwaiti relations with Arab or friendly states.
- It is prohibited to publish anything about secret state connections.
- It is prohibited to publish the agreements and conventions between Kuwait and other parties before the publication of these agreements and accords in the Official Gazette.
- It is prohibited to publish news that may negatively affect the value of the national currency.
- It is prohibited to publish any material that may offend moral sensitivities. (The law makes no differentiation between pornography and sexual education.)

6- The law is formulated in an elastic and ambiguous way, using expressions like: “material liable to create confusion about the economic situation”. You would probably be held guilty of such a crime if you say about the Kuwaiti economy that “it is structurally defective because it depends on one economic resource with unstable prices.” Such an expression can easily be construed by the enemies of freedom of the press to be a criminal act that ‘propagates confusion about the economic situation.’ As a matter of fact the Kuwaiti publications law abounds in elastic, imprecise and ambiguous expressions like ‘incitement of the spirit of hatred’ or ‘propagation of discord in society’. Such expressions are difficult to define or delimit and that is why they easily lend themselves to a wide range of interpretations.

7- The law ignores or contradicts so many legal principles, of which we mention the following:
- The principle of the individuality of punishment, which is consistently violated by holding the editor in chief, the writer of the article, the editor of the material and even the owner of the newspaper as collectively responsible for any material considered objectionable by the government or its representatives.
- The special nature of crimes of opinion and violations of the publications law which demands that journalists should not be treated as common criminals
- The mistaken extension of the concept of ‘witnessed crimes’ to cover press crimes and violations of the publications law and to enable any and everybody to report such crimes and pursue indictment and trial of journalists and writers, due to a mistaken application of article 14 of the criminal law.

**Alternative Legislative Proposals:**
The Education, Culture and Guidance Committee in the Umma Council, decided to adopt the draft law submitted by the Kuwaiti Journalists’ Society and the Association of Editors in Chief of newspapers, as a legislative alternative to the draft submitted by the government. The alternative draft is more positive in that it limits the intervention of the government in the affairs of the press and belittles the hegemony it used to enjoy. It contains the following positive points:
- Prohibits monitoring and censorship of newspapers.
- Declares it to be illegal to stop publication of newspapers or cancellation of their licenses through administrative orders.
- Affirms the right of the journalist to obtain information.
- Prohibits the incarceration or detention of people accused of crimes related to the media.
- Affirms the rights of appeal in press cases.
Freeing Arab Media from State Control

- Affirms the right to appeal against a governmental decision denying the licensing of a newspaper, before the administrative judiciary.
- Prohibits withdrawal of licenses of daily newspapers even by the judiciary.
- Cancels detention in crimes of the press and replaces it with fines, except in limited cases of sacrilegious pronouncements against Allah, the prophets, their disciples or the Emir of Kuwait. It also gives the Court of Appeal the right to suspend a newspaper for a limited period of time. According to the information available to us, the parliamentary committee intends to impose stringent constraints on such an extreme eventuality.

The negative aspects of the proposed bill can be summarized in the following:

- The use of some ambiguous terms like ‘sowing the seeds of discord’ or ‘shaking the confidence in the economic standing of the country’ when referring to areas and issues not to be covered by the press.
- It makes it mandatory for all foreign publications to ask for and obtain permission to enter the country from the ministry of information, before being allowed to enter the country. In effect, all foreign publications are subject to meticulous censorship irrespective of their content.
- It levies exorbitant fines, sometimes of about ten thousand Kuwaiti Dinars, the equivalent of more than thirty thousand US dollars for some violations.

It allows press crimes to be treated as crimes against the internal or external state security, to be tried under the criminal law, especially when they are classified as calling for the ‘adoption of destructive principles that are liable to undermine the basic value systems of the country through illegitimate means’. The law stands here at the brink of incriminating many political and economic schools simply because they don’t gain the favour of the government.

As we have already indicated, the government draft proposal is so seriously defective that the committee refused to take it as a basis or starting point for its own proposal. Some of the points which the government still considers to be important are the following:

1- The judiciary should have no mandate to overrule the governmental decisions denying licenses.
2- The attorney general should have the right of suspending newspapers.

It is a long way to the passing of the present draft law which is an uphill journey against all the powers standing against it. The struggle, however, should not be confined to its professional and legislative dimensions, for it is not a purely legal or professional issue. Kuwaiti citizens should know that press freedom and the liberation of the media from the hegemony of the state, are not issues for journalists alone. They are part and parcel of a wider context of civil liberties and democratic rights. They should know that as readers they should be equally concerned and interested in these issues as journalists, editors in chief and publishers.

In conclusion we say that the legislation of a democratic and modern law of the press and publication, to end the hegemony of the state and stop its intervention in the process and content of newspapers and other media, is one of the key steps towards political reform in Kuwait. Freedom of the press and the media is one of the criteria of a democratic, free and open society. There is more to democracy than an election
campaign and a seat under the dome of Umma Council. Freedom of the press is one of those defining characteristics of a true democratic commonality.
A Chronology of Press Freedom and its Violations in Kuwait

22.05.2003- Controversy over Authority of the Attorney General to Close Newspapers Down
Education, Culture and Guidance Committee, in the Umma Council (Kuwaiti Parliament), has at last formulated its stand on the controversial issue of closing down newspapers, by deciding that the attorney general and the criminal court, as parts of the judicial body, should be entrusted with that authority. On the other hand the editors in chief of the five local newspapers preferred the authority of closing down newspapers to be left for the judiciary alone, and not for the attorney general who represents the government.

09.09.2004- Questioning the Information Minister about ‘Super Star’ Program
Islamic MP, Mr. Daifalla Bouramiya, launched a new campaign against the information minister, Mr. Mohamed Abul Hassan, alleging that he was still defying the Islamic sensibilities of the Kuwaiti people and meddling into issues banned by Islam. He said that the minister had withdrawn the images of the two holy shrines of Islam and some religious programs to replace them with the pictures of the Iraqi singer, Kazim Al-Sahir. But the most unforgivable sin was the minister’s introduction to Kuwait, of what the MP called ‘Super Corruption for Dancing and Singing’ by inviting, on behalf of the government, some dancing girls and treating them as VIPs.

Two Journalists and an MP Declared Innocent
MP Salih Ashour was declared innocent, by the Appeal Court, of the charge of insulting one of the disciples of the prophet. The court ruled that what the MP mentioned in a panel about ‘abandoning sectarianism’ implied no sarcasm, was not insulting to any religion and did not contain any offence to Muslim belief. The ruling of innocence covered two other journalists: Mr. Ahmed Al-Shummary and Mr. Ahmed Al-Jaralla, the editor and editor in chief, of Al-Siyasa newspaper, respectively.

05.11.2003- Al-Jaralla attacks Syria in Al-Siyasa Editorial
In an Al-Siyasa editorial, Mr. Ahmed Al-Jaralla, the editor in chief, launched a biting attack against Syria for its opposition of the war against Iraq. He warned the Syrian regime of the same fate of Saddam Hussein, if they continue to pose the same threat to American interests in the area. Mr. Al-Jaralla said that the Syrian regime was no longer of any service to anyone. He added that Damascus was facing the whole world and was guilty of erroneous political calculations of the same type committed by Saddam Hussein, who thought that America would never go to war against his regime.

06.11.2003- Al-Jaralla Justifies his Campaign Against Syria
Mr. Ahmed Al-Jaralla denied any personal motives in his campaign against Syria. He said he hopes that Syria ‘would learn its lessons and not commit the mistakes of the Iraqi regime’. A Syrian court had previously sentenced Mr. Al-Jaralla to three months in prison because of a report published by Al-Siyasa about Syria, and later denied by the newspaper. The ruling was controversial in Kuwait. Mr. Jaralla said that “being tough with Syria is important for it might help it to wake up to the reality surrounding
it, and maybe at that time it would try to correct its gross mistakes and miscalculations”.

23.11.2004- Minister of Information Declares New Strategy for Kuwaiti Media  
Mr. Mohamed Abul Hasan, the Kuwaiti Minister of Information, declared a new strategy for Kuwaiti media having the development of Kuwait as its most important priority. He said the new strategy was made necessary by the recent developments in the region, especially during the last six months.

28.11.2003- The Tape that Threatened to Start Sectarian Crisis in Kuwait  
A widely circulated tape, containing strong invective and accusations of atheism (Kufr) against Khalifas, Abu Bakr Assidiq and Omar Ibn El Khatab, the two nearest disciples to prophet Mohamed and the most important in the religious hierarchy and the formation of the Islamic state, was about to cause a sectarian crisis. The temerity of Yasser Habib, the one who made the tape, reached an unprecedented level when he said that both Abu Bakr and Omar were atheists because they disobeyed prophet Mohamed on the issue of the Caliphate, adding that there were many sayings in the Shiite traditions that whoever disobeys prophet Mohamed was a non-believer. Mr. Yasser Habib is the nephew of the Shiite cleric Abdul Aziz Habib who had previously stood for elections to the Umma Council.

29.11.2003- Editor Accused of Receiving Funds from the Iraqi Regime  
Some documents, dating back to 1981, leaked from the Iraqi Ministry of the Interior, indicated that two Kuwaiti newspapers: Al-Siyasa and the Kuwait Times had received financial support from the Iraqi regime at that time. In response to the allegations, the editor in chief of Al-Siyasa, asked: ‘can 18 thousand dinars be called ‘financial support’?

30.11.2003- Government Discusses Tape  
The cabinet meeting, scheduled for today, has been adjourned to next week, to allow the Prime Minister, who was outside the country, to attend a cabinet meeting that would discuss the tape insulting two grand disciples of the prophet: Abu Bakr and Omar. The tape fanned heated controversy across different religious and social groups.

11.12.2003- Letter Bomb Explodes in the Office of the Al-Siyasa Editor in Chief:  
A letter Bomb exploded in the office of Mr. Ahmed Al-Jaralla, injuring his secretary, Mr. Waleed Dahdouh, on his face and hands. The sender of the letter falsely pretended to be Ghassan Sherbil, deputy editor in chief of Al-Hayat newspaper in Lebanon.

12.12.2003- 3 Letter Bombs to Al-Qabas, Al-Siyasa & Kuwaiti Writers’ Union  
Kuwaiti authorities discovered three letter Bombs addressed to Al-Qabas and Al-Siyasa newspapers and to the General Secretary of the Writers’ Union. Just like the previous letter sent to Mr. Jaralla’s office, the three letters came from Beirut, and the bombs were hidden in envelopes carrying the name of Al-Hayat newspaper and its deputy editor in chief Mr. Ghassan Sherbil.

Arab Press Freedom Watch received with deep concern the news about letter bombs sent to Kuwaiti journalists, writers and press institutions. The organization expressed its solidarity with colleagues in Kuwait and its condemnation of such criminal practices meant to intimidate and terrorize champions of freedom of the press and expression.

20.12.2003- **Attack against the Prisoner who Insulted the Prophet’s Disciples**
Shiite preacher Yasser Habib, the author of the ‘crisis tape’ insulting Abu Bakr and Omar, was attacked by Sunni prisoners during his stay in prison for investigation. Shiite prisoners rallied to his protection and vowed that they would not allow anyone to touch him.

28.12.2003- **Islamic MP demands removal of Music from Curriculum:**
The Islamic MP, Mr. Daifalla Bouramia, submitted to Parliament a motion demanding the withdrawal of Music as part of the curriculum and to replace it with Islamic religious education. In a statement he issued he said that music was a useless and a futile effort that was contrary to Islamic Sharia. Its removal, he said, ‘would save the government huge amounts of money spent in the disobedience of Allah’. He added that, at least, it should be made optional and not to be imposed on students.
He added that the High Institute of Musical Arts should be exempted, because people go there according to their own free will.

19.01.2004- **One Year in Prison and 1000 Dinar Fine for the Author of the Tape**
The Criminal Court, under Justice Imad Al-Yasin sentenced Mr. Yasser Al-Habib to one year in prison and a thousand dinar fine in the lawsuit accusing him of sowing discord amongst Kuwaiti society. His brazen insults of Sunna revered religious icons, was a dangerous attempt at fanning religious wars, the court said.

25.01.2004- **New Press Law Banning Arrest of Journalists**
A new Press Law has been formulated by the Umma Council banning imprisonment of writers, journalists and newspaper owners for breaches of the law and confining punishment to financial fines. The new law also bans the suspension of newspapers for long periods. It has been received warmly by newspaper owners and journalist but opposed by the government.

20.02.2004- **Authorities Ban Adil Imam’s Play: Bodyguard**
Bodyguard, a play by the famous Egyptian artist, Adil Imam, on show in the ‘Welcome February’ celebrations, has been suspended by Kuwaiti authorities. Some Kuwaiti newspapers said that the play was stopped because of some ‘immoral’ scenes.

27.02.2004- **Leila Al-Othman: Censors Ban My Novels Without Reading them**
Kuwaiti novelist Leila Othman, said, that after banning her latest novel ‘Al As’As’, that whatever she wrote had become controversial and censors would ban it even without reading it. She said that her book ‘Al Muhakama’ (The Trial) was banned because of a dream in the story, but nobody was able to take her to court because of the massive support she found among the people.
28.02.2004 - Yasser Al-Habib Sent to Prison
Justice Imad Al-Yasin reaffirmed the sentence of the Shiite religious missionary Yasser Al-Habib, accused of insulting two prophet’s disciples Abu Bakr and Omar, to one year in prison and a fine of one thousand dinars (three thousand dollars) with immediate effect.

08.04.2004 - Secretary of Al-Sabah Family Accuses Al-Watan Editor of Libel
Mr. Mohamed Abdul Qader Al-Jasim, editor in chief of Al-Watan newspaper, said that the libel case submitted against him by the secretary of Al-Sabah family, Sheikh Rashid Humoud Al-Jaber Al-Sabah, was ‘politically motivated’ and added that he was indifferent as to its outcome.
Lebanon

The Lebanese Journalists Trade Union:
A Story not recommended before Bed Time

By: Rasha Al Atrash
Lebanese Journalist

(Paper presented to the APFW Annual Conference- Rabat- May 2004)

When our colleague Mr. Ibrahim Nawar, called to invite me to the third conference of Arab Press Freedom Watch, he suggested I write a paper about the relationship of the Lebanese local press with the different branches and institutions of power in Lebanon: the political, social, (sectarian, partisan... etc) and market powers and authorities, especially those responsible for media licensing, advertising, privileges and perks. Despite the wide scope and vitality of what my friend Ibrahim Nawar had suggested, I proposed to start at the very beginning and to deal with the Lebanese journalists themselves, before dealing with the Lebanese media institutions in general; a proposal which he found intriguing and readily accepted. I told Ibrahim that if there was a battle to be fought here, it ought to be in support of these journalists.

Against whom should such a battle be fought?

It should be fought against a very primitive formula, a formula that is seriously devoid of democratic content and professional security on all levels, and against a “framework” that pretends to be an organizational set up and a source of legitimacy despite the fact that one man has been leading it for the last 40 years. Although it is nominally open to all Lebanese journalists, only half of them, and may be less than that, have actually obtained its membership.

How could the Lebanese journalist, under these circumstances, demand transparency of other national institutions, and expect them to accept her call for accountability, while she is unable to impose such principles on her own organization? How could she stand by the vanquished and the under dogs, while she herself has no professional rights on par with other professionals. How could she commit herself to the values of ‘cleanliness’ and objectivity, if she was demanded to perform an oath of allegiance for a president of the journalist trade union, who has been in his place for decades, and who has kept winning against himself with percentages akin to those normally achieved by Arab totalitarian leaders: between 98% and 100%. (When I mention the oath of allegiance, I am not exaggerating, for we have been officially asked, in the run up to the last ‘elections’, to perform the ‘Bai’a’ which is the Arabic word for unconditional allegiance, for the life of both parties: the holder of the office, our eternal chairman in this case, and his ‘subjects.) The president of the Lebanese journalists’ trade union has been standing for the post throughout the decades without any other candidate and without any specific program of action. This is our reality and from such reality we should start.

I hope that this modest paper of mine would be considered a first step in the direction of change, and to be supported and encouraged by Arab Press Freedom Watch. We know that the press cannot possibly be free if the journalists themselves are not protected, legally, professionally, economically and socially, by a real and strong
organization of their own. Only then, and not before, can they spell out and help to define their relationship with other powers in the state and society. Only then can they draw the line between themselves and those institutions, and join hands with other people in standing against the violations and injustices committed by the very institutions which were meant to serve not to oppress them. Only then can their collective voice be heard; when they express the concerns and complaints of the people and compel the authorities to hear them out and to heed what they have to say.

Let me start from here: we have no statistics about the number of journalists in Lebanon, but anyone with inside knowledge of the profession would tell you that more than half of Lebanese editors are not members in the Lebanese trade union. The number of graduates from the Media College in the Lebanese University is almost five thousand according to the figures of 1999, 70% of who take journalism as a profession. In addition to them there are graduates from other media colleges and those who hail from other branches of knowledge to work as journalists.

Why are most of the Lebanese journalists not members of ‘their own’ organization?

They are not members because, although they apply for membership, their applications are normally ‘lost’! This, at least, is the answer they get whenever they try to follow up their applications. The real reason, however, might be the following: the press organization, which is composed of both the journalists’ trade union and the newspaper owners’ association, and which works under the supervision of the Ministry of Information, and you can see the contradictory nature of such a body, seldom meets. Membership itself is subject to political, sectarian and institutional considerations where strict balances should be kept between Muslims and Christians on the one hand, and the government and the media institutions on the other. For this very reason, those working in the audio-visual sectors have not been allowed to obtain the membership of the journalists’ trade union, because their huge numbers would overturn the precarious political balance holding now, almost by a miracle. Under these circumstances the trade union is more of a closed club than an open democratic organization.

For his part, the president of the journalists’ trade union, Milhim Karam who has been holding this office continuously since 1960, insists that the number of Lebanese journalists is no more than one thousand, 85% of whom are members of journalists’ trade union while the others are members of the association of newspaper owners. As for the others who take journalism to be their profession, he considers them ‘amateur journalists’! And this is indeed very generous of him, since these people are considered ‘imposters’ by the Lebanese law which prohibits the practice of journalism for anyone not possessing the membership of the journalists trade union, the same way it prohibits the practice of medicine, engineering or pharmacy for anyone who hasn’t got the right credentials. So, it is very easy for the hundreds of journalists whose membership applications have been ‘lost’ to be treated as ‘imposters’ by law enforcement agencies and to be arrested on that basis! The good news, if there is any good news, is that only the journalists’ trade union can accuse non-members of such a felony, and we really don’t know whether to thank God for our safety from the arbitrary actions of the police authorities, or to be mortally terrified by the possibility of angering our ‘protectors and guarantors’ in the journalists’ trade union?
The editors’ trade union now considers itself an ‘order’ and is aspiring to be a ‘syndicate’ so as to be able to protect the interests of its members in accordance with the labour laws: to resist arbitrary redundancy, violation of vested interests like the right to 14 months salary during the calendar year, protection of professional ascendency and financial promotion, health care, social security and the removal of the sort of pressures that compel many journalists to act against their professional ethics. But the fact remains that the journalists’ trade union is no more than a sectarian and tribal association under the eternal leadership of one person.

We have, up to this point, confined ourselves to the general aspects of our topic, because we can hardly find sufficient space for the details. Beyond the general, or may be beneath it, there is the particular, which itself has two aspects: the first concerns the internal affairs of the trade union itself, and the second has to do with the journalists’ constituency that is deprived of the right to ‘belong’ to that trade union and the relations that hold its members together.

To start with, what are the rights enjoyed by the members of Milhim Makram’s trade union?

The most important of these rights is professional protection where the Chief is always there for victims of arbitrary redundancies or legal procedures and he never fails to stand by his brothers and sons when they need his services. And it has to be said that the Chief has at his disposal a very wide network of acquaintances and clients that would not hesitate to serve him when he asks them to. The fact that the wings of his protection cast their patriarchal shadows on all the journalist landscape, and cause all this intimidation and awe, can easily be accepted or ignored, since he always delivers the goods. ‘Don’t you ever worry, you are in great hands. And still you are our friend and our loyal supporter, why worry indeed?’ With such phrases the Chief starts a mysterious process that leads to the solution of the problem. Other rights follow: journalists are entitled to discounts in air tickets and telephone bills. It is also proposed that water, electricity and cell phone bills, should also be discounted. But to obtain these discounts you should meet the Chief and secure his signature. The most important thing here is not the possession of a right, but the satisfaction and pleasure of the beloved ‘Leader’.

A year ago the trade union had decided to establish a pensions fund, but it has not been disclosed yet whether some resources have been allotted for the project to enable it to take off, or not. It is to be noted that the president himself has acknowledged the financial support the trade union receives from one of the Gulf States. The entrance fee for membership of the trade union is three million Lebanese Lire (about 2000 US dollars) in addition to 700 thousand Lire (approximately 500 US dollars) as annual subscriptions.

This is a very high fee compared to those of the engineers and medical doctors trade unions which stand at one million two hundred sixty thousand and five hundred thirty thousand respectively. The fee is also high, if not exorbitant, for members of a profession of an average monthly wage of 800 thousand Lire. May be that explains the fact that no member of the trade union ever pays those fees. It is left for those
whose applications have been and are being lost, to worry about paying the entrance fees.

In a nutshell, there are no rights for the Lebanese journalists; no guarantees for the enjoyment of established rights, from the press institutions to the journalists working for them; no programs and no plan of action put forward by the journalists’ trade union. There is only a Chief who feels no constraints when it comes to indulging the newspaper owning group to which he belongs. The Chief is editor in chief of four publications! Isn’t that too much of a load for a single man of his age? But to be fair and truthful, he had resigned from his responsibilities as editor in chief in 1999 to contest the elections of the owners’ trade union, intending to transfer to his name one of the firms that used to exclusively belong to the Karam Dynasty. One of the sayings of the Chief is that ‘Whoever has money, can have a newspaper of his own.’

Outside the gated entrance of the journalists’ trade union, non-members are connected by the threads of camaraderie, which are not that strong from the institutional point of view. The only branch the journalists’ trade union has is in Al Safeer newspaper, and all the efforts to create similar branches in other newspapers have simply failed. The reasons for that are normally cited as disappointment and despair, on the side of journalists, from the possibility of change and fear of causing the anger of strong men inside media institutions or upsetting personal loyalties and relationships.

Due to these failures it has become very difficult to form a viable force to act as a pressure group, and as a force for change and democratization within the journalists’ body and to withstand, under the banner of worker solidarity, the persistent erosion of the rights of journalists by newspaper owners. In the absence of such checks and balances and the lack of security among journalists, the only resource they find available is ‘political financing’ which leads to the propagation of politicized information, which amounts to no information at all.

During the last ten years, the general workers’ trade union has been infiltrated and intimidated by the government. Individual trade unions are paralyzed and have become incapable of defending their own members that is if we don’t want to say that most of them have sold their soul. Trade union consciousness is virtually absent in Lebanon, especially among the new generations who are supposed to be the backbone of the post civil war work force. Sectarian, regional and political loyalty is the order of the day; parties are as docile as sheep and the concept of citizenship has long disappeared from the land.

Under this sad situation, to talk about Lebanese journalists is similar to talking about Arab regimes. How can we change these institutions and regimes, or reform them, if the nucleus of the Arab society, i.e., the Arab family, is under the firm grip of an oppressive patriarchal regime within which the paterfamilias of the twenty first century decide all the details of life and death, on behalf of all the other members of their families?

But despite the absence of trade union solidarity in the media institutions, and despite the institutional weaknesses of the journalist body in Lebanon, two organizations have been built by a narrow constituency of journalists: one is the Association of Media
Colleges’ Alumni, formed 1972, and ‘The Press Club’, which was established in 1994, with most of its membership from the Lebanese University. While the ‘Association’ is defending the interests of university graduates and not all journalists, it actually has no clout in achieving what it is allegedly fighting for. As for the ‘Club’, it confines itself to organizing social events, cultural discussions and get-togethers, distancing itself, as far as possible, from any potential conflicts with the journalists’ trade union and doing nothing to defend the interests of journalists at large. It is high time, either to activate these two organizations and extend their mandate, or to create a third organization to take the place of the present closed trade union. It is high time to rescue Lebanese journalists from the depth of apathy and despair and to wake them up to their rights through discussion and persuasion. For who can defend their interests but themselves?

This is the story of the Lebanese trade union, a story not recommended to be told before bedtime, because it is sure to cause horrible and permanent nightmares, both for the storyteller and his audience. The only way out is to convert it into an issue and to make it a war cry to fight for without repose.
A Chronology of Press Freedom and its Violations in Lebanon

14.06.2003- **Bombardment of Al-Mutaqbal TV**
The building of Al-Mustaqlal TV Channel in Al-Rousha neighbourhood in Beirut was the target of a missile attack that destroyed one of its studios. The attack was launched two days before the meeting of the Council of Ministers to discuss the media file. A fundamentalist organization, calling itself ‘Ansar Allah’ (The Fighters for God), claimed responsibility for the attack saying in a statement that ‘our qualitative Jihadist operation was meant to confirm that we would not allow anybody, whatever their power or station, to direct their poisonous arrows to the heart of the resistance, the Jihad and Mujahideen and to question the legitimacy of their Jihad.’

17.06.2003- **A Trial of a Writer for his Stand against Syrian Presence**
A group of Lebanese intellectuals has condemned the confiscation of a writer’s book because he is against the Syrian military presence in Lebanon and his impending trial, with the publisher of his book. The signatories to the protest, the majority of whom consists of writers, poets and journalists say in their statement: ‘We express our condemnation of putting on trial, Dr. Adonis Al-Akra, and his publisher Bashir Al-Da’ouq.’ The statement added that signatories confirm their unwavering belief ‘in the freedom of expression and thought embedded in human rights covenants and sanctioned by the constitutions of all democratic states and societies.’

30.09.2003- **Resignation of Mr. Unsi Al-Haj, Al-Nahar Editor in Chief**
Mr. Unsi Al-Haj, Al-Nahar editor in chief, has submitted his resignation, which was immediately accepted. The resignation was the result of immense pressures on Mr. Al-Haj by the owners of Al-Nahar, who tried to divest him of all his powers as editor in chief, according to a statement from the literary group ‘Khawatim’. ‘Mr, Al-Haj rejected their pressures’, the statement says, ‘ and refused to agree to the sort of compromise that was meant to undermine, not only his powers, but his stature in Arab literary circles who recognize him as one of the pioneers of modernity in contemporary Arabic poetry.’

Well-placed sources say that the acceptance of the resignation with this haste, reflects the intentions of Mr. Jubran Tweeni, the general manager of Al-Nahar, and son of its owner, the late Journalist Ghassan Tweeni, to impose his full authority over the newspaper, a thing he could not do in the imposing presence and stature of Ansi Al-Haj ‘which leave no space for any competing influence.’

American Department of State protested to the Syrian and Lebanese governments the running of Al-Shatat (Diaspora) series by the Hezbollah Al-Manar TV Channel, during the month of Ramadan, which it described as anti-Semitic. The state department expressed deep concern and anxiety at running the 26 show series which includes quotations from and references to ‘The Protocols of the Wise Men of Zion.’

29.10.2003- **US State Department Protests the Running of Al-Shatat by Al-Manar**
The American department of state announced once more that it had protested to both the Syrian and Lebanese governments the intention of Hezbollah to air during Ramadan, a 26 show series called Al-Shatat which it described as anti-Semitic. The
state department said that running that series is ‘harmful’ because it contains references to the ‘Protocols of the Wise Men of Zion’. Richard Boucher, the spokesman of the state department, said that Washington has no influence over Hezbollah, which is classified by the department as a terrorist organization, which explains why the department protested to the Syrian and Lebanese governments.

30.10.2003- **Al-Manar to go on with running Al-Shatat**
Lebanese minister of information, Mr. Michel Samaha, said that the ministry of information has not received any request to stop Al-Shatat series, which would be run on the first of Ramadan by Al-Manar TV. The minister said that ‘any more discussion about this issue would depend on the circumstances’.

31.10.2003- **Authorities Ban a Fifty Year Old Book by Ma’arouf Al-Rasafi**
Lebanese Censorship Authority has decided to ban from publication a book written by the famous Iraqi poet Ma’arouf Al-Rasafi, although it has already been circulated in Lebanon and in the Arab World. Rasafi said that his book ‘The Mohamedan Personality’, should be published 50 years after his death, because of the potential negative reactions. It seems that he was guilty of gross exaggeration of the pace of progress in the Arabic world.

14.11.2003- **Australian Authorities Stop Broadcasting Al-Manar Channel**
Australian authorities blocked the broadcasting of Al-Manar TV channel owned by the Lebanese Hezbollah, in response to a decision by the Media Monitoring Authority to open an investigation about potential violations, by that channel, of the Australian criminal law. A spokesman for the TV and Broadcasting Services Corporation said that the footage aired by Al-Manar that had been viewed up to now, warranted an official investigation, and that a decision would be taken in the light of that investigation.

20.11.2003- **Washington Condemns the Running of Al-Shatat**
American department of state condemned a show of Al-Shatat series run by Hezbollah channel: Al-Manar, featuring the sacrifice of a Christian child, by a group of Jews, during Easter Celebrations. The department said that the show was slanderous and worthy of nothing but contempt. Adam Erili, spokesman of the department, said that the show was broadcast on Tuesday as part of Al-Shatat series which is running throughout Ramadan. ‘This program is slanderous,’ he said, ‘it is worthy of contempt and should be condemned in the strongest possible terms.’

04.12.2003- **Al-Turk, the Syrian Opposition Member Denied Entry**
Lebanese security authorities declared that they had denied the Syrian opposition figure Mr. Riyadh Al-Turk, entrance to Lebanon in a private visit. Mr. Al-Turk, who is a well known communist leader, spent long years in detention in Syrian prisons and was released only recently.

05.12.2003- **Owner of NTV Arrested for Alleged Collaboration with Israel**
Mr. Tahseen Khayyat, the owner of Al-Jadid TV, has been arrested on orders from the Lebanese Military Judiciary, for an investigation about his alleged dealings with the enemy and his ‘undermining Lebanese relations with friendly countries.’ Although Judicial sources refused to give any more information, the president of the national
council of information, Mr. Abdul Hadi Mahfouz, said that the whole issue was still under investigation, on the basis of information received by the military judiciary circuit about an alleged relationship between ‘the owner of Al-Aljadid Channel and some foreign hostile forces’ in contravention of Lebanese law. He added that the arrest of Khayyat was a secret and private procedure, unrelated to the channel which would continue operating normally.

07.12.2003- Release of NTV Owner
A judicial source declared that the owner of New TV satellite channel, Mr. Tahseen Khayyat, had been released, although the investigation of his case was still open. ‘The investigation does not require his detention’ he said, and added that Mr. Khayyat has undertaken to avail himself to the military judiciary authorities whenever they demand his presence.

08.12.2003- NTV Owner Accused Security Authorities of plotting his Arrest
President of the Board of Directors of New TV, Mr. Tahseen Khayyat, accused Lebanese security authorities of plotting his arrest, adding that the judiciary has decided to release him because of lack of any substantial evidence. He described his arrest as ‘a stab in the back for the authorities’, an insult to the government more than to him. Although Mr. Khayyat said that the case had been closed, some judicial sources said that it was still open. Mr. Khayyat said that his arrest was related to the reports his TV channel aired about ‘Madina Bank’, which had stopped paying out money a few months ago because it was accused of dealing with handling accounts and cash, owned by the defunct regime of Saddam Hussein.

16.12.2003- Suspension of NTV for 48 Hours
Minister of information, Mr. Michel Samaha, issued an order suspending NTV, from airing news and political programs for 48 hours. The decision was based on a recommendation by the national media council, which alleged that a news bulletin aired by the channel contained ‘serious and gross violations’ of the law of TV broadcasting that demands objectivity. NTV had broadcasted a report holding some officials responsible for the decision of its Sudanese presenter Dalia Ahmed to leave Lebanon and work in America, because her stay in Lebanon became too complicated for her to handle.

21.01.2004- France Condemns Al-Shatat
Mr. Dominique Boodi, President of the Supreme Council of Audio-Visuas in France, condemned what he called the absolutely unacceptable images and dialogues aired by some TV satellite channels, an indirect reference to Al-Shatat series, run by the Hezbollah Al-Manar Channel, which was described by the council as anti-Semitic. Mr. Boodi said that the council had submitted a complaint for the Republican General Prosecutor in Paris, demanding the terminal banning of that satellite channel in France, ‘because it causes serious damage for the respect of man.’

31.01.2004- France to Suspend Al-Manar TV for its Anti-Semitic Programming
Mr. Jean Pierre Rafarin, the French Prime Minister, said that his country would pass, in the very near future, a law imposing some constraints on the Middle Eastern TV channel guilty of anti-Semitic programming. The new law, he said, would require of
the owners of satellite channels to report beforehand on the programs they intend to broadcast and would impose hefty fines if they aired any provocative material.

18.02.2004- **Positive Settlement of Al-Manar Problem with France**
President of the Audio Visual Media Council in Lebanon, Mr. Abdul Hadi Mahfouz, announced that he had reached and acceptable solution to the problem of Al-Manar TV, which some officials in France intended to suspend on allegations of anti-Semitism. He said that he had reached the amicable solution of the problem with a delegation of the French Supreme Council for Audio Visual Media, which was visiting Lebanon at the time.

19.03.2004- **50 Organizations from 15 Countries Spell out Visions of Political Reform in the Arab World**
Under the title ‘Is the Arab World on its Way towards Democratic Reform and the Consolidation of Human Rights?’ about 60 representatives of 50 NGOs from 15 Arab countries, have successfully concluded the functions of the ‘First Civic Forum Parallel to the Arab League’ in Beirut. The forum was organized by the ‘Cairo Centre for Human Rights Studies’, in cooperation with the Lebanese, ‘Adl’ (Justice), for Human Rights and Freedoms, the Palestinian Huqq (Rights), the Euro-Mediterranean Network for Human Rights and the International Federation of Human Rights. The forum has formulated the general outlines of an initiative for political reform in the Arab world, which has later been sent to Arab Kings and Presidents for their consideration.

22.04.2004- **Sentencing the Manager of Asharq Alawsat Newspaper in Absentia**
Journalist Ibrahim Awad, the manager of Asharq Alawsat newspaper’s office in Beirut was sentenced in absentia for one year in prison and a fine of 33.333 thousand dollars, for the publication on December 31, 2001, of a report about ‘the escape of the President of the Republic, President Emile Lahoud from an assassination attempt in Monte Carlo’.

25.04.2004- **Nafie and Karam Request the Repeal of Ibrahim Awad’s Sentence**
Mr. Ibrahim Nafie, president of the Arab Journalists Union and Mr. Milhim Karam, deputy president of Lebanese Editors in Chief Union and president of the Permanent Committee of Freedoms, requested the Lebanese Publications Court to repeal its sentence, in absentia, against Asharq Alawsat Beirut manager Mr. Ibrahim Awad.

03.05.2004- **Al-Manar TV Banned from Attending Powell’s Press Conference**
A member of staff in the Hezbollah Channel Al-Manar said that American officials have banned the network from covering a press conference held by the American secretary of state, Mr. Colin Powell, in Damascus. The channel was also denied participation in the coverage of Powell’s arrival and functions before his meeting with President Bashar Al-Assad. The member of staff said that the director of the American Cultural Centre in Damascus told him that his presence in the venue of the press conference ‘was not acceptable.’

22.06.2004- **Al-Hayat Board of Directors appoint Ghassan Sherbil as Editor**
The Board of Directors of the London based Al-Hayat newspaper has decided to appoint as editor in chief, Mr. Ghassan Sherbil, to succeed Mr. George Sam’an who
had decided to supervise the twinning project between the newspaper and LBC TV Channel.

26.07.2004- **French Media Council demands the suspension of Al-Manar**

In a letter to the Supreme Administrative Court, in Paris, the French Supreme Council for the Audio Visual Media demanded the suspension of Al-Manar satellite channel from broadcasting through French airwaves. Quoting the new law issued on July 9, which has introduced certain regulations on audio-visual transmission and enabled the council to appeal to the administrative court, the letter asked the court to order Euro-Tele-Sat, the company responsible for running satellites in Europe, to block Al-Manar from transmitting to France.

05.08.2004- **Lebanon Protests the Suspension of Al-Manar**

Mr. Jean Obeid, the Lebanese minister of foreign affairs, strongly criticized the decision of the French Supreme Council of Audio Visual Media, for banning Al-Manar satellite channel from broadcasting to France. He confirmed that the decision was taken for political motives. In a press conference, the minister said that whenever some Israelis had been criticized for historical injustices they had had committed, that would be construed as criticism of the Jews as a people and of Judaism as a religion. He added that the presumed anti-Semitism had not been depicted by viewers who followed the Manar series, warning against the tendency and the plot to identify Israeli erroneous practices with the Jews as a people or Judaism as a revealed religion.

11.08.2004- **American and British Firms close Two Sites of Hezbollah**

American and British internet firms have closed two sites of Hezbollah, previously hosted by them. A party official responsible for the internet said that ‘Foust Host’, a British internet provider, had closed a party website it used to host, alleging that it was connected to ‘terrorism’. He rejected a possible link between the firm’s decision and previous procedures taken by French authorities against Al-Manar TV.

12.08.2004- **An Actress & A Presenter take Lebanese Newspaper to Court**

Lebanese actress Raly Shamiya and the Egyptian presenter of ‘Super Star’ program, Aiman Al-Qaisoni, have jointly initiated court proceedings against a Lebanese newspaper on charges of libel and violation of privacy. The newspaper had published photos of the two celebrities in intimate situations and depicted them on the beach in their bathing suits. One of the photos found its way to the front page of the newspaper.

11.08.2004- **Wide Solidarity with Al-Manar TV**

Lebanese President of the Republic, Emile Lahoud warned that any procedure taken by France against Al-Manar TV was liable ‘to undermine the rights of Lebanese media to carry our point of view to the French and European public opinion.’ He called on France to ‘uphold the principles it had always fought for.’ Ministers, parliamentarians, politicians and journalists met together in the building of the journalists’ trade union to express their solidarity with Al-Manar, which was also facing a lawsuit that could ban it from transmission through the European Satellite.

13.08.2004 - **Lebanon Conveys to France its Solidarity with Al-Manar**
Lebanon has officially conveyed to France its support of Al-Manar satellite channel, rejecting the suspension of the channel by the French judiciary on charges of anti-Semitism. In a letter to the French ministry of foreign affairs, the Lebanese government said that ‘the programs transmitted by Al-Manar aim to condemn the policies of Israeli governments, and are by no means racist or critical of Judaism as a religion or the Jews as a people, as the critics of the channel surmise.’ The letter added that ‘the case against the channel took a political rather than a judicial turn.’

21.08.2004- **French Judiciary Provides Time Frame for Al-Manar to Comply**

The State Council, the highest administrative institution in France, has fixed the first of October 2004, as the final date for Al-Manar to comply with the rules of Supreme Council of Audio Visual Media, which demanded the suspension of Al-Manar in France, as a punishment for its transmission of a TV series considered anti-Semitic. If a settlement had not been reached by that date, transmission to France should be suspended by November at the latest. The settlement should contain an undertaking by the channel to be submitted to the Supreme Council, that it would respect the ethical and professional code of practice in its programs.
Libya

A Chronology of Press Freedom and its Violations in Libya

10-09-2003- Libyan President demands Damages of One Million Pounds from Egyptian Journalist:

A Cairo court heard a suit made by President Qadhafi of Libya against journalist Saleem Azzouz accusing him of insulting him in an article he had published in the opposition al-Ahrar newspaper in October 2000. The suit, raised on behalf of President Qadhafi by his council, says that the journalist has insulted the whole Libyan people in the person of its President and demanded damages of one million Egyptian Pounds.

10-12-2003- In the Tenth Anniversary of his Disappearance, Organizations ask for Information about al-Kikhya’s Destiny:

International organizations and Human Rights Groups asked the Libyan government to uncover all the information they have about the disappearance, ten years ago, of Mr. Mansour al-Kikhya, former foreign affairs minister of Libya and its former representative in the UN. Amnesty International asked Libya to end ten years of silence and shed some light on the disappearance of al-Kikhya, in the hope of putting an end to the suffering of his family. In a statement it issued on the occasion, Amnesty International said that al-Kikhya was last seen on December 10, 1993, in Cairo, where he had been attending a conference held by the Arab Organization of Human Rights. Despite tireless attempts by his family and human rights organizations to obtain some information about his disappearance, his family is yet to receive such information. In the same vein, the Libyan government had also been asked to provide information about the disappearances of many citizens which took place in similar circumstances, including Jaballah Matar and Izzat Youssef al-Magreef, two opposition activists who also disappeared in Cairo in March 1990.

31-12-2003- Libya, Malta decide to stop the Mediterranean Broadcasting Station:

The Times of Malta reported that the ‘The Voice of the Mediterranean’ which had been broadcasting for more than 20 years, would be closed, after the withdrawal of Libya which used to jointly finance it with Malta. The two countries used to pay 420 thousand dollars each. Libya still owes 2.3 million Euros to the station.

10-01-2003- Libyan Sue 14 Egyptian Journalists for Criticizing Qadhafi’s Decisions:

Egyptian journalists union has been notified that the Libyan Embassy in Cairo has submitted a libel case against 14 Egyptian journalists accusing them of insulting and humiliating President Qadhafi, in articles they had published about Tripoli’s decision to dismantle its weapons of mass destruction. The list of journalists includes Abdallah al-Sinnawi, editor in chief of ‘al-Arabi’ newspaper, the mouthpiece of the Nasserite Party, Abdel Haleem Gindeel, executive editor of the same newspaper, Mohamed Amer, editor in chief of ‘al-Haqiqa’ the mouthpiece of Ahrar Party, Adel Hammouda, editor in chief of the independent ‘Sawt al-Umma’. The union’s secretary general, Mr. Yahya Gallash said ‘it appears that the Libyan embassy considers any criticism of the Libyan decision, a personal insult of President Qadhafi in particular and the Libyan
Jamahiriya in general’. He said that the embassy intends to raise the case to the attorney general quoting article 181 which punishes insults against foreign Kings and Presidents with one year in prison.

11-01-2003- Libyan Human Rights Organization demands Liberalization:
Participants in a panel about human rights in Libya, held in London, asked the Libyan government to make major and radical changes in the political life of the country, launching public liberties and respect for human rights. The panel, which had been organized by the Libyan al-Raqeeb Foundation, accused Tripoli of committing serious violations of human rights. They demanded of the Libyan government to investigate the death of tens of prisoners in the Abu Salim detention camp and disclose the suspicious circumstances that allowed that to take place. The organization expressed deep concern over the destiny of hundreds of political prisoners and others, some of whom had been languishing in prison for more than a decade, without investigation or trial.

21-01-2003- Qadhafi makes Libel Case against Moroccan Newspaper:
Libyan President, Muammar Qadhafi started libel proceedings against Mr. Mustafa Alawi, the manger of the Moroccan al-Usbu’ newspaper accusing him of insulting and humiliating him by publishing a caricature of the Libyan President without his pants. The drawing was a comment on the Libyan decision to dismantle weapons of mass destruction. Mr. Alawi who was released in a Royal amnesty, was in Paris for treatment at the time the libel case was submitted against him,

27-01-2003- Suspension of ‘Zahf al-Akhdar’ NP for Warning against Tyranny:
‘Zahf al-Akhdar’ (Green On the Move) Newspaper, mouthpiece of the ‘Revolutionary Committees’, had been suspended for one week for publishing an article under the title: “Revolutionary Vision: No Leadership other than the People”, warning against tyranny and monopoly of power by any President, even if he happened to be an angel, or by any cabinet even if they were Philosopher Kings and geniuses, or Parliament, even if it was composed of impeccable revolutionaries. The writer then asked for widening the degree of real participation in power to include everyone without exclusion or guardianship. He said that that could only be done through the empowerment of public institutions: conferences and committees working with full transparency and credibility.

29-01-2003- Zahf al-Khdar reappears with New Editor in Chief:
Zahf al-Akhdar newspaper resumed publication after the appointment of a new editor in chief: Dr. Abdel Qadir al-Hidairi.

Libyan Writer assaulted in Public Place:
Mr. Abul Gasim al-Mashai, a press freedom activist, had been physically assaulted in a public place. Eye witnesses said members of security agencies, one of them an officer, and another in plain clothes, with a group of security agents, closed the road and stopped the writer and beat him. Mr. Mashai is also an official of the legal organization of the Maghreb, a non-governmental organization.

18-03-2003- Libyan Journalist Arrested for more than One Year:
Arab Press Freedom Watch received information disclosing that Mr. Abdel Kareem Ahmed Bazima, a former editor in chief of ‘Space and Aviation’ newspaper, had been under arrest since December 27, 2002. His family was not allowed to visit him and remained ignorant of his whereabouts. The rumors the family heard were that he was held with the Mukhabarat in Tripoli accused of collaborating with the Americans because he had met an American official in Tunisia. Space and Aviation was first published in Cyprus in 1988 with Libyan finances but came to a stop in 1992.

24-03-2003- **APFW calls for Release of Journalist after 31 Years in Prison:**
Arab Press Freedom Watch asked the British Prime Minister, Mr. Tony Blair, to use his good offices with the Libyan authorities to try to release Libyan journalist Mr. Ali Abdallah who had been under arrest since 1973. President of the organization, Mr. Ibrahim Nawar, sent a letter to Mr. Blair on the eve of his visit to Libya, expressing hope that the Prime Minister’s visit would lead to positive results in the fields of political, social and economic reform, democracy, rule of law, separation of powers and political and trade union liberties, especially the freedom of expression and respect for human rights.

13-06-2003- **The First Culture Minister starts Tenure with Closing ‘Arajeen’ Magazine:**
In an unprecedented move the first minister of culture in Jamahiriya, started his reign with closing a cultural magazine. Arajeen (Off Shoots) is printed in Cairo and has a different approach to the cultural issues in Libya. Its closure was based on the 30 year old ban on private newspapers and magazines.

16-09-2003- **Release of Prisoner of Conscience:**
Mr. Ashore Nasr al-Warfl, who had been arrested on July 11, 2004, because he criticized Saif al-Islam Muammar Qadhafi and his sister Ayesha, in an opposition website, has been released. Pending trial, he had been banned form leaving the country.
A Chronology of Press Freedom and its Violations in Morocco

4 Years in Prison for Journalist Al-Murabit and the Closure of Two Newspapers:
Al-Rabat Criminal Court has sentenced journalist Ali Al-Murabit for four years in prison and a fine of 20 thousand dirham (2000 dollars), after convicting him of charges of ‘Insolence to the Royal Persona’, ‘Insulting the Royal Regime’ and Threatening the Royal Realm’. The court also decided to close two comical weeklies: Duman Magazine, and Duman, both edited by Mr. Ali Al-Murabit.

26.05.2003- Al-Murabit transferred to the Hospital:
Going on a hunger strike for six days, the health situation of journalist Ali Al-Murabit seriously deteriorated, and he was transferred to Ibn Sina Hospital under strict security. Mr. Murabit went on hunger strike in protest of his conviction and his 4 year sentence.

19.06.2003- A Call for the Release of Ali Al-Murabit:
Arab Press Freedom Watch expressed strong condemnation of the imprisonment of journalist Ali Al-Murabit and the later upholding of the sentence by the Appeals Court. The organization called on Moroccan authorities to drop the sentence and set him free, and thus help to create a new atmosphere of respect for human rights, press freedom and democratic transformation.

23.06.2003- Ali Al-Murabit Ends his Hunger Strike:
Journalist Ali Al-Murabit has decided to end his hunger strike that continued for 48 days. Mawlai Prince Husham Al-Alalawi, a cousin to the king Mohamed the Sixth, who is known for his criticism of the pace of the kingdom’s administrative reform, intervened to convince Mr. Al-Murabit to end his protracted hunger strike.

02.07.2003- The Trial of Al-Ussbu’ begins in Earnest:
Charged with the publication of a statement issued by an unknown organization that claimed the responsibility for the Casa Blanca bombings, the trial of Al-Ussbu’ editor in chief, Mr. Mustafa Al-Alawi, has started in Rabat.

04.08.2003- Imprisonment of 4 Journalists on Charges of Incitement:
The Rabat Court of Appeal sentenced Mr. Ali Zakaria Bu Gharara, for ten years in prison because of articles he had written, considered encouraging terrorism. Other sentences ranging from one to three years were issued against three journalists. Mr. Mohamed Al-Howari, managing director of Al-Sharq newspaper published in Wajda town, was sentenced to three years with his newspaper suspended for three months because of republishing an article by Abu Gharara about the May 16, Casa Blanca bombings. Editor in chief of Al-Sharq, Abdul Majid bin Tahir was given a one year sentence. Mustafà Qishnini, managing director of Al-Hayat, was also convicted for publishing the same article of Abu Gharara and sentenced for one year, with the suspension of his newspaper for three months.

31.08.2003- Media Liberalization starts with Licensing “SAWA”:
Communications Minister, Nabil bin Abdalla, announced that the Moroccan authorities have granted a license for the American broadcasting service “SAWA”, transmitting to the Middle East and North Africa from Washington. Programming of the American service on the FM wave is heard in many major Moroccan cities. ‘SAWA has applied to the respective authorities’, the minister said, ‘and careful study showed that its application had satisfied all the requirements.’ He added that licensing the American broadcasting service was the first step in the liberalization of the audio visual sector along lines of breaking the monopoly of the state over the media.

10.09.2003- Appointment of New Officials in the Media:
Moroccan Monarch, Mohamed the Sixth, has appointed a number of new officials in the information sector, including the management of the two satellite channels. Most of the new appointees are said to be confidantes of the present communications minister Nabil bin Abdalla.

26.09.2003- Le Journal de Dumanche to be Printed in Casa Blanca:
The Moroccan government has agreed to print the French weekly Le Journal de Dumanche, one of the most popular newspapers selling more than one million copies. But its influence is still less than that of Le Monde, especially among the French or Francophone elites.

29.10.2003- Families of Arrested Journalists demand an End to the Violations of Human Rights:
The families of arrested journalists Ali Al-Murabit and Mohamed Al-Harad, participated with hundreds of Moroccan Jurists, in demanding an end to the violations of human rights in Morocco and asked the government to uncover the circumstances of the disappearances of tens of Moroccan citizens in mysterious circumstances. Marking the 38 anniversary of the disappearance and assassination of the Moroccan political leader Al-Mahdi bin Barka, hundreds of people from the legal profession gathered before the Moroccan Parliament to protest the serial disappearances, kidnappings, torture and kangaroo courts. They explicitly criticized the way the government is dealing with human rights.

16.11.2003- Minister of Information: The license of ‘SAWA’ is Temporary:
Minister of Communications (Information) and the official spokesman of the Moroccan government, Mr. Nabil Abdalla, said that the American broadcasting service ‘SAWA’ which transmits its programming in Arabic, has been given a temporary license. He added that the license was granted in accordance with the present orientation of the government to break the state monopoly on the media, but the license would be reviewed after the formation of the Supreme Council of the Audio Visual Sector. The minister added that SAWA was the only station to be granted such a license which some people surmised it had been given to Margaret Tatwiler, the American Ambassador in Morocco as a parting present on her leaving the country.

23.12.2003- Al-Ahdath Newspaper put on Trial for publishing false Information about Royal Police:
The instant court in Tatwan has started hearings in the case submitted by the Chief Royal Constable against Al-Ahdath Newspaper on charges of publishing false information about the Royal Police.

07.01.2003- **Arab Press Freedom Watch Welcome the Release of 7 Journalists including Al-Murabit and Al-Harad:**
Arab Press Freedom Watch welcomed the release of the Moroccan journalist Ali-Murabit who was released in a Royal Amnesty that included 7 Journalists. Ali Al-Murabit, the owner of two weeklies: the French Du Man Magazine and the Arabic Du Man, was sentenced for three years in March 2003 when he was convicted of ‘Insolence to the Royal Persona’. Released in the same group was Mohamed Al-Harad, editor in chief of Al-Sharq, published in Wajda, who was convicted of writing articles that encourage terrorism.

08.01.2004- **Al-Ahdath Al-Maghribya Receives Threats:**
Al-Ahdath Al-Maghribya (Moroccan Events), announced that it had received a mysterious letter of threats. The publisher and editor in chief of the most popular publication in Morocco, Mr. Mohamed Al-Barini said in an editorial: ‘Terrorism does not intimidate us’, that they had delivered the letter to the Moroccan security agency. But he declined to uncover the nature of the threats he had received.

09.01.2004- **Strong Solidarity with Al-Ahdath Al-Maghribya:**
The Moroccan Journalists Trade Union and the Moroccan Organization for Combating Terrorism and Racism, organized two days ago, a demonstration in solidarity with ‘Al-Ahdath Al-Maghribya’, before the buildings of the newspaper, in Casa Blanca. Many journalists, politicians, civil society activists, youth organizations, present and former government officials have all participated in the demonstration. It was worthy of note that so many people who were not in agreement with the line of the newspaper, have expressed unconditional solidarity with it, differentiating between their political disagreement with the most popular Moroccan newspaper, their former clashes with it, and the imperative of forming one front in the face of religious fundamentalism.

27.01.2004- **Panel calls for Activation of Freedom of the Press in Arab World:**
Participants in the international panel on the freedom of the press, organized by the Information Centre of the Middle East and North Africa, called for wider cooperation between Arab organizations and their international counterparts to give more force and vitality to the freedom of the press in these countries. The panel discussed the experiences of different organizations in the area in combating restrictive laws, the role of the internet in the Arab world and the restrictions imposed on it here and there.

08.02.2004- **Al-Usbu’ Magazine goes to Court for Insulting Qadhafi:**
Judicial sources said that Al-Usbu’ magazine would be put on trial for ‘insulting and savaging’ the Libyan Leader Muammar Qadhafi. Libyan authorities have protested the publication of a caricature of a man without under pants, in an article about Libya’s destruction of its weapons of mass destruction programs.

20.02.2002- **Jazeera naturalizes Relations with Morocco, and sets camp in Rabat:**
After a rocky period of tensions and discord, which witnessed the withdrawal of the Moroccan ambassador in Doha and the expulsion of a TV mission doing some programming for Al-Jazeera, the channel has been allowed to operate in the country and open its offices in Rabat. Moroccan authorities said the coverage of Al-Jazeera used to be hostile to the kingdom, exaggerating whatever negative aspects it lays its hands on and sometimes publishing outright falsifications.

01.03.2003- **Tajamu’ Party Newspaper stops Publication amid Rumors of Conflict:**
“Attajamu’” newspaper announced in its editorial that it would stop publication because of a ‘financial crisis’ caused by the decision of the political bureau of the ‘National Alliance of Freemen’ not to finance it. Members of the party, though, said that the real reason was a conflict between Mohamed Ojar, human rights minister, the publisher of the newspaper and the leadership of the party.

18.03.2004- **People in the Legal Profession protest Party Leader’s Proceedings against Newspaper:**
Darb Al-Sultan minor court in Casa Blanca has started hearing the case submitted by the general secretary of the Social Democratic Movement, Mr. Mahmoud Arshan, against ‘Bayan Al-Yom’ published by Progress and Socialism Party, over charges of libel. In another libel case submitted by the same plaintiff, last month, against the publisher of the newspaper and the journalist Narjis Al-Raghai, the appeals court convicted Ms. Narjis Arraghai for publishing, in the French Language publication, an article accusing Mr. Arshan of committing torture crimes against detainees in Darb Maulai Al-Sharif detention centre.

09.04.2004- **HR Organization Criticizes Constitution and demands Amendments:**
Mr. Abdul Hamid Amin, President of the Moroccan Society for Human Rights, said that legal reforms achieved in Morocco, which had not been deeply embedded in Moroccan cultural soil, were partial, flimsy and liable to be withdrawn at any time. In his address to the seventh conference of the organization, Mr. Amin criticized the present situation of human rights in Morocco and said that ‘although the past period has witnessed the introduction of the family law, and the formation of the committee for reconciliation and justice, but it has also witnessed serious set backs in the field of human rights.’

03.05.2004- **Arab Press Freedom Watch hold Third Conference in Morocco:**
In cooperation with the National Union of Moroccan Press, Arab Press Freedom Watch held its third conference in Casa Blanca under the slogan: ‘Reform of Media Policies in the Arab World’, and putting an end to the interference of the state in the information sector.

03.05.2004- **Journalists Union Report exposes Neglect of the Press and Deterioration of Journalists Situations:**
In its annual report, 2002-2003, the Moroccan Journalist Union, criticized the exceptional license given to the American ‘SAWA’ Broadcasting Service, by the Moroccan Ministry of Information, before passing the Broadcasting and TV Liberalization Bill in Parliament, describing the license as ‘suspicous and illegal’. 
The report also highlighted the harassment of journalists especially after the Casa Blanca Bombings in May last year, accusing the authorities of being guilty of repressive practices against journalists for no obvious or justifiable reasons. Massive evidence was also found indicating serious deterioration in the financial and professional situations of the journalists, including massive redundancies, due to the closure of some newspapers, arbitrary sackings and long delays in monthly payments.

06.05.2004- Arab Press Freedom Watch issues its Final Communique:
Concluding its third annual conference, Arab Press Freedom Watch issued it final communiqué announcing the success of the conference which passed the Basic Laws and Rules of the organization, with the majority of votes, and the election of the Executive Committee of the organization and its President. The new executive committee is as follows: President: Ibarhim Nawar (Egypt), Deputy President: Ali Jarri (Algeria), Deputy President: Maha Al-Salihi (Bahrain), Members: Amal Abbas (Sudan), Hassan Abdul Khaliq, (Morocco), Raja’I Al-Mirghani (Egypt), Fa’iq Batti (Iraq), Mahboub Ali (Yemen), Youssef Fadel (Egypt)

24.06.2004- Audio-Visual Media Draft Bill before Parliament:
At the end of a tortuous journey, and dramatic vicissitudes the draft audio-visual liberalization bill has reached the Parliament. In case of being passed, the bill will enable the private sector to invest in this field, breaking the state monopoly of more than five decades.

28-06-2004- Amnesty Int’s Report uncovers Clandestine Torture Camp:
A report by Amnesty International has uncovered the existence of a secret camp for torture, in the city of Tamara, near the capital Rabat. The report says that torture is practiced on a systematic and regular basis and adds that ‘the Tamara camp, under the supervision of Moroccan security is a place where torture is a normal practice.’

28-06-2004- Security Forces attack two Journalists and Investigate a third:
Rashid Nini, the journalist with Moroccan Second Channel and ‘al-Sabah’ daily, had been physically assaulted by the security forces due to his coverage of the protests by unemployed Ph.D. and Master degree holders. On the same occasion, security forces manhandled journalist Nofal al-Mutawakkil, editor in chief of ‘Reef’ local newspaper, confiscated his camera and treated him in an ‘ethical way’ as he said. Security agents also investigated journalist Kareem al-Bukhari of the French language ‘Til Kil’ magazine about articles he had published previously.

02-07-2004- Minister of Justice denies Existence of Torture Camps:
Minister of Justice, Mr. Mohamed Buzba, denied the existence of any torture camps in Morocco. He said that the camp mentioned by Amnesty International as a secret torture camp, ‘is an official camp under the supervision of the national security forces.’

12-07-2004- General Secretary of Journalists Union resigns from ‘Alam’ newspaper and Independence Party because of Censorship:
Mr. Abdel Kareem al-Magharba, secretary general of Moroccan journalist resigned his post in the board of ‘Alam’ newspaper, and his membership in Independence
Party, in protest of the newspaper publishing some articles without his knowledge and tampering with an article he had written.

30-07-2004- **People form the Legal Profession Prevented from Demonstrating before security Offices:**
Police pushed away about one hundred demonstrators gathered in front of Security Headquarters, in protest of torture in Tamara prison camp. The protesters demanded that the powers of security should be strictly defined and such violations should not be allowed to happen again.

21-10-2004- **Human Rights Watch Criticizes Morocco:**
A report by Human Rights Watch launched very harsh attacks against Morocco because of what the organization called ‘serious setback’ in the human rights situation because of the war against terror. The report says that ‘the campaign launched by Moroccan authorities against Islamic militants has seriously undermined the progress achieved by Morocco in that field, especially after the enactment of a new anti-terror law.’
Palestine

Palestinian Media Map:
The Clash between Sovereignty and Occupation

By: Saeda Hamad
Palestinian Journalist

(Paper presented to the APFW Annual Conference- Rabat- May 2004)

Compared to Arab and international media, the Palestinian media is in a class of its own. Pressed between the grim reality of the Israeli occupation of most of the Palestinian lands since 1967 (The West Bank and the Gaza Strip), and the vicissitudes of the Palestinian nation “finding” and nation building, the nascent Palestinian media is still feeling its way and trying to establish the right attitudes and traditions towards society at large and within the context of the political, social and cultural processes which have a direct bearing on its development.

One defining characteristic of the Palestinian media, which stands out before all the others, is its ‘confrontational’ nature. Both clandestine Palestinian newspapers and newsletters, which used to be published inside Palestine before the Oslo Accords, and the Palestinian mass media in the ‘Diaspora’, had been confrontational in their message and tone. That this has left indelible birth marks on that media after the formation of the Palestinian Authority, should not surprise us in the least. Unable to transcend its existential circumstances, the Palestinian media would remain captive, for the foreseeable future, to its political commitment and its confrontational attitude towards the occupation authorities.

Professional Weaknesses of Palestinian Media and their Reasons

Many political, legal, economic and social factors act in unison to define the nature of Palestinian media. The end result of all that has been the professional weaknesses depicted by all the polls and surveys about the patterns of information consumption and usage in Palestinian society. These professional weaknesses should not be obscured by the proliferation of media venues after the establishment of the Palestinian Authority, which is, of course, a very positive development in the history of Palestinian media.

According to an opinion poll by the ‘Quds Centre for Media and Communications’, in 1999 (before the Intifada and in circumstances of relative stability), 79% of Palestinians preferred the TV of other media organs and considered it their main source of information. 24% of these depended on Palestinian TV, compared to 55% of those polled who depended on Arab Satellite Channels and the Arabic service of Israeli TV as their main sources of information.

As for the Broadcasting services, the poll found out that 20% of Palestinian adults considered the Arabic service of the Israeli broadcasting station, more independent than ‘The Voice of Palestine’, the official broadcasting service of the Palestinian Authority. 30% of Palestinian adults tuned in to Arab and international broadcasting services and depended on them for news and information. If we add this to the earlier 20%, we find that 50% of adult Palestinians depended on non-Palestinian sources for their information.
Another poll performed by the Palestinian Central Statistical Centre, on print press, found that only 12% depended on the three local newspapers: (Al Quds, Al Ayam and Al Hayat Al Jadida) as sources of information. Another poll performed by ‘Al Quds Centre for Media and Communication’, found this to be 12.8%, which shows a very close result.

Average daily circulation of the three daily newspapers is between 40-45 thousand. According to the last census the population of the West Bank and the Gaza Strip is 3.6 million, 47% of whom are adults, which means that one in every 33 thousand reads a daily Palestinian newspaper.

There are many reasons for this weakness in the circulation of Palestinian newspapers, of which we can mention the following:
Firstly: the relative lack of experience in dealing with the press as a profession in its own right, rather than a political arm of this or that organization. (70% of Palestinian journalists believe that the political message comes before and has an established priority over professional criteria in the press.)

Secondly: the majority of Palestinian journalists (54%) are composed of young and inexperienced people who have come to journalism from other jobs. This has been borne out by a poll performed by the Media and Communication Centre among 228 journalists.

Third: the low incomes of journalists and the total neglect of their rights and well-being.

Fourth: the nature of Palestinian society itself as a conservative, patriarchal society and the difficulty of dealing with social attitudes and traditions (like religion, sex and the like) in such a society. The fact that the ‘struggle against the occupation is given precedence over dealing with social problems is both a performance of a national duty and an opportunity to avoid delving into these dangerous areas.

Fifth: the uninviting legal environment and the absence of the rule of law.

The Economic Factors
The economic factors are decisive in defining the nature of the Palestinian media and in charting the way for its development or otherwise. The Palestinian media market, understandably, is structurally very weak: demand for advertisements is sluggish and prices are very low. While the average price of a medium press ad is 50 US dollars, a 30 seconds ad on a national TV channel costs between 12 and 15 US dollars. (A similar ad would cost 2000 dollars in Saudi Arabia and 200 dollars in Jordan.) These prices are relatively very low compared with prices in Israel. Although the prices of input like broadcasting equipment, printing, fuel and paper, for both the Israeli and Palestinian markets, is the same, we find that the average annual income of an Israeli citizen is 16 times that of his Palestinian counterpart.

As a result of this critical economic situation, press institutions have a strong tendency to reduce either the salaries of journalists or their numbers. Another related outcome
is the virtual absence of local audio-visual production. Research and surveys in this field, including a survey conducted by the Publications and Publishing Directorate in the Palestinian Ministry of Information, indicate that material ‘reproduced’ or quoted from external sources, represents a very high percentage of the news and commentaries published by the Palestinian press. This percentage is 57% for Al Quds, 65% for Al Ayyam and 43% for Al Hayat Al Jadida. It has also been observed that the percentage of ads compared to that of the news, is relatively high. (Al Quds newspaper, for example, adds new pages when it has additional ads not an additional amount of breaking news.) As for the local broadcasting stations and TV channels, which amount to more than 40 stations and channels, entertainment programs represent a very high percentage of all aired material. (85% in May 2000 i.e. before the Intifada, 70% of which was taken from other satellite channels.) The rest of the airtime is filled with local talk shows of a social and political nature.

This aggressive ‘high-jacking’ of foreign programs and news is a direct result of the dire economic situation and the utterly depleted resources of the Palestinian media.

**Legal and Political Environment:**
Despite the proliferation of broadcasting stations and TV channels after the establishment of the Palestinian Authority, to more than 40, there is no law to regulate the performance of the Palestinian media, except the seriously defective and highly contradictory Publications Law signed by President Arafat in 1995. Since that law was passed before the election of the Palestinian Legislative Council, and since many of its articles are ambiguous, seriously lacking in specificity and relevance, many MPs have been trying to amend it to cover the new audio-visual fields, without any success so far. Adding insult to injury, the Palestinian Authority normally ignores its own law when dealing with the media. Any media practices found objectionable by the PA, normally for political considerations, are dealt with through the executive branch of the PA in coordination with the security forces. Due to the absence of a well-defined legal framework, the intervention of the PA in the media has become almost a daily practice. Under the present circumstances of the Intifada, these interventions normally take place through phone calls to ‘notify’ media officials and journalists of certain ‘violations’ or ‘improprieties’, which they have allegedly committed and they are duly threatened with suspension for a specified period of time.

It has to be noted, though, that political parties and other civil society organizations, are largely responsible for the present state of the Palestinian media. Most of these organizations have failed in establishing the sort of viable media that could consolidate and strengthen democratic attitudes and contribute to an enlightened discourse on a variety of controversial issues within the Palestinian society. Palestinian citizens can hardly be expected to play an active role in the running of their own society, without the free flow of information from different sources and without exposure to different points of view and different shades of opinion.

**Trade Unionism:**
Contrary to the state of affairs before the establishment of the PA, and to the disappointment of many, trade union organizations for journalists and media employees have disappeared after the emergence of the PA. But the responsibility for the creation and maintenance of such organizations is the responsibility of the
journalists themselves. Although the reasons that lie at the heart of this failure are mainly of a political nature, the weakness of the journalist body itself plays a pivotal role in keeping them in the present state of disarray.

**Palestinian Media Map**
The Palestinian Ministry of Information is responsible for licensing the different media in the country. Since its inception, the ministry has issued more than 122 licenses, for 80 magazines and 42 newspapers, the majority of which are not published on a regular basis. Of these there are only three daily newspapers: Al Quds, Al Ayyam and Al Hayat Al Jadida. Let us say a few words about them.

**Al Quds:**
First published in 1986 in Jerusalem, Al Quds is subject to the monitoring and censorship of the Israeli military authorities. It sells about 25 thousand copies and while the ratio of ads to other material is 57%, more than 65% of that material is reproduced or taken from non-Palestinian sources.

**Al Ayyam:**
Al Ayyam was established after the PA. It distributes about 12 thousand copies, with 40% of its size occupied by ads and 49% of its news and commentaries from news agencies and the Arab and Israeli press.

**Al Hayat Al Jadida**
First published after the PA, Al Hayat Al Jadida distributes about 8 thousand daily copies, with 38% of its size for ads and 60% of the news reproduced from news agencies and Arab and foreign newspapers.

The three newspapers are mainly concerned with the Palestinian Israeli conflict, leaving very little time and effort for social and cultural issues. Being obsessively nationalistic, and protective of Palestinian unity, they hardly raise controversial issues. Due to the various reasons we have mentioned before, financial and professional, many of the Palestinian journalists work as the correspondents of foreign media organizations and are more keen to serve their foreign employers than developing their local newspapers.

Political parties, movements and organizations do not publish newspapers of their own.

**Weekly and bi-weekly newspapers:**
* Istiqlal (Independence) which is published by the ‘Islamic Jihad’ organization. Its editor in chief is Alla’ Alsaftawi.
* Al Masar (The Path) which is published by the Democratic Front for the Liberation of Palestine, with Dawod Talhami as editor in chief.
* Al Risala, the newspaper of the Islamic Movement.

**Monthly Magazines:**
These can be divided into two categories: entertainment magazines like ‘Fosta’, and political ones which are mainly partisan and propagandistic like Al Awda “Return”, Al Haqiqa (The Truth). Nidal Al Sha’b (People’s Struggle”, Sawt Al Watan “Voice of

**Weekly, bi-Weekly and Monthly Supplements**

These are specialized supplements, most of which are affiliated with Al Ayyam newspaper, although they enjoy some degree of autonomy if not independence, because they have their own staff and independent financing. The following are the most important amongst them: Sawt Al Nisa’ “Women Voice”, “Environment”, Nida’ Al Tufula “Call of Childhood” and Sawt Al Amil “Voice of the Worker”.

**Audio-Visual Media**

One month ago the Palestinian Broadcasting Station, the Voice of Palestine, which used to transmit on two wavelengths from the West Bank and Gaza, decided to centralize its service. After the destruction of the Intifada broadcasting station in Ramalla, by Israeli bombers, the Voice of Palestine decided to use the local FM wavelength in accordance with the Oslo Accords. In addition to that there are two TV channels one subscribing to Arab Sat, and the other broadcasting on the local YHF wavelength.

The latest survey shows that there are more than 40 broadcasting stations and TV channels of private, public and mixed ownership. The majority of these stations send on SVHS and even on home VHS systems. Only a few of those operating these stations have any technical knowledge of what they are doing. With the exception of Amwaj “Waves”, and Watan “Homeland”, Al Quds Educational in Albira town, Beir Zeit, and Al Mahd “Nativity” in Bethlehem, all these stations are not heard or seen outside the bounds of their respective cities or provinces.

The most important public and private services are Amwaj ‘Waves’ which is both a broadcasting station and a TV channel, and Angham ‘Tunes’, for they cover both the West Bank and the Gaza Strip. City stations like Tolkerm, Nablus, Khalil, Ramalla and Gaza basically serve their own cities, as we have mentioned earlier.

Entertainment, music and quiz shows represent the main menu for all these stations and channels. Although we have witnessed some serious political and social discussions recently, most viewers think that they are yet to reach a satisfactory standard.
The First Ten Years of the Palestinian Authority:
No ‘Good News’ for the Press and its Own
By: Ali Al Salih
Palestinian Journalist
Editor of Palestinian-Israeli Affairs - Asharq Alawsat Newspaper

(Paper presented to the APFW Annual Conference- Rabat- May 2004)

While journalists, especially in the third world, suffer under the repressive policies of their respective governments, Palestinian journalists in the Palestinian territories are caught in an overlapping network of repressive authorities. First there are the occupation authorities who are bent on depriving Palestinian journalists of their basic rights; then there are the occupation troops who normally act independently of the official policy of their regime, and further there are the settlers who make their own laws, act upon them, and continually reinvent the rules of their game and play accordingly. All these issues we leave to our colleague Nazeer Majali to present.

Acting as a lower rung within this repressive network, the Palestinian Authority, with which I will take issue today, has mushroomed into a hydra of security agencies and organizations each representing a tiny state within a tiny state. For all the cruel and absurd fief wars between these agencies, they are never oblivious to the unifying principle that binds them all together: the repression of the Palestinian citizen and the Palestinian journalist. On par with their Israeli counterparts, they often work independently of the official authorities. Added to these are the power centres within the Palestinian Authority itself, each of which is trying, in the absence of that authority, to impose its own exclusive hegemony in an open confrontation with the others. This confrontation is raging with special fierceness in the Gaza Strip in preparation for the expected, un-negotiated and one-sided withdrawal of the Israeli occupation forces from that province and the political vacuum it will leave behind. In this turf war, the journalists are the ones who would normally pay the hefty bill.

This turf war recently culminated in the assassination of journalist Khalil Al Zaban, editor in chief of “Al Nashra”, a monthly newsletter, when he was leaving his office in the early hours of 2nd March 2004. Mr. Al Zaban was gunned down with at least 12 bullets to the upper part of his body, the result of which was instant death. I personally don’t know the late colleague Al Zaban, and have no idea about his political affiliations if he had any, but irrespective of the motives of the murderers, they can never be justified to resort to such barbaric practices in settling differences of opinion.

The identity of the culprits remains unknown and would most probably remain so for the foreseeable future. His wife and daughter were reported to have said that ‘chaos and mafia organizations’ are responsible for the death of their loved man. The two women refused to elaborate, but what they hinted at was not difficult to decipher.

The journalists’ association condemned that heinous crime against the life of Mr. Al Zaban. The Palestinian Authority and the Palestinian Liberation Organization (PLO), the ruling party, did not fail to express their condolences on the death of ‘Martyr Khalil Al Zain’. In the atmosphere of chaos and security break down, prevalent now
in the Gaza Strip, the fate of this case would not be better than previous similar ones, whose files have been closed with the familiar title: Culprit Unknown.

Three days before Al Zaban’s assassination, 15 armed men stormed the Broadcasting and TV building in Khan Younis town, to the South of the Gaza Strip, and occupied the place. It was later discovered that the men were former security agents who had lost their jobs and were trying to get them back. Although the names of the armed insurgents later became known, the Palestinian Authority was incapable of doing anything against them, leaving the door open for similar practices in the future.

The first four months of this year, also witnessed a series of attacks and reprisals, including attacks on journalists’ properties by breaking into and storming journalists’ premises. In addition to what we have already mentioned, 5 such attacks, against journalists and photographers, took place during these four months, 4 in the Gaza Strip and the fifth in Ramallah. They were as follows:

- Shams Abu Auda, correspondent of Reuters News Agency, was severely beaten.
- Sakhr Abu Aun, correspondent of France Press, was also beaten.
- Saif-Addin Shahin, correspondent of Al Arabia Satellite Channel, was severely beaten by masked armed agents. Although the culprits remain unknown up to now, it is an established fact that Mr. Shahin was previously attacked, more than once, by an armed group from the Palestinian Liberation Organization (FATH), ostensibly for his reporting on the internal conflicts in that organization. Shahin was previously arrested for 24 hours. He himself believes that there is a hard core within the ruling elite, responsible for the propagation of violence, because they have reached the conclusion that the emergence of a democratic Palestinian Authority would divest them of all the influence they are wielding now, and of all the perks and privileges attending that influence. These groups, he says, would do whatever it takes, to stem the tide of democratization that would stop their corruption and sleaze and may even lead to calling them to account for the crimes they have already committed.
- On the 2nd of February, and for absolutely unknown reasons, a group of three armed men forced their way into ‘Al Quds Educational Station’, in Ramallah, threatened the staff and destroyed the equipment of the station.
- On the 13th of February, a group of unknown elements, set on fire Muneer Abu Rizq, manager of Al Hayat Al Jadida (New Life) magazine, while he was standing in front of his house in Gaza. Abu Rizq is firmly convinced that the motive behind the attack on his person was his reporting on the armed attack launched by the so-called “The Death Group”, which is affiliated to one of the organizations fighting for the occupation of the Police Headquarters in Gaza, as a means of imposing its hegemony on the whole strip. One police officer died in that attack and 11 were injured.
- The escalation of these attacks, which culminated, as we have mentioned before, with the assassination of Khalil Al Zaban, posed a serious threat to the very existence of freedom of expression and opinion, or the little that remained of them, to be more accurate.
In the aftermath of every attack, people rally together and ask the Palestinian Authority to intervene and do something about this sad situation. The PA, however, remains utterly irresponsible, not because it is not willing to do something, at least to restore some of its influence and respect, but because it is incapable of doing anything, which is worse. Many people say that some factions within the PA are directly involved in these attacks.

All these are ‘unofficial’ attacks, so what about the official ones? The formation of the Palestinian Authority was greeted with great jubilation and high-flown hopes, from the Palestinians who thought that their long and untold suffering, both at the hands of the cruel occupation authorities and the repressive Arab regimes in the Diaspora, had finally come to an end. They were full of hope that the time had come for the state of the future: a modern state based on democracy, political pluralism and the freedom of expression and opinion. Our suffering people were not asking too much of the returning leadership that had itself been subjected to all sorts of oppression during the long and painful exile, and had a first hand experience of imprisonment, detention, surveillance and aggressive investigations. In short, the people were looking forward to something different from what they had known and endured for a very long time. But that was simply not to be; the hopes were frustrated; the dreams turned into nightmares and all expectations were crushed under the heavy feet of a new repression with a Palestinian face.

Journalists in particular were looking forward to a different approach by the new Palestinian officials who came to assume high positions in the new authority, after a long period of personal suffering. Those officials had first hand experiences of repression and the bitter taste of gagging of free expression while they were in the Diaspora. But contrary to all expectations, contrary to human wisdom drawn from personal experience, the new PA chose to tread the same path of its former executioners, and even to surpass them by the sheer multiplicity of its organs of repression and centres of power. While the so-called ‘Press Violations’, are dealt with, throughout the world, by one governmental agency in each country, we find ten such agencies within the PA, each following the whims of its own master. The troubles of a journalist would not come to an end by being punished by one of these organs for an alleged ‘violation’; as a matter of fact, they might have just started, because all the remaining security authorities ‘reserve for themselves’ the right to investigate, detain and punish him, may be to show that they are not less repressive or ‘softer’ than anyone else! It is a normal practice for a Palestinian journalist to be summoned at the same time, by many security organs to answer for the same ‘violation’ which he allegedly has committed.

If the experience of the first ten years of the rule of a Palestinian Authority which has not yet gained control of all the lands occupied in 1967 is to be a basis for judgment, we have no choice but to pray for the deliverance of the Palestinian people from what is in store for it. We hesitate to think of the time when the PA lays its firm grip on all the Palestinian lands and has at its disposal a security network with the ability to reach every citizen in the land. We hesitate to think about that because there is every possibility that the situation in Palestine, would be worse than any other Arab country, for the simple reason that our security organs have been created and trained by 22
security organs in all the Arab world and they have that vast and unprecedented ‘expertise in repression’ at their disposal.

Before talking about the violations of the PA, especially in the Gaza Strip where it has its real power base, we better mention the utter contempt in which these authorities hold ‘local’ Palestinian journalists. A contempt that can only be matched by the respect they reserve for foreign journalists, especially Israeli ones. The phenomenon is so weird that it defies any healthy explanation. Although we cannot go more into that, we just want to stress the fact that the Palestinian journalist is always the last to obtain information about the PA. Never has a Palestinian journalist obtained a ‘scoop’ from any Palestinian official, nor even has he been honoured by a personal interview with any of those officials at the time of need. Under such strange circumstances, Palestinian newspapers have no choice but to take their information from second hand sources or simply reproduce what has already been reported by the foreign press. The situation becomes more painful when you compare it with the Israeli side, where the officials provide all sorts of information to their own journalists, and even the Prime Minister does not make an important visit abroad or attend an important occasion locally, without having at his side a number of Israeli journalists. The Israeli press gains its credibility, international reputation, and respect through the positive attitude of the Israeli authorities and is held in this lofty position because of the authenticity and contemporaneousness of its news and information.

**PA Violations of the Freedom of the Press:**
During the first ten years of its life, the PA has not hesitated in resorting to all manner of violations of the freedom of the press and freedom of expression. These violations included the incarceration of dozens of journalists and preventing them from practicing their profession, the closure of many newspapers, the banning of different publications from entering Gaza and the confiscation of the newspapers’ properties and the like. It has to be said, though, that the tempo of violations has somewhat slowed down after the present Alaqa Intifada, which started on the 28th of September 2000, not because the PA has become any the wiser or more inclined towards democracy, but because of the effective absence of its influence and outreach due to the continuous and mounting Israeli aggression against our people.

In the face of these violations, perpetrated by the different security organs, the Ministry of Information, and the Journalists’ Trade Union are conspicuously absent. The journalists’ union in particular is incapable, for many reasons, of performing its function of standing up to the authorities, in protection of the rights of its constituency and profession, and consequently its members have expressed their dissatisfaction with it in no uncertain terms. The timidity of the journalists’ union is related to its being part of the establishment and sees itself as representing the PA rather than the Palestinian journalists. In doing that it is being faithful to a very deeply entrenched tradition all over the Arab world of appeasing those above, not serving those below.

While committing all these violations, the PA is quite aware of the fact that it is acting in contravention of its commitment under the decisions of the UN and many international covenants which it had previously endorsed and which Yasser Arafat personally vowed to respect.
On the 17th of June 1995 the PA passed the Publications and Publishing Law. Basically intending to limit and control the freedom of expression and opinion, the majority of its 51 articles were in direct contradiction to the United Nations’ Human Rights Law. But it was impossible for the law to ignore any mention of those freedoms of course. That was duly done in a few articles, which the PA consistently came to ignore in practice. The articles we have in mind allow the following rights:

- Providing citizens with information about issues, ideas, attitudes and facts on the local, Arabic and international levels.
- Availing opportunities for citizens to publish and propagate their ideas and points of view.
- Seeking, analyzing, circulating, information, news and statistics that might be of interest to citizens.
- Publications, news agencies and journalists have the right of confidentiality of their sources, unless they are ordered to disclose these sources by a court of law for considerations of national security, crime prevention and the promoting the course of justice.

The PA’s violations of freedom of the press take different forms, including closing down newspapers, storming their buildings, confiscation of their property, summoning journalists for investigations, detention, and the direct intervention to change and reformulate news, commentaries and opinion.

**Closures and Raids:**

Many newspapers have been closed more than once for political reasons, and frequently with the intention of intimidation. Legal considerations are normally ignored when closing down a newspaper or any other publication.

1. **Al Watan Newspaper:**

   Al Watan newspaper had been closed down twice when Isam Al Falouji, who later joined the government as a minister, was its editor in chief.

   - In May 1995 it was closed down for republishing a BBC news report alleging that the name of ‘Zahwa’, the daughter of Chairman Arafat, would be used in a commercial ad. The newspaper was closed for 75 days, without being officially told about the reasons for the decision. The newspaper owner and staff only came to know the real reasons through indirect channels.

   - On 5/8/1995 the newspaper received another order for closure, because of a commentary about Chairman Arafat which was considered libellous by the authorities. This time it was closed down for one month. The authorities, as usual, did not follow the legal procedures demanded by their own laws. Dr. Ghazi Hamad, managing director of the newspaper, had this to say to a Palestinian Human Rights group: “The way our newspaper used to be closed had always been a surprise to us: we come to our offices early in the morning to find a piece of paper signed by the police, saying that newspaper was closed by the authorities and no body was allowed to enter until further notice.” Even the decision to resume publication is not delivered officially, but left to be known through third parties and well wishers.

   - In December 1995, security agents raided the newspaper buildings for the third time, and briefly detained Dr. Hamad and Sheikh Sayed Abu Sameh, the managing director. Three years later, Dr. Hamad said: “Up to this day we don’t know the reason for that raid.”
In April 1996, a security force under the leadership of major general Amin Al Hindi, stormed the buildings of the newspaper and confiscated three computers, a printer and a fax machine, which happened to be all the property the newspaper had at the time.

2- **Al Risala Newspaper:**
Al Risala newspaper was closed down on the 4th of September 1997, nine months after its first appearance. The only reason for the three months’ closure was an opinion article written by Dr. Abdul Sattar Gasim.

3- **Istiqlal Newspaper:**
The newspaper was first stormed by security in February 1995. A group of security agents from different branches and services, bringing along with them representatives of the press, herded all the newspaper employees to a meeting hall, then confiscated all the files and arrested the following six journalists: Alla Al Siftawi, editor in chief of the newspaper, Attia Abu Mansour, Khalid Sadiq, Zakaria Al Madhoon, Mohamed Fayyadh and Nahidh Kitkit. The following day, Alla Al Siftawi was taken back to the newspaper offices in Gaza to find that the attorney general, Mr. Khalid Al Gudra was waiting for him with the chief of the square and other journalists who were allowed to take snap shots of the scene. Alla Al Siftawi spent 23 days in prison, while the others stayed for three months. No due process, no reasons, nothing.
The newspaper was again closed down in February 1996. The employees came one morning to find that the offices were closed till further notice. Alla Al Siftawi was summoned by Al Tayeb Abdul Rahim, Presidential Chief of Staff, who told him that the newspaper has been closed down, but declined to give him an official document to that effect. Only about twenty months later, at the end of 1997, had the newspaper been allowed to see the light of day again.

4- **Reuters Correspondent Offices:**
- The office of Tahir Shraitih, a Reuters correspondent, was closed down on 9.4.1998, for one week. A notice was fixed on the door of the office reading: “It is strictly forbidden to open this office without prior permission from the Police.” Shraitih was summoned on the same day of the closure to the police headquarters and interrogated for two hours about an interview he sent for Reuters. His colleagues Shams Auda, Suwah Abu Saif, Nidal Al Maghribi and Ahmed Jadalla were summoned for the same reason.
- That same day, the police closed Reuters office in “Shua and Hasry Building”, run by journalist Nidal Al Maghribi, for one week.

5- **Broadcasting Stations and TV Channels:**
- **Sawt Al Hub Wa Assalam (Voice of Love and Peace),** broadcasting station in Ramallah, was closed down for 5 days on 5/5/2000, accused of “broadcasting false news.” That happened immediately after an interview with trade unionist Omar Assaf, spokesman of the teachers’ union, which was on strike at the time for pay and living conditions improvements.
- **Al Manar Radio and Al Nasr TV Channel,** run by Ammar Ammar, in Ramallah, were both closed down on 30th June 2000 by the Criminal Investigations Branch, for an unspecified period of time. The reasons for the
closure, as stated in Al Quds newspaper in London, were said to be criticism of the Palestinian Authority.

- For the fifth time “Watan” TV Channel was closed down on 21/5/2000 by the Criminal Investigations Branch, without setting a time limit. Omar Nizal, head of the channel, said that the reason for the closure was the channel’s coverage of the hunger strike by Palestinian prisoners in the prisons of Israel and the solidarity of the public with the strikers.

- On the first of June 2000, Al Mahd (Nativity) TV Channel was closed, its manager, Samir Gamsia, arrested in Bethlehem Province for two days, because of its publishing a statement by the Union of Broadcasting Services and TV Channels, in solidarity with the closed “Watan” TV channel.

**Arrests:**

1994:

- Imad Al Afranji: arrested from his house, in April 1994, by the Presidential Security force known by the name of Force 17. His fax machine, video recorder were confiscated, and after a half hour of investigation, he was transferred to the barracks of the Presidential Security in Jabalia. He was kept there for four days without being informed of the reasons for his arrest.

- Hani Al Abid, general manager of Al Istiqlal newspaper, was arrested for 18 days in the middle of 1994, by ‘General Security’, who justified his arrest by alleging that they wanted to save his life from the Israelis who allegedly decided to bomb his car. Alla Al Saftawi said ‘that was the first assault against our newspaper.’

- Tahir Shraitih was arrested in October 1994, for a video tape with footage about the arrest of the Israeli soldier, Nahshoun Paxman, by Reuter’s news agency. He was one of many other journalists including Shams Auda, Suwah Abu Saif and Ahmed Jadalla, who were arrested at that time. They spent six days in prison. Tahir, however, was arrested again for ten days during the same month and on his release he asked the police to give him an official letter explaining the reasons for his arrest, a request that was flatly turned down. During Tahir’s arrest, his brother was also arrested because he kept asking about him in regular visits to security offices.

1995:

- Sheikh Sayed Abu Samih was first arrested in April 1995, by plain clothes security agents, while he was in his office in Watan newspaper. In a rare and ominous precedent he was put on trial and sent to prison for three years, of which he actually spent 8 months behind bars. He was later released in a deal between the PA and Hamas.

- Mustafa Hussein Mahmud Al Sawwaf was arrested after midnight of 17/4/1995 and interrogated for one and a half hours. He was asked about a news item published by ‘Al Nahar’ newspaper. He was only released after signing an undertaking to ‘respect the law’!

- Imad Al Falouji was arrested on the 12th of July 1995. Imad, who was working for Quds Press, was summoned to the security headquarters to be interrogated for three hours. During the evening he was hooded and transferred to a prison cell to spend the night in solitary confinement. He was taken for further investigation in the morning of the 13th, hooded again and returned to the prison.
• Journalist (F. A.) was summoned to the security headquarters in August 1995 to uncover his sources of news he had published in ‘Al Hayat Al Jadida’ and the investigation lasted for three hours. In 1996 the same journalist was summoned to the headquarters of the Pre-emptive Security for investigation about the news he had previously published about the release of Hamas detainees. Security authorities wanted to know how he had come to know about the release of those detainees. He was released after five hours of intense interrogation, only to be summoned the next day for the same investigation.

• Journalist Mohamed Al Nunu was summoned on the 4th of April 1995 to the headquarters of the Palestinian Police, his home searched and ravaged five times during one night.

• Journalist Mohamed Tahir’s house was searched by the police on 5/4/1995. He himself was taken to the Criminal Investigations’ Department to be asked about a report he had sent to Annahar newspaper and to submit the tape in which he had recorded a press conference. He was incarcerated for 21 days.

• Journalist Mustafa Al Sawwaf was summoned on 7/4/1995 to President Arafat’s office in Gaza. He first thought that he had been given a chance of an exclusive interview with Arafat, in his capacity as head of Annahar’s office, but instead he was asked about some report published by the newspaper. The investigation lasted one hour. He was again summoned to the Intelligence Headquarters in Gaza and was interrogated about a report published by Quds Press, for which he relocated after leaving Annahar. He was released three hours later. On 31/8/1995, He was arrested by the Criminal Investigations Department to join Tahir Al Nunu, Ahmed Al Nikhala and Fayed Abu Shamala. This time he was asked about the rumours of the alleged deterioration of the health of Mahmoud Al Zahhar, one of the leaders of Hamas, who was in prison at the time. The journalists were later taken to the prison for a meeting with Al Zahhar himself to satisfy themselves that he was in very good health. That, however, could have been done without arresting them, and would have been very good practice.

• Journalist Mohamed Tahir was arrested during the night in July 1995, and taken to the Police and Passports Department. Half an hour later he was joined by his colleagues in the office: Ahmed Al Nikhala, Fayed Abu Shamala and Mustafa Al Sawaf. They were released a few hours later. On 8/10/1995, Mohamed Tahir was summoned again to the Intelligence Department to be interrogated about a report published by Annahar newspaper. After being beaten and manhandled, he was taken to the Attorney General, Khalid Al Qudra who asked him not to be pig-headed and not to express hostile attitudes towards the PA.

• Dr. Ghazi Hamad was arrested for the first time on 5/11/1995 by pre-emptive security forces, from the offices of ‘Al Watan’ newspaper, of which he was managing director. He stayed there for one week without investigation or trial and was later released. He was rearrested by the same agency on 17/3/1996, because of an article he wrote for ‘Al Istiqlal’ newspaper. He later said the security agents used to “read excerpts from my article about the relationship between the citizen and the security establishment, and beat me with cable wire for every paragraph they read out!” He was released 40 days later without trial and without acknowledgment of either the detention or the release by the
Attorney General. Dr. Hamad was arrested for the third time on 1/1/1997, to spend one week behind bars, without being asked a single question. In April 1998, he was summoned by Imad Al Falouji, a minister with strong connections with Hamas, to meet Mr Al Tayeb Abdul Rahim, the Presidential Chief of Staff. The latter talked about an article published by the newspaper about President Arafat’s violation of the truce with Hamas. The conversation lasted two hours.

Dr. Hamad was also summoned, one night in May 1998, to the Criminal Investigations Department. He was unable, though, to go at the time. Aware of the potential consequences, Mr. Salah Al Bardawail, the editor in chief of the newspaper and Mr. Yahya Musa, President of the ‘Islah’ Party, decided to go instead, and were sternly warned not to publish ‘poisonous’ material. Dr. Hamad was also summoned many times during his work as managing director of ‘Al Risala’ newspaper. In July 1998 he was taken to the Criminal Investigations Department to be asked about an article he wrote about Dr. Ibrahim Al Magadma, one of the leaders of Hamas. He was told during the interview that ‘Al Risala’ was full of ‘poisons and incitement’, but was allowed to go after one hour.

1996:

- Ilia’ Al Ziftawi was summoned for the first time in February because of an article he had written about the death of Ayman Al Razaine and Imad Al A’raj, who had been assassinated in ‘Al Shati’ camp and was kept for many hours. On 27 February, Alla’ was taken by the police from his home during the night for investigation about an editorial he had written under the title: ‘The Oath and the Responsibility’ which had been considered hostile towards President Arafat. He was arrested for three days and kept under dire prison circumstances.

- Journalist Muhsin Al Afranji was arrested on 7/3/1996, by the Intelligence Department and interrogated about a series of articles he published in Al Quds newspaper in London. He was asked to sign an undertaking not to insult the PA. He stayed for 21 days behind bars. On 14/5/1996, while he was covering a public activity in Gaza, he was approached by a plain clothes security agent who took him, with journalist Adil Al Za’noun, to the security offices and kept them there for three hours, thus jeopardizing their performance of their duty. In March 1998 Muhsin was contacted by the Presidential Office and asked about the return of the late Sheikh Ahmed Yasin, from a tour he was making in the Gulf States at the time.

- Journalist Mahir Ahmed Farraj, managing director of ‘Al Bilad’ newspaper, was summoned to the offices of Pre-emptive Security forces on 19/6/1996 for investigation about a news report published by ‘Al Bilad’, under the title: “A Thousand Shekel for vehicles’ Safe Passage’. Mr. Farraj was asked to disclose the source of the report and was kept up to the 27th June. On 9/9/1996 he was called to the ministry of interior and asked not to publish anything about “Al Ahd” Party, which was said to be suffering from internal divisions at the time.

1998:

- Journalist Ahmed Khalil Al Mashharawi, was called on 19/7/1998 to the Military Intelligence Offices, and was met by Manhal Musa Arafat, son of the
Military Intelligence chief. After an investigation about his role as a journalist and eight days in detention, he was finally released without trial.

- A Reuter’s correspondent in Ramallah was tortured in the offices of one of the security services. Reuter’s office was closed for many days.

1999:

Journalist Salih Al Naami, correspondent of Asharq-alawsat newspaper in London, was detained for one night because of a news report published by the newspaper.

2000:

- Salih Al Naami was again interrogated in May 2000.
- Trade unionist Omar Assaf, member of the Political Bureau of the Democratic Front and member of the Teachers’ Supreme Co-ordination Committee, was arrested by Palestinian Police on 5/5/2000 after a statement he had made to the “Love and Peace” Broadcasting Station.
- Presenter Fathi Al Barqawi, head of the news section in the ‘Palestine’ Broadcasting Service, was arrested on 27/5/2000, by the criminal investigations department, because of speeches he had delivered before two conferences in Al-Bira and Bir Zeit. He spent one week in prison without any specific accusation or even an arrest warrant.
- Journalist Mahir Al Alami was arrested on 6/6/2000 by General Intelligence for his participation in “Space for Opinion”, a talk show in “Educational Quds” TV channel, and for his criticism of some of the practices of the PA. He was released on 17/6/2000.
- The PA violations have almost stopped after the current Intifada of 28 September 2000. In the aftermath of the reoccupation of Palestinian lands, the murders and assassinations committed by the occupation authorities, any violations by the PA became redundant. We should not, however, understand that as denoting a change of heart as far as the hostility of the PA to the freedom of the press, and to all civil liberties for that matter, is concerned.
- If I may speak about my personal experience, I have been threatened by the head of Pre-emptive Security. Because of a news report I had written for Asharq Alawsat newspaper where I work, he said to me on the phone: “If you were here in Palestine, I could have demonstrated to you what I could do to you and the harm I could inflict on you.”
- In conclusion I say that 17 Palestinian journalists have been put under arrest for varying periods, some of them more than once; 62 have been summoned to the various security services for investigations, some of them more than once as well, while 50 journalists have been beaten and man handled. The violations have escalated, as we have mentioned earlier, with the heinous assassination of Khalil Al Zaban, in which the fingers are pointing to a certain branch of the PA.
28-06-2003- **Committee for Monitoring anti-Israeli Incitement:**
The Israeli ministry of foreign affairs has formed a committee for monitoring what it called ‘Palestinian incitement against Israel’, whose mandate covers the review of the Palestinian Curricula. The statement declared that the committee would include ‘public figures and a number of foreign ministry employees and would concentrate on monitoring offensive and negative material in the Palestinian and Arab media.

13-09-2003- **Masked Men destroy Alarabia Offices in Ram Allah:**
Five masked men affiliated with ‘Aqsa Brigades’ attacked and destroyed the offices of Arabia satellite channel in Ram Allah. An employee with the channel said that the five men were armed with guns and sticks. They threatened the employees before cramming them in one room and then destroying the equipment and offices. He added that the armed men did not state the reasons for what they did and simply said to the employees: ‘It is a warning that you should leave.’ Palestinian police promised to hunt seriously for the attackers.

11-11-2003- **Israeli Supreme Court allows Show:**
Israeli Supreme Court gave the green light for the show of a documentary about the practices of the Israeli army during its occupation of Jenin in April 2002. Israeli censorship had previously banned Mohamed Bakri’s film: ‘Jenin… Oh Jenin’, accusing it of being biased. Bakri, an 1948 Palestinian in Israel, started proceedings at the Supreme Court against the ruling. The court vindicated him and ruled that ‘the ban expresses an exaggerated encroachment on the freedom of opinion’, noting that judging the authenticity of the film was not the prerogative of the censor.

08-01-2004- **Five Masked Men attack Alarabia Correspondent in Ghaza:**
Saif Shahin, the correspondent of Alarabia channel in Ghaza Strip, was attacked with canes. Speaking from the hospital bed in Ghaza, he told reporters that ‘five masked men stopped my car near Alarabia Offices and fired in the air before attacking me with canes.’. The reason for the attack remains unknown.

08-01-2004- **APFW condemn Arrest of Hawrani:**
Arab Press Freedom Watch strongly condemned the arrest of journalist Zeeb Hamdani, correspondent of al-Manar satellite channel, by the Israeli occupation forces in Jenin. The attack was part of a comprehensive campaign of intimidation and death threats against journalists in a bid to blackout the practices of the occupation forces.

19-01-2004- **Palestinian Authority Allows Distribution of Sharq Alawsat:**
The Palestinian Authority allowed the printing and circulation of the Saudi Asharq Alawsat newspaper in the Palestinian territories. The newspaper had succeeded in obtaining a provisional license from PM Ahmed Qurie who was acting information minister at the same time. Asharq Alawsat thus becomes the first Arab newspaper allowed by the PA to be printed and distributed in the Palestinian territories ‘on condition that it abides by the Palestinian Publications Law, and that the price of one copy should exceed three Shekels (about 0.7 dollars), to protect the three Palestinian newspapers of Alayyam, alquds and al-Hayat al-Jadida (New Life) from competition.
03-02-2004- **Unidentified Individuals attack Ghaza Weekly Newspaper:**
Editor in chief of the Addar independent weekly, Mr. Hasan al-Kashif, said that unidentified individuals stormed the offices of his newspaper in Ghaza during Kurban Bayram and destroyed the offices and equipment. Although he did not accuse a certain group or organization, he said the message was clear: the gagging of independent voices and intimidating them. Tawfiq Abu Khusa, deputy president of the journalists unions, strongly condemned the attack, saying that it was apparently a group hostile to national consensus and the freedom of the press. He called on the Palestinian Authority and the police forces to exert every possible effort to hunt down the attackers, define those who stand behind them and bring them all to justice. He added that ‘recurrence of such attacks against journalists and press organizations should be dealt with as a very serious crime which should be resisted and rebuffed by all society, because it serves the same ends of the Israeli occupation of muzzling the voices of the press,’

15-02-2004- **Ghazza Journalists postpone Sit-in:**
An open sit-in and industrial action declared by Ghaza Strip journalists, have been provisionally suspended following a statement by President Yassir Arafat that the PA would crack down on those involved in such attacks. Tawfiq Abu Khusa, deputy president of journalists union in Ghaza, said that the sit-in and strike had been postponed three hours after they started, to give the Palestinian Authority a chance to turn its words into deeds and to apprehend those involved in attacks against journalists, press institutions and to bring them to justice. Al-Hayat Al-Jadida newspaper had stopped that day in protest against the attacks.

02-03-2004- **Journalist Khalil al-Zain Assassinated:**
Journalist Khalil al-Zain, 59, a close friend of President Yasir Arafat, was shot down and killed by masked men while he was leaving his office in Ghaza Strip. Palestinian security forces said that 12 bullets hit Khalil al-Zain, one of the old cadres of Fatah and an advisor for social affairs to President Yasir Arafat. Khalil was the editor in chief of a biweekly newsletter concerned with human rights.

25-04-2004- **Israeli Supreme Court rules for Registration of Palestinian Journalists:**
In a case raised by al-Jazeera satellite channel and the Reuters group, the Israeli Supreme Court ruled that government rejection of accreditation of Palestinian journalists because they it considered them ‘a security risk’ was illegal. The three-man court said that the government press office should not deny journalist IDs to any journalists who had been granted entry visas to Israel.

16-05-2004- **APFW condemns Israeli Bombing of Arrisala Newspaper in Ghaza:**
In a statement it issued today, APFW condemned the attacks of the Israeli occupation forces against Arrisala newspaper in Ghaza less than a month of its bombing and destruction of ‘Sawt al-Quds’ broadcasting service and a few days after an Israeli sniper opened fire against journalist Zakaria al-Talmas.

01-07-2004- **Journalist protest against Bombing of Ajjil Offices in Ghaza:**
Tens of journalists, public figures and political activists gathered before Hasri and Shawa Tower in Ghaza to protest against the bombing by Israeli forces of the offices
of Ajjil offices in the third floor of the tower. Participants raised slogans against the occupation and repression of the freedom of expression, confirming the fortitude of Palestinian media institutions and Palestinian journalists and their will to fight against the Israeli machines of destruction. Palestinian journalists, they said, would continue exposing the crimes of the occupation forces to all the world.

25-07-2004- **Israeli Forces Threaten with Closure ‘Al-Huda’:**
Israeli forces threatened al-Huda religious broadcasting service with closure if they continue transmission, alleging that it interferes with Israeli air services. The station authorities duly transferred some of the equipment from the Eastern district of Suffeen to avoid attacks by the Israeli forces.

05-08-2004- **Attack on a Gaza Newspaper:**
A group of Israeli soldiers savagely attacked two Palestinian journalists one of whom was the correspondent of Public French Channel ‘France’. Soldiers in a military jeep stopped a civilian car carrying Joseph Hanzaal, Correspondent of France 2, and Shaaban Gindeel, working for the local Palestinian TV. Although the two journalists produced their IDs, the soldiers decided to beat them notwithstanding.

05-08-2004- **Alsabah NP attacked by grenades in Gaza**
Three unidentified attackers launched three hand held grenades at the building of the Assabah weekly in Gaza city. The bombs, however, failed to detonate. Editor in chief of Assabah, Mr. Sirri Alqudwa, said that the attack against his newspaper was committed by groups who have chosen to put themselves on the wrong side of the law, which intend, through shameful acts that have nothing to do with the traditions of our people, to incite national discord. Alqudwa added that had the grenades went off, they would have taken the lives of innocent people who had spent all their lives in the service of their country and their people. Assabah is considered the closest to the Palestinian Authority.

28-09-2004- **Search for kidnapped Journalist continues:**
President Arafat issued 'urgent orders' to the security forces and police to intensify the hunt for the kidnappers of journalist Riyadh Ali, ensure his release and bring to justice those who had kidnapped him. A group of armed men had stopped a press van carrying the crew of the American network, in the district of Rimal in Gaza Strip, and took Riyadh to an unknown destination. The armed group did not explain, to the crew of one journalist and two cameramen, the reasons for the kidnapping of Riyadh. The latter was one of the 1948 Arabs and used to work for CNN in Gaza.

29-09-2004- **CNN Journalist Released**
The Top cop of Palestinian police in Gaza Strip announced that Riyadh Ali, the journalist working for the CNN, had been released 24 hours after his arrest. General Saeb al-Ajiz said that they have received the journalist, refusing to elaborate on the group that kidnapped him in the first place. In a separate press conference, Riyadh Ali said that the kidnappers told him that they belonged to al-Aqsa Brigades. They asked him, he said, about his 'sectarian' background. The Aqsa Brigades, on the other hand, denied any connection with the kidnapping.
The Israeli Government’s Crack down on Freedoms and Democratic Rights

By: Nazir Megally
Palestinian Journalist

(Paper presented to the APFW Annual Conference- Rabat- May 2004)

Since the formation of Ariel Sharon’s second coalition government, which brought together factions of the liberal, centre and extreme right, democratic freedoms in general and press freedom in particular have suffered a sweeping frontal attack. As is always the case with rightist governments throughout history, the attack starts with the rights of the minorities: Arab and Palestinian minorities in the case of Israel. But once it starts there is no stopping the crack down on freedom and democracy. It creeps on and on, till it engulfs and swallows the rights of a majority, which at first felt safe and secure. In the face of this mighty anti-democratic wave, the democratic forces, legal societies, journalists’ associations and the Supreme Press Council, joined forces to launch a multi-pronged, public, legal and judicial counterattack for the protection and consolidation of their hard won rights. This fight has now reached its most critical point.

The Reasons:
The government chose this dangerous collision course for a number of reasons:

- The despicable practices of the occupation of our Palestinian lands, which Israeli journalists try to cover with fairness and objectivity to the chagrin of their government and occupying army. It becomes exceptionally embarrassing for the government when the information published in the press is used by human rights’ organizations and democratic forces to condemn the policies of the far right.
- The government’s policy of intimidating and terrorizing the opposition, especially its Jewish opposition, so as to limit its public influence.
- Intimidating and terrorizing the Arab opposition inside Israel (the 1948 Palestinians), a weighty minority of 17% of the population, who are naturally sympathetic to the struggle and suffering of their people. The government is especially fearful of this opposition escalating into a full fledged mutiny and resurrection,
- To tie the hands of the press and effectively prevent it from disclosing the rampant corruption and sleaze at the highest circles of the government. It is to be noted that the charges of corruption, which have now reached the police and prosecution authorities, including the charges against Ariel Sharon himself, were originally disclosed by the press.

The Means:
It is almost impossible to enumerate all the means used by the government in its crack down on the press, not only because they are too many to be enumerated, but because some of them are so subtle and clandestine as to defy exposure and bringing them to see the light of day. A policy of stick and carrot has been used with many journalists and many of these cannot be easily monitored. That notwithstanding, we will try to mention the most important procedures used by the government in its attack against freedom and democracy.
The government took a firm grip on the official broadcasting and TV services by appointing Youssef Bariel, a former intelligence officer, as general manager of the Arabic TV channel. Adopting third world attitudes and policies, Bariel oversaw the implementation of a variety of Israeli propaganda. Not contented with his turf, Bariel tried to extend his policies to the Hebrew TV services starting with a crack down on editors and journalists who refused to follow his policies. He has also imposed on TV and broadcasting services, commentators from the extreme right, issued guidelines to reduce the appearance of Palestinian officials on TV screens and appointed Youni bin Menachem, a personal friend of Ariel Sharon, as general manager of the Israeli broadcasting service. As a direct result of these policies the Israeli army’s broadcasting service and the commercial TV channels have become more liberal than the official broadcasting service and the official TV channels.

The governmental attack did not spare the Supreme Court of Justice, which was accused of ‘mounting interference in the running of the state’ and of taking decisions that undermine the implementation of government policy (e.g.: the decision of the court to stop building the security wall at certain positions because of the huge damage it inflicts on Palestinians). As a result the government increased its interference in appointing judges and took its assault on the judicial power to the public domain.

Pushing police authorities to demand injunctions from the courts to prohibit the publication of dozens of cases on a daily basis and for no good reasons. The worrying thing is that the courts obey the demands of the prosecution in most of these cases.

Giving a free hand to the official Press Office, under the leadership of Danni Shimon, one of Sharon’s protégés, to reduce the number of journalists from about 9000 to 2000-3000. The reason given for the crack down is, however, a sound one: that many of those are not journalists at all but people who exploit their fake journalist credentials to gain some privileges like crossing checkpoints or obtaining some economic or commercial subsidies and favours. But the government itself was as dishonest as some of the fake journalists it professed to target, for under this cover they sacked hundreds of genuine and professional journalists who are known to oppose their policies. Some of these have been in the profession for 15, 20 or even 30 years.

Issuing strict guidelines to the security agencies, in different institutions, to restrain the movement of journalists and not to treat them with any measure of leniency. What happened to two senior Arab journalists is a case in point. One of these two journalists was invited to join the entourage of the Israeli President in his visit to Great Britain and the other to join the minister of foreign affairs in his visit to the US, so as to cover these two important visits for their respective newspapers. While they were respectfully treated by the security agents accompanying these two top officials, they were both stopped by security agents in Al-lad Airport and subjected to an offensive and abusive investigation. Asked by security officials to open their bags, they both decided to decline the invitation and left the airport to go back to Al Nassera where they both live.

To consolidate all these means, most if not all government officials assault the press almost on daily bases.
The Fight:
For the community of journalists, legal and human rights organizations, surrender in the face of the government assault is not an option. A genuine fight started in earnest for the protection of press freedom and democratic rights, Demands for scaling down the appearance of Palestinian officials on TV screens were turned down; reports about the occupied territories continued to be written and published; corruption and sleaze continued to be brought to the light of day and the icing on the cake was the mounting pressure to put Sharon himself on trial for corruption charges. Journalists defended the courts, while criticizing the wrong decisions of injunction. They compelled the government to back off and reverse its stringent rules for obtaining journalist IDs, especially the one about security clearance, which was cancelled at the end.

Conclusion:
The rightist crack down on freedom in Israel has not stopped, despite the ferocious struggle. It has actually reached its peak now. The fight to stop and reverse this trend is not only going on, we think that it is capable of achieving its ends: the restoration of press freedom and the consolidation of democratic rights for Arabs and Jews alike.
Qatar

A Chronology of Press Freedom and its Violations in Qatar

20.02.2004- Jazeera Satellite Channel naturalizes Relations with Morocco:
Jazeera Satellite Channel has reopened its office in Rabat, in a bid to close a period of chilliness in the relations between Qatar and Morocco which culminated in the withdrawal of the Moroccan ambassador in Doha and the expulsion of a TV team from Morocco. Moroccan press reported that the coverage of Al-Jazeera was hostile, tending to exaggerate the negative aspects and had more than once broadcasted false news. Its editorial had always been suspicious, the press said.

22.05.2004- Powell accuses Al-Jazeera of Propagation of Hate and tension:
American secretary of state, Mr. Colin Powell, criticized Al-Jazeera Satellite Channel for broadcasting a voice recording by the Alqaeda second in command Mr. Aiman Zawahiri. Powell said that broadcasting such material would propagate a culture of hate all over the world, and added: « We think that it is regrettable for Al-Jazeera to broadcast this recording… Allowing such terrorist threats to be aired serves no purpose but the spread of more hate throughout the region.»

27.05.2004- Al-Jazeera has ended the contract of its general manager Mohamed Jasim Al-Ali.
The spokesman for the channel said that Mr. Al-Ali ' would go back to the Qatari Broadcasting and TV Service from which he had originally been seconded to Al-Jazeera, but he would keep his post on the board of directors of the channel.'

27.11.2003- The Emir of Qatar Appoints New Board of Directors for Al-Jazeera:
The Emir of Qatar, Sheikh Hamad bin Khalifa Al-Thani, has appointed a new board of directors for Al-Jazeera Satellite Channel as follows: Sheikh Hamad bin Thamir Al-Thani: President, Khalaf Ahmed Al-Mana'i, Deputy President, Hussein Abdalla Jaffar, Abdalla Mubarak Al-Khalifi, Dr. Hassan Mohamed Al-Ansari, Qasim Mohamed Jaffar, Qasim Abdalla Al-Imadi. The Emir's decree entrusted the new board with ' the development of the channel, the provision of state of the art technology, the enhancement of its performance, and the formulation of a comprehensive report to the council of ministers, including the board's vision about the transformation of the channel into a private shared ownership institution.'

05.09.2003- Arrest of Jazeera correspondent in Spain, and investigating his alleged connections with Alqaeda:
Spanish police arrested Mr. Tayseer Alloni, correspondent of Al-Jazeera channel in Spain, from his home in Granada (in the south of Spain), where he was holiday making. The arrest warrant was issued by justice Paltasar Ghorthon. Police took Mr. Alloni to Madrid, where they said, he would be investigated for alleged membership in Alqaeda, and for using his profession as a journalist to make contacts with that organization.

12-09-2003- Al-Jazeera accuses Israel and the US of Complicity in Arrest of Alloni:
Jazeera satellite channel alleged that America and Israel exerted pressure on Spain to accuse its correspondent Tayseer Alloni of belonging to Alqaeda network. A spokesman for the channel said that Alloni's case had taken a dramatic turn because of information received by the Spanish government from many countries including Israel and America.

17-09-2003- **Alloni accused of Terrorism and Involvement in 9/11 Attacks:**
The Spanish Justice Baltisar Garson accused 35 persons with connections with the 9/11 attacks, including Jazeera correspondent Tayseer Alloni and Alqaeda leader Osama bin Laden.

24-09-2003- **Alloni denies Connections with Alqaeda and asks for Support:**
During a hearing before Justice Baltasar Garson, Jazeera correspondent Tayseer Alloni, vehemently denied any connection with Alqaeda network. "I have no relationship with Alqaeda," he said," I have not participated in the financing or recruitment of any activists."

07-10-2003- **Jazeera Net One of 25 Most Politically Influential Websites:**
Jazeera satellite channel announced that its affiliate 'Jazeera net' has been chosen among the 25 most politically influential websites in the world.

23-10-2003- **Spain releases Tayseer Alloni Correspondent of Jazeera:**
A Spanish court has released on bail, Jazeera correspondent Tayseer Alloni who was accused of belonging to Alqaeda network. The court quoted health reasons for its decision.

02-01-2004- **Jazeera discusses Annual Report of APFW on Press Freedom:**
'The Other Point of View' a show on Jazeera satellite channel, hosted a group of journalists including Mr. Ibarhim Nawar, President of APFW, Joel Campania, Middle East coordinator for Journalists Protection Committee, in New York, Jibran Tweenie, General Manager of the Lebanese Annahar, Tayseer Alloni, Jazeera Correspondent in Spain, to discuss the 2003 Annual Report of the APFW on the freedom of the press in the Arab World.

14-01-2004- **Hilal leaves Jazeera to lead 'British-Arab World Partnership':**
Jazeera satellite channel has accepted the resignation of its Egyptian Information director Mr. Ibrahim Hilal, after serious attempts by some channel officials to convince him to stay in his post. It later transpired that Mr. Hilal had received an offer to work as director of British-Arab World Partnership, a new project sponsored by the British Foreign Office. The project is meant to strengthen information relations between the Arab World and Britain.

31-01-2004- **Saudi Arabia Bans Jazeera from Covering the Haj:**
Jazeera satellite channel announced that Saudi authorities have banned the channel from covering the Haj occasion for the second consecutive year.

13-02-2004- **Rumsfeld accuses Jazeera of Undermining American Interests:**
Secretary of Defense, Mr. Donald Rumsfeld, accused both Jazeera and Arabia satellite channels of undermining American interests in Iraq. The minister alleges that the two...
channels broadcast false and inaccurate information and on continual basis about the situation in Iraq. The accusations were aired simultaneously with the launching of al-Hurra satellite channel, broadcasting in Arabic from Washington.

10-02-2004- **Imprisonment of Jazeera Correspondent in Khartoum:**
Khartoum Criminal Court sentenced Jazeera correspondent in Khartoum, Mr. Islam Salih, to one month in prison and a fine of one million pounds (about 400 dollars)

30-06-2004- **Closure of Jazeera Offices in Algeria following a Show on Army:**
Algerian authorities have decided to suspend the offices of Jazeera satellite channel for an indefinite period after notifying its correspondent to stop any activities in the name of the channel. No reasons have been given for the moves taken by the Algerian authorities. But nobody can fail to see the relationship between the present reaction and a show of 'al-Ittijah al-Muakis«The Opposite Direction», Programme on the "Algerian Situation" that hosted former Algerian diplomat Mohamed al-Arabi Zaytot and the Algerian writer and journalist Mr. Khalid Omer bin Giga. Mr. Zaytot mentioned in one of his interventions that the source of the Algerian ailment was the 15 army generals who have kept their positions since their coup in 1992. 'These are the real king makers,' he said,' they crown kings and depose them.'

13-07-2004- **Jazeera Publishes its Code of Ethics:**
Jazeera satellite channel published its code of professional ethics in the context of tireless efforts to 'unify the vision and the message' it has promised itself in the field of the media and information, to consolidate institutionalism within a professional framework of clear mandates, strategies and backgrounds. As a new approach, this might be the first step of its kind in the Arab World in the audio-visual field. The code of professional ethics had been declared after the end of the forum organized under the title: "The Media in a Changing World: Professional Standards and Multiculturalism".

25-07-2004- **Iraq threatens Closure of Jazeera, Zibari accuses Alarabia, al-Manar and al-Alam with Incitement:**
Iraqi Minister of foreign affairs, Mr. Hoshyar Zibari, attacked al-Jazeera satellite channel and described its coverage of the situation in Iraq as 'perverted' and added that the Iraqi authorities were considering its kicking out of the country. 'We would not tolerate this perverted, one-sided and subjective coverage of the Iraqi situation,' he said,' We would not give way to those who hide behind the freedom of expression. This practice is not confined to al-Jazeera, it is equally practiced by Alarabia, Almanar and al-Alam. All these have become sources of incitement against our people, against the security and safety of the Iraqi people. The Iraqi government would show no tolerance towards such behavior.'

07-08-2004- **Iraq closes Offices of Jazeera accusing the Channel of Incitement and Propagation of Hate:**
Iraqi Prime Minister, Mr. Iyad Allawi, declared that his government had decided to close the offices of Jazeera satellite channel for one month following a recommendation from the National Security Committee. The move, he said, was meant to protect the Iraqi people from the effects of incitement. He added that his government had formed an independent committee to review al-Jazeera broadcasts on
daily basis for four weeks and report back to the government. The committee concluded that al-Jazeera always hosts those who encourage murderers in Iraq. Incitement of hate and encouragement of violence, are very prominent themes in the editorial policy of the channel, he said.
Saudi Arabia

A Chronology of Press Freedom and its Violations in Saudi Arabia

14-05-2003- First Opposition TV Channel in Saudi Arabia:
Mr. Saad al-Faqih, spokesman of the London based Islamic Movement for Reform in Saudi Arabia, announced the launching of the first 24 hour, Saudi opposition TV channel

27-05-2003- Fatwa for Boycotting al-Watan Newspaper for Propagation of Corruption and Evil:
A Fatwa issued by Sheikh Abadallah bin Jibrain, called for boycotting al-Watan newspaper and demanded of Muslims not to buy, read or allow in homes, shops and offices the excommunicated newspaper. The newspaper had been the target of such smear and hate campaigns since its establishment two and a half years ago. Sheikh Jibrain said that the newspaper had been propagating corruption and evils, portraying the good people in the worst possible images, demonizing those who represent good values in society, publishing rude articles full of sarcasm of godly and religious people, decrying the groups of the ‘imposition of the good and the prevention of evil’ and publishing photos of unveiled women.

27-05-2003- Jamal Khashugji Sacked as Editor in Chief 53 Days after Appointment:
Mr. Jamal Ahmed Khashogji, editor in chief of al-Watan newspaper, had been removed from his job after only 53 days of his appointment. Joining the club of Saudi former editors in chief, he also merits the title of the ‘fastest moving-out editor in chief’. Many have treaded this path before him, including Mohamed al-Mukhtar al-Fal, former editor in chief of al-Madina newspaper, Qinan al-Ghamdi the first editor in chief of al-Watan, Ahmed Mohamed Mahmud, general manager of al-Madina Foundation, Abdel Aziz al-Khamise the former editor in chief of al-Watan, Salah Sandi, deputy editor in chief of al-Watan and Mansour al-Fiqaidan the former editor in al-Watan.

28-05-2003- al-Sharqia Publishes First Women Magazine:
‘Dunya’ is the first women magazine to be published inside Saudi Arabia by the al-Sharqia Foundation, a printing and publishing house. Dunya would be issued on weekly basis every Wednesday.

01-06-2003- Writer Demands One Million Riyals for Banning him from Writing:
Saudi writer and jurist Mohamed bin Sulaiman al-Darwish, started legal procedures against the ministry of culture and information, demanding one million Riyals for banning him from writing for six months. The reason for his suspension was some articles in which he had criticized the Saudi Sports Union!

27-10-2003- Writer suggests Transfer of Asharq Alawsat Newspaper to Riyadh:
Saudi writer Abdallah Nassir al-Fawzan, an editor in al-Watan newspaper suggested to Prince Faisal bin Salman, President of the Board of Directors of Saudi Research and Marketing which publishes Asharq Alawsat newspaper, to transfer it from London to be published from Riyadh. The writer’s suggestion came after a statement by the Emir that the British Laws are so stringent as far as personal matters, criticizing...
individuals and countries are concerned. He said that the British laws are harsher than Saudi laws as far as these matters are concerned. The Emir said publishers could incur hefty fines if they fall foul of these restrictions by any degree.

**Hussein Shubukshi banned from Writing:**

Saudi writer Hussein Shubukshi said the Saudi government had banned him from writing. He said that he had been notified by ‘Ukaz’ newspaper that the ministry of information told them that Shubukshi may no longer write in the newspaper. The political analyst, who also presents a TV show on Alarabia Satellite Channel, said that the reason for the ban might be the last article he had written about the political situation in the country. Shubukshi, who used to write a weekly article for Ukaz, said in that article that he was dreaming of the day when free Saudis cast their ballots in peace, when they talk freely on human rights and when women drive their cars without fear.

**03-11-2003- Abdel Rahamn al-Rashed responds to Emir Faisal bin Salman:**

Editor in chief of Asharq Alawsat newspaper, Mr. Abel Rahman al-Rashed, wrote to al-Watan newspaper about the idea of transferring the newspaper to Riyadh, in an obvious response to prince Faisal bin Salman whose idea was echoed by Abdallah Nasir al-Fawzan.

**08-11-2003- Saudi Intellectuals support Sunallah Ibrahim:**

115 Saudi intellectuals and social activists, including 15 women, expressed their full support for Egyptian novelist, Sunallah Ibrahim, who had rejected the Cairo Forum of Arabic Creativity Award. The Saudi intellectuals said that Sunallah’s rejection of the award indicates a healthy response from an intellectual who refuses the role of embellishing tyrannical regimes.

**23-11-2003- Malaysian PM Sacks Editor in Chief after Saudi Protest:**

Mr. Abdallah Ahmed Badawi, Malaysian PM, defended his decision to sack the editor in chief of “New Streets’ Times”, saying that an article by the journalist had caused tension in the relations of Kuala Lumpur and Riyadh and a number of Gulf states. Journalist Abdallh Ahmed, 66, was sacked after articles that provoked strong protests from Saudi Arabia.

**25-11-2003- 40 Ulamas demand Banning TV Programme:**

40 Ulamas demanded banning the TV programme ‘Tash Ma Tash’. In a demonstration they made to the ministry of information, the Ulama asked for the implementation of a Fatwa banning the program usually run during the month of Ramadan, because it expressed disrespect for some religious precepts in the Kingdom, they said. They cited a show in the series tilted ‘Bidoun Muhrim’ (Without a Male Guardian).

**23-12-2003- Saudi Intellectuals demand ‘Constitutional Monarchy’ and Citizens Participation:**

116 Saudi intellectuals submitted a plea to the Royal Family asking for political reform as a way of facing the recent upsurge in the attacks of the extremists that shocked the whole country. One of the signatories said that the statement attributes violence to many reasons the most important of which is the absence of political
participation of the citizens in the running of the state. He added that that was the second plea since September to ask for citizen participation and the move in the direction of a constitutional monarchy a la Jordan and Bahrain, instead of an absolute one.

30-12-2003- 300 Women demand Formation of Supreme Women Council and Recognition of Women Competence:
300 Saudi women, most of them university graduates, submitted a memorandum to the Heir to the Throne, Prince Abdallah bin Abdulaziz, asking for the formation of a Supreme Women Council and the promulgation of new laws for the family to organize cases of divorce and alimony. The memorandum, which had been signed by women from all over the Kingdom contained 8 demands, the most important of which was the recognition of the competence and responsibility of women, without guardianship from men, especially when they apply for commercial licensing.

01-01-2004- Abdel Rahman al-Rashed resigns as Editor in Chief of Asharq Alawsat:
Prince Faisal bin Salman, President of the Board of Directors of Saudi Research and Marketing Ltd, appointed Mr. Mohamed al-Awwam as acting editor in chief after the resignation of Mr. Abdel Rahman al-Rashed. Al-Rashed’s resignation was part of far-reaching changes at the top of the company which the Emir started since the assumption of his post late 2002. The changes included the appointment of Abdel Wahab al-Faiz as editor in chief of ‘al-Iqtisadia’ in the place of Mohamed al-Tunusi, and the termination of the services of Salih al-Hamadi editor in chief of ‘al-Riyadhia’.

01-01-2004- Saudi Publishers Committee elects its First Board of Directors:
The Saudi Publishers Committee had for the first time elected its board of directors composed of 13 members as follows: Ahmed Fahd al-Hamdan, President, Dr. Ibrahim al-Qaeed, Deputy President, Abdallah al-Samie, secretary, Omer Bajakfief, treasurer. The other members are: Dr. Abdel Ilah al-Muayad, Mohamed al-Ibaikan, Mohamed al-Rasheed, Mohamed al-Wazir, Salim al-Malg, Abdul Aziz Ishbanat, Madi al-Madi, Fahd al-Hidakiri and Khalid al-Shigri,

03-01-2004- Bashtah establishes First Information Centre for Women:
Female writer Nahid Bashtah announced her establishment of the first information centre for women in Saudi Arabia. She said that the license she had been given to establish the centre was the result of the tireless efforts of Saudi women to play an active role in their society. She said that the centre would try to compensate for the absence of women journalists training institutes and the absence of such facilities in universities and women colleges. It will also try to fill the gaps in research of women issues and concerns.

In its final communiqué, the second forum of national dialogue attended by Saudi intellectuals, called for the enhancement of the process of political reform, the widening of public participation through elections of Shura and local councils and the encouragement of trade unions, charities and the organizations of civil society to play their vital roles in society. The forum called for the establishment of bigger forums for
open debate and the responsible freedom of expression that aims to serve the public interest.

11-01-2004- **Information Relaxation in the Ikhbariya Channel:**
The Saudi new satellite channel ‘Al-Ikhbariya’ has been launched with a novelty unknown to the Saudi viewers: a beautiful Saudi girl’s face presenting the news bulletin. The new channel can be viewed in Israel and Iraq.

23-01-2004- **London Opposition Conference calls for Democracy in the Kingdom:**
The Coalition for Democracy, a Saudi opposition organization based in London, had organized a conference there about the future of democracy in Saudi Arabia. The participants, most of whom are prominent members in the political field and in the human rights movement, stressed the necessity of political reform in Saudi Arabia, and called it a national internal need, before its being a requirement from the outside.

15-02-2004- **Asharq Alawsat plagiarizes Iraqi Journalist Report:**
Arab Press Freedom Watch received a copy of a letter sent by Iraqi journalist Saif al-Khayyat, to the editor in chief of Asharq Alawsat newspaper accusing the paper of plagiarizing a report he had sent from the Iraqi town of Samawa and attributing it to its own sources, without even mentioning his name. He said that the newspaper changed some of his expressions and further attributed an article he had written to an Iraqi citizen whose name was not mentioned in the report he sent to the newspaper.

26-02-2004- **Saudi TV broadcast Deliberations of Shura Council for the First Time:**
For the first time in its history, Saudi TV broadcast the deliberations of the Shura Council, ‘The broadcasting of excerpts from the deliberations of the Shura Council by Saudi TV,’ said one of the members of the council, ‘should be viewed within the context of political openness and relaxation in the Kingdom. It is good for the council and for the Saudi citizen.’

26-02-2004- **Abdel Rahman al-Rashed appointed for Director of Alarabia:**
Middle East News Company, announced the appointment of the Saudi journalist Abdel Rahman al-Alrashed to the post of general director of Alarabia satellite channel. President of the company, Mr. Ali al-Hadithi, said that al-Rashed’s appointment ‘would consolidate the successes achieved by the company during the previous year.’

27-02-2004- **Jeddah Court deals with the First Internet Libel Case:**
A University lecturer and his wife put before the Sharia Court in Jeddah, the first internet Libel case, against somebody they accuse of insulting them and their families. The university lecturer said that the accused used foul and insulting language against him and his family in articles he had published through the internet and on many websites.

27-02-2004- **US criticizes Saudi Arabia for Refusing to run Elections:**
State department report on human right for 2003, accused Saudi Arabia of refusing to run elections, allowing security forces to continue torture of prisoners and detainees.
and making arbitrary arrests without allowing family visits to detainees. The report went further to accuse Kingdom authorities of restricting freedoms of assembly, formation of organizations, religious freedom, freedom of movement, practicing violence and discrimination against women, ethnic and religious minorities and restricting workers’ rights.

01-03-2004- **First Electronic Newspaper Launched by Saudi Female Writer:**
‘Hidayanet’ electronic newspaper has been launched on the internet. By launching the newspaper the Saudi female writer and publisher, Hidaya Darwish, becomes the first Saudi lady to venture into this virgin field. The newspaper’s website displays a rich variety of political, cultural, literary and news materials.

04-03-2003- **Judge issues Fatwa Banning Muslims from Viewing al-Hurra Channel:**
Sheikh Ibrahim Salih al-Hidairi, Judge of the Public Court in Riyadh, issued a Fatwa banning the viewing of the American al-Hurra satellite channel. Saudi news agency, which reported the Fatwa said that the Sheikh said that the channel ‘propagates corruption, launches a war against Islam and tries to Americanize the world.’ He also said it was religiously abhorrent to provide it with any ads, participate in its programs or writing to it. He concluded by asking for a total boycott of the channel. He added that those Arabs working for the channel were American agents and ‘cat’s paws’ that lend themselves to facilitating American hegemony over religious, social and political domains all over the world. A year before al-Hidairi issued a Fatwa calling for the murder of the Tunisian singer Zikra.

**King Fahd gives Green Light for Formation of First Saudi HR Organization:**
King Fahd bin Abdelaziz, Custodian of the Two Holy Shrines, gave the green light to the formation of the first Saudi Human Rights Organization in the country, saying that ‘it is now appropriate to do so.’ In a letter he sent to the President of the organization, Dr. Abdallah bin Salih, the King said that ‘The basic law of governance in the Kingdom stipulates the protection of human rights in accordance with Islamic Shari’a.’

16-03-2004- **11 Signatories of the ‘Constitutional Monarchy’ Arrested:**
11 signatories to the memorandum calling for the establishment of a constitutional monarchy have been arrested, including Dr. Abdallah al-Hamid, Dr. Matrook al-Fatih, Dr. Tawfiq al-Qasir, Mohamed Saeed al-Tabib and Khalid al-Hamid.

16-03-2004- **Ministry of Information rejects Employment of Journalist Faris Hazzam following his Reports on Corruption:**
Ministry of Information issued a confidential circular calling for expelling journalist Faris bin Hazzam al-Harbi from working with Asharq Alawsat newspaper, following his daring interviews about ‘terrorism’ and his competence in digging out information about corruption form his private sources. He previously worked for al-Watan and published so many articles exposing corruption.

17-03-2004- **Release of Four Saudi Reformers:**
Four of the reformers who had been arrested the day before were released. Dr. Adnan al-Shakhs, the lecturer in King Fahd university, Hamad al-Kahl, lecturer in King Saud
university, Amir Bukhamseen, a private sector employee, Khalid al-Hamid, lecturer in King Abdelaziz university, have been released after signing undertakings that they would not call for any more gatherings or form illegal organizations. Mohamed Saeed Tabib, Abdalla al-Hamid, Matrook al-Falih, Tawfiq al-Qasir, Najib al-Khalizi, Ali al-Damini and Sullaiman al-Rashoudi, are still under arrest.

17-03-2004- Arrest of Journalist Abdel Rahman al-Lahim for Criticizing Reformers’ Arrest: Following a statement he had made to al-Jazeera satellite channel, criticizing the arrest of 11 reformers, Journalist and writer Abdel Rahman al-Lahim was himself arrested and joined the others.

19-03-2004- Release of Writer Najib al-Khanizi: The number of the reformers released jumped to five after the release of writer Najib al-Khanizi. The following, however, are still under arrest: Abdalla al-Hamid, Matrook al-Falih, Tawfiq al-Qasir, Mohamed Saeed Tayeb, Ali al-Damini and Sullaiman al-Rashoudi.

22-03-2004- The Civil Forum demands Release of Saudi Reformers: The first Arabic Civil Forum convened in Beirut, on the margins of the Arab League meeting, demanded the release of the Saudi reformers. The conference noted that the violations attributed to them by the Saudi Ministry of the Interior, do not justify arresting them. The conference said that the arrest was in flagrant violation of the government’s claims about reform. The statement asked for allowing Saudi, Arabic and international concerned agencies to visit them and satisfy themselves that their well-being was cared for.

24-03-2004- Release of Zuair after 8 years in Prison: Sheikh Saad al-Zuair has been released after eight years he spent in prison, accused of unwarranted political activities in Saudi Arabia. Minister of the interior, Prince Naif bin Abdelaziz had previously said ‘Zuair can walk out of prison any time he undertakes to respect the systems and laws of the country.’

30-03-2004- 2 Reforms Released following Undertakings not to address the Public: Authorities have released two reformers arrested with other four since March 16, without signing undertakings to stop their reform activities. One of the two: Mr. Tawfiq al-Qasir said that ‘I have been released with Sheikh Sullaiman al-Rashoudi, after investigations in Riyadh. We did not sign any undertakings not to issue statements calling for reform, but we have been told that those statements should only be addressed to the rulers. We told them that our aim was reform, and if it could be effected through addressing the leadership, that is alright by us.’

30-03-2004- Release of Reformer Mohamed Saeed Tayeb: Reformer Mohamed Saeed Tayeb, who was arrested on March 16 with a group of others who had called for the establishment of a constitutional monarchy, has been released. Statements issued by the group were highly critical of the Saudi government.
30-03-2004- **Shura Council decides to widen Freedom of Expression throughout the Media:**
The Shura Council issued highlights to the ministry of culture demanding the development of its external sections to face up to the assault and campaigns targeting the Kingdom, promoting the positive image of the country and spotlighting its role in the Arab and international arenas. It recommended the establishment of a new section in the ministry for research and studies, which demands increasing the ministry’s budget to cover the new needs. The council called on the ministry to encourage the freedom of expression throughout the media. The doors should be open as well for the private sector to invest in the field of information and the media and to establish TV channels, broadcasting services and all types of investment.

01-04-2004- **Senior Ulama Association condemns Viewing or Participation in ‘Academic Star’:**
The association of senior Ulama said that financing, broadcasting, viewing or participation in ‘Academic Star’ program is not allowed from a religious point of view. In a statement issued by Sheikh Abdelaziz Abdallah al-Sheikh, the association warned against what it called ‘the danger such programs pose to society and their practices of free association of the two sexes and what these practices entail of corruption and lasciviousness.’

03-04-2004- **Investigation Team: The Detainees were released after Acknowledging their Errors:**
The investigation team and the attorney general’s office negated a report in al-Hayat newspaper that the Saudi detainees had been released because of lack of evidence. An undisclosed source told Ukaz newspaper that the release of those persons was a result of the acknowledgement of their mistakes and the recognition that what they had done was not in the best interests of the country. The source added that they had signed undertakings to assure their commitment to the interests of society, its cohesion and cooperation. They clearly stated that they would not repeat what they had done before.

04-04-2004- **Reformer Saeed al-Tayeb banned from Travel:**
Security forces have banned from travel the reformer and jurist Mohamed Saeed al-Tayeb and refused to return his passport after his release a week earlier. Mr. Tayeb wanted to travel to Cairo and Beirut to participate in talks about reform and human rights.

06-04-2004- **Ministry of Information bans al-Shabahi from Writing:**
Ministry of information has issued a decision banning al-Watan’s writer Salih al-Shabahi because of an article in which he criticized the Transport Minister for submitting a bill to the Shura Council calling for taxing passengers for road usage. Al-Shabahi had previously written an article on April 2, criticizing the minister of information.

21-04-2004- **Secret Police arrest Faris Hazzam al-Harbi and deprive Him of Visits:**
Secret Police agents have arrested Faris Hazzam al-Harbi, 27, for undeclared reasons and prevented his family from visiting him.
01-06-2004- Reformers call for Release of Prisoners of Conscience or Allowing Them Fair Trial:
In a call to international, Arab and regional human rights organizations, a group of Saudi reformers called for active intervention with the Saudi authorities to bring pressure to bear on them for the release of prisoners of conscience or to guarantee them a fair trial with due process before their natural judge. Information leaked by the Ministry of the Interior that the settlement negotiated by the a group of volunteer lawyers to defend Dr. Abdalla al-Hamid, the poet Ali al-Damini and Dr. Matrook al-Alfalih, had failed. They attributed the failure to the reneging of the ministry on their promises and the arbitrary and hard line attitude of many officials.

06-06-2004- Murder of BBC Journalist and Injuring another in Riyadh:
The Irish cameraman, Simon Campers, who used to work for the BBC, was killed in Riyadh. Frank Gardener, another BBC journalist suffered many wounds when he had been hit by armed men in the Suaidi District in the Saudi capital. The two journalist were making a tour in a van with a Saudi driver and were shot while they were taking shots of the house of a suspected terrorist Two armed men escaped from the scene after committing the crime.

07-06-2004- 5 Editors in Chief in First Ever Elected Journalists Organization:
5 editors in chief have become members of the first ever elected journalists organization in Saudi Arabia under the leadership of Turki Assidairi editor in chief of al-Riyadh newspaper.

07-06-2004- Investigation of Journalist after a Review:
Journalist Ahmed al-Salami, head of ‘Riyadh’ newspaper in Abha, was investigated by the security forces. The journalist had previously published an interview with some citizens alleging that their rented houses had been assaulted and destroyed by the owner. High placed officials ordered the local security forces to investigate the journalist who was able to prove the authenticity of the information he had published. He was shortly released.

14-07-2004- Saudi Female Activists ask for Participation in the Elections:
Female activists on behalf of women rights expressed hope that they would be able to participate in the first partial municipal elections in Saudi Arabia scheduled to be held in November. Hatton al-Fasi, lecturer in King Saud University said, since the declaration of the municipal elections, they had been expecting a bold step from the leadership inviting the participation of women. She said that the government should make use of the present opportunity to prove that they were serious about the participation of women.

18-07-2004- Riyadh Editor in Chief Threatened with Death:
Mr. Turki Assidairi, editor in chief of Riyadh newspaper, President of the Association of Saudi Journalists, announced that he had received calls threatening him with death from unidentified sources, four days earlier. Death threats against Saudi journalists were no new phenomena. Former editor in chief of al-Watan newspaper, Mr. Jamal Khashogji left the country to live in Britain after receiving such a threat,
02-08-2004- **Beating of Three Internet Users:**
The Sharia Court sentenced three citizens to two years in prison and 750 lashes for each of them. Ali bin Idris, Fadhil bin Rish and Manie bin Garisha, belong to the Ismailya Shiite Sect, were convicted of ‘belonging to chatting clubs involved in destabilizing national security and undermining the interests of the country’ through using the internet.

05-08-2004- **Municipal Elections in November:**
Saudi authorities declared that it would hold municipal elections in November. The move is obviously in response to pressures of reformers inside the Kingdom, in addition to relentless pressures from the US going on since the 9/11 Attacks.

09-08-2004- **Reformists accused of Lobbying for Constitutional Monarchy and Propagating Irreligious Concepts:**
Saudi authorities accused three of Saudi reformers, who had been under arrest for five months, of conspiracy to form a constitutional monarchy and propagation of irreligious and destructive concepts and ideas. In the first public political trial of its kind in the Kingdom, in a court packed with male and female political activists, reformers and normal citizens, Matrook al-Falih, Abdalla al-Hamid and Ali al-Yameni heard the accusations leveled against them. The three were the last of a group of 12 detainees arrested last March of whom 9 had been released after signing undertakings that they would stop calling for reform publicly.

13-08-2004- **Security Forces in Qatif summon Journalist Nawal al-Yousof:**
State security agency in Qatif, today summoned the Shiite journalist and writer Nawal al-Yousof. She was investigated about some articles she had written on the internet about constitutional monarchy and the rights of the Shia in Saudi Arabia. She was asked to stop writing about constitutional monarchy and was only released after signing an undertaking to that effect.

11-09-2004- **Postponement of Municipal Elections to February 2005:**
Ministry of Municipal and Country Affairs declared that the Municipal elections scheduled previously in November had been postponed to February 10, 2005. Registration for the half term election of a 178 member municipal council would start in November the ministry said.

19-09-2004- **Five Years for Reformer Bin Zuair:**
A court in Riyadh sentenced the Islamic academic Saeed bin Zuair to five years in prison after being convicted of incitement to national discord and calling for disobedience of the ruler. Representative of the Saudi Human Rights Committee, Mr. Muflih al-Qahtani said that the trial had been conducted in accordance with established tradition, ‘although there was no council for the defense.’

02-10-2004- **Establishment of Political Forum in East Saudi Arabia:**
‘Islamic National Assembly for the Province of al-Ihsaa’ is the name of the new forum for the consolidation of the unity of the Kingdom with its present borders, symbols and anthems. The forum also works for the consolidation of the unity of al-Ihsaa people and their integration in the state, through the restoration of the intellectual and economic rights of the people of Ihsaa and the bold expression of the
Arab and Islamic identity of the region in the towns and the country. The statement had been published in ‘Rasid’ a Shiite website.

11-10-2004- Minister of Interior does not expect Women Participation in Elections: Prince Nayef bin Abdulaziz, Minister of the Interior, said that he does not expect women to participate in the coming municipal elections. ‘Such participation is irrelevant’ he said. That was the first official position on this issue following the declaration of three Saudi women that they would contest the elections. Organizers of the elections said that the female candidates would not withdraw unless they were officially asked to do so.

11-10-2004- Ministry of Infromation bans Theatrical Show:
The Ministry of Information and Culture banned a theatrical show performed by Nasser al-Qasbi, Abdalla al-Samhan and Rashid al-Shamrani discussing Religious extremism and openness. Local audio-visual media and satellite channels were ordered not to play any parts of the show which was supposed to be performed on the fringes of a conference for Saudi intellectuals. The show lasted only 25 minutes, with the Minister of Information and Culture, Dr. Fuad Farsi, in the audience. The response of the audience was highly enthusiastic.
Somali

FREEDOM OF EXPRESSION IN SOMALIA
By Somali Journalists Network (SOJON)

(Paper presented to the APFW Annual Conference- Rabat- May 2004)

Introduction
In spite of the problems the country has been undergoing through for the last decade, the media in Somalia is quite vibrant. Indeed, the fourth power has been part and parcel of Somalia society since the struggle for independence from colonial rule in the early decades of the twentieth century.

Although the media was at that time poor in quality and lacked formal structures, there was international agreement that guaranteed freedom of expression. This is the UN agreement that established in South Somalia the Italian Trusteeship Administration for independence over a ten-year period. The trusteeship required the new administration to develop the colony's political institutions, expand educational institutions, improve the economic infrastructures, and promote freedom of expression.

During the first nine years of independence, the media flourished. Freedom of expression was widely regarded as being derived from the traditional right of every man to be heard. The national ideal professed by Somalis was one of political and legal equality in which historical Somali values and acquired Western practices complimented each other. The most desired medium of expression at the time was the radio.

1969 coup & its aftermath
Freedom of expression suffered its first set back after the 1969 coup d'etat that brought General Mohamed Siad Barre to power. Siad’s government sought to control all media houses. The Ministry of Information and National Guidance became the publisher of the country's only daily newspaper, Xiddiga Oktoobar (October Star), which offered editions in Arabic, English, Italian, and Somali. The ministry also published a variety of weekly and monthly magazines.

The state-run Somali National News Agency (SONNA) distributed press reports to foreign news bureaus, while the Broadcasting Department took charge of radio and television. The two radio stations, at Mogadishu and Hargeysa, became government mouthpieces often transmitting news and entertainment programs.

Radio Mogadishu featured about two hours each day of programs in foreign languages, including Afar, Amharic, Arabic, English, French, Italian, Oromo, and Kiswahili. In 1988, the last time media statistics were taken; there were an estimated 375,000 radio receivers in Somalia. Television service was inaugurated in 1983; two hours of programs were broadcast daily from Mogadishu. Thus, media freedom was limited and expression of opinions tightly controlled.

The year 1991 represents the dark side in Somali history. Siad Barre’s regime was ousted in January, the Somalia State collapsed and the country sunk into factional fighting, and ultimately into anarchy. Since then, there has been no single vision...
towards freedom of expression. Indeed, the perception of this fundamental freedom depends on individual journalists and the region where they are based. However, the covenants on freedom of expression are still applicable in Somalia. These covenants regard freedom of expression as fundamental human rights. Among these covenants and protocols are article 19 of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and People’s Rights.

Article 19 of the UDHR provides *inter alia*:

1. Every one shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression, this freedom shall include the freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally in writing or in print, in the form of the art, or through any other media of his choice.

And while the right to freedom of expression is important, International Human Rights law recognises the legitimacy of carefully drawn and limited restrictions on freedom of expression. This takes into account overriding interests such as privacy and national security. These limitations must nevertheless meet the conditions set out in article 19(3) of the ICCPR:

*The exercise of the rights provided for paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:*

*For respect of the rights and reputations of others.*

*For the protection of national security or of public order or of public health or moral.*

The fact that International Law recognizes the scope for legitimate limitations on the right to freedom of expression is not a license for the governments to deny the right altogether. Restrictions to freedom of expression must meet a strict three-part test.

- *Law must provide them. The law must be accessible and formulated with sufficient precision to enable the citizen to regulate his conduct.*
- *The restriction must pursue one of the legitimate aims listed in article 19(3).*
- *The restriction must be necessary to secure that aim, in the sense that it serves a pressing social need, the reasons given to justify it are relevant and sufficient and the interference with the right is proportionate to the legitimate aim pursued.*

Freedom of expression allows citizens to scrutinise their officials, to participate in decision making and to exercise their rights and responsibilities in an effective and informed manner. Fundamentally, official information belongs to the public. It is a national resource, which should be used solely for public purposes.

**Different Administrations in Somalia and Freedom of Expression**

In Somalia, we have different administrations controlling a number of regions and they are politically independent each other. There are three main areas: Somaliland, Puntland and southern Somalia.
Somaliland

Between 27th April 1991 and 15th May 1991, after the collapse of Mohamed Siad Barre's military rule, Northwest Somalia (British Somaliland) seceded from the Democratic Republic of Somalia and formed a new state called "Somaliland". Up to now, this self-proclaimed republic has not been internationally recognised.

The region consists of six regions, as was stated in the law of districts and regions of Somaliland. These are Hargeisa, Togdher, Sanag, Awdal, Sool, and Sahil regions. There are many daily newspapers in Somaliland Jamhuuriya, Haatuf, Maamdeeq, An A3 tabloid, which publishes in Somali language & English and one radio station, Radio Hargeisa. This radio is state owned and the government of Somaliland outlaws the establishment of private radio stations.

The constitution of Somaliland recognises freedom of expression. It states in part three:

*The Rights of the Individual, Fundamental Freedoms and the Duties of the Citizen*

*Article 32: Freedom of Public Demonstration, _Expression of Opinion, Press and other Media*

3. The press and other media are part of the fundamental freedoms of expression and are independent. All acts to subjugate them are prohibited, and a law shall determine their regulation.

Puntland

Leaders in the northeast proclaimed the formation of the Puntland Regional State in 1998. Puntland's president, Colonel Abdullahi Yusuf Ahmed, publicly announced that he did not plan to break away from the remainder of Somalia. The capital of the regional state is Garowe. It had transitional period from 1998 to 2001.

The self-declared Republic of Puntland regional state of Somalia comprises Bari and Nugaal regions, which has also made strides towards reconstructing legitimate and representative government. The constitution of Puntland administration considers freedom of expression in the following way:

"*The press is independent, except anything that confronts the law, and special law shall determine*".

There are two stations Midnimo and SBC. Radio Midnimo is pro Puntland authority while SBC was privately owned and closed down by the authority.

Southern Somalia

The Transitional National Government was formed in 2000 in Arta, Djibouti. But its control is limited to the areas around Mogadishu. Towards the end of 2002 journalists in Somalia rejected draconian media laws enacted by the Transitional National Assembly. At the moment there are laws regulating the operations of the media.

However, the TNG changed its vision towards freedom of the press, and has deliberately cultivated freedom of the press as a key constituent of governance. Addressing a media workshop on prevention and management of HIV/Aids, the new
Minister for Information, Eng. Abdulkadir Mohammed Abdulle underscored this point.

Indeed, the media is quite vibrant in this region. There are eight daily newspapers, most of them A4 tabloids. But the majority are based in Mogadishu and circulate in the areas around the City. Xog-ogaaal has the highest circulation in Mogadishu. The weekly publications are 42, of which 39 are based in Mogadishu, 1 in the town of Baidoa, 1 in B/weine and 1 in Kismaayo.

All the weeklies are A4 tabloids. Not to be left out is 1 biweekly and 1 monthly. Both are A4 publications. The circulation of these publications ranges from 100 copies to 1,300 copies per edition.

Its quite encouraging, moreover, that lack of modern printing facilities has not hampered the growth of these publications. The publications use the old printing technology i.e. offset printing machinery.

The electronic media is equally vibrant. There are seven radio stations in Mogadishu, two in Baidoa, two in B/weine, two in Puntland and one in Kismaio. Radio Mogadishu has two voices Mogadishu (voice of the people) which is owned by Somali National Alliance (SNA), and radio Mogadishu Voice of Somali Republic owned by the TNG.

There are two television stations in Mogadishu. These are Somali Television Network (STN) and Hornafrik. Viewers with TV sets also receive transmissions from international television stations through World Space.

There is possibility of a third TV station, East Africa TV, which is a subsidiary of East Africa radio. This radio was started in December 2003, and is currently the fastest growing radio in the region.

In addition, Internet media is quite active. Indeed, there are 56 websites with 34 being news oriented. These websites provide forums in which Somalis in the three regions of Somalia and in the Diaspora share views and experiences. News dissemination through these forums is very fast.

How can one implement freedom of expression in an environment where the government is extremely weak and armed militias are in control?

**Way forward**

Firstly, there is a need for a stable government in Somalia. The stability of this government depends on its representativeness, respect for democracy, respect for human rights and its commitment to the Somali national goal. At the outcome of the on-going Somali peace talks in Nairobi, Kenya, will determine methods of forming this government.

Secondly, there is a need to avail training opportunities to journalists. Because of the chaotic situation in Somalia, these opportunities are limited. There is a need for international media stakeholders to find ways and mechanisms of providing these opportunities. Such training will inculcate the much-needed skills.
Thirdly, for the printing press to grow there is need to inject modern printing technology in the country. This technology will improve efficiency of production and the quality of the products. Needless to add the need to improve radio and TV technology. Lastly, there is need to improve radio and TV technology as well as Internet working environment.

**Conclusion**
The above data shows that despite the devastation visited upon the Somali people by the civil war, the media has remained vibrant and focused. It’s actually encouraging that the diversity of media has produced an active media culture in which healthy debate on the various issues takes place. However, the media still operates under very difficult conditions. Free gathering, processing and dissemination of information is subject to the control of militias and faction leaders, and journalists live under threat. Indeed, it’s quite difficult for anyone who has not lived in a civil war environment to appreciate the conditions of journalists in Somalia.
MEDIA FOR REBUILDING SOMALIA

(Paper presented to the APFW Annual Conference- Rabat- May 2004)

Introduction
The Somali Journalists Network (SOJON) is a national level, non-profit, non-governmental, non-political, professional organization dedicated to protect and promote Somali Journalists.

SOJON was established in 2002 in order to protest and record press freedom abuses, train and unite local journalists.

SOJON was established after Somali journalists came together and collectively recognized the need to build their professional organization in order to protect them and guide them to the right path in the society. Organizationally, Somali journalists Network has a constitution, written bylaws and procedures that enable it to carry out its activities. SOJON is democratic, transparent and accountable.

Vision
The Network exists to bring together all Somali Journalists for a joint round table for their defence and unity.

Mission
Mission of Somali journalists Network is to enable Somali journalists to address current issues that need to be solved cooperatively.

Objectives
• To help Somali journalists ensure the respect of their profession through joint efforts.
• To establish contacts between Somali journalists and their counterpart associations, as well as organizations engaged in similar professions.
• To upgrade the skills of its members, and other professional journalists, and to enrich their knowledge and develop their competence and capacity.
• To enable members to be governed by a professional code of ethics.
• To give members guidance in terms of carrying out their professional activities.
• To protect and ensure the respect of organizational interest and benefits of members, ensure the respect of the human and democratic rights of members, ensure the well being and development of free press.

Description
For more than four decades Somalia, as a sovereign country, experienced problems. Somalia is a developing country in the Horn of Africa. It has had no functioning government since the start of the civil war in 1991. That year, the northwest part of the country announced itself the Republic of Somaliland, and it now has its own governing authority, although its business is connected with the rest of the country. The north-eastern section of Somalia, which is semi-autonomous, is known as Puntland. Somalia’s development was seriously damaged by the civil war and its aftermath, but the private sector is trying to re-emerge in specific sectors. The country has 18 regions and the capital city of Somalia is Mogadishu. The principal city of the self-declared republic of Somaliland is Hargeisa. Other cities and
towns of importance include Garowe & Bosasso in the northeast, Berbera in the northwest, Kismayo in the South, Baidoa and Baladweyn.

Somali journalists have been under pressure of bowdlerization from military government, regional administrations and warlords for about 35 years. Minimally nine years after the independence (1960) was the era when freedom of the press was respected in Somalia, but the media didn’t have the modern mechanism to deliver their brilliant role in the society.

After the 1969 military overthrow that brought General Mohamed Siad Barre to power sought to control all media houses through the Ministry of Information and National Guidance.

Mohammed Siad Barre’s regime was ousted in January 1991, but the Somalia State collapsed and the country sunk into factional fighting, and ultimately into anarchy. Since then, there has been no single vision towards freedom of the press.

In line with the last edition of the mapping of Somali media, Somalia has sixty (60) newspapers, seventeen (17) radio stations and thirty four (34) news oriented websites.

**SOJON in the peace talks**

In April 2003, the Somali Journalists Network (SOJON) sent three members of its executive committee to the Somalia National Reconciliation Conference (SNRC) in Nairobi, Kenya, in order to lobby for press freedom.

Objectives behind this mission were to guarantee that press freedom violations can no longer exist in Somalia, to protect press freedom in Somalia as a vital clause for fundamental human rights and to persuade different parts of Somali society in the peace talks of the value of freedom of speech in a growing society.

After having meetings with politicians, civil society and the international community, the SOJON delegation presented to IGAD (Inter-governmental Authority on Development) technical committee, which sponsored the peace talks, clauses from the Somalia’s 1960 constitution.

These clauses were sufficiently and explicitly guaranteeing the freedom of media and information in the country in the coming transitional period of five years. However, these clauses were endorsed by the plenary.

**SOJON’s role after establishing a federal government**

Immediately after the establishment of Transitional Federal Government, SOJON will carry out following actions:

1. Meeting with government officials and parliament and discussing with them the preparation of the press law, collaborations between journalists & the constitutional commission and ministries of the federal system, constitution & information in the direction of developing a press law and national constitution.

2. Uniting Somali journalists for the rebuilding of one Somalia, the development & strengthening of links among independent media organizations.

Increasing public awareness of the importance of press freedom and the role of non-state media in the transition to a more democratic society.
Somalia, one of the poorest and least developed countries in the world, is located in the eastern corner of the Horn of Africa. It gained its independence in 1960, known to many as the year of Africa due to many countries in the continent gaining independence from the colonial European powers.

The Somali Mass Media, one of the departments that emerged during the colonial era, is considered as a social and economic instrument to ensure a continuing process of economic growth and social development. The colonial powers established two radio stations in Somalia in the early twentieth century. The two different radio stations, the first one in Hargeisa in 1948 and the second in Mogadishu four years later in 1952, were administered by the United Kingdom (British) and Italian colonials respectively.

The two small radio stations released programs in English and Italian languages with a small portion of the program translated into Somali language and aimed to implement the colonial interests, spread their political objectives and put on a display of modern civilization and cultures. There were also very few papers published in Arabic, English and Italian languages.

However, such a kind of media was under the control of the colonial administration and transmitted information regarding their concerns in order to put pressure on the widespread struggle of the Somali people against the continuation of colonial rule.

Actually, this did not weaken the strong position of the Somali people led by non-publicized political Freedom Parties that existed both in the Somaliland Protectorate in the Northern Regions and the Italian Trusteeship in Southern Regions to reach their goals.

As a result, the British colonized part succeeded to gain independence on 26th June 1960, while the southern part took their independence from Italy after 6-days on 1st July 1960 resulting in the unification of the two parties and the formation of the Somali Republic.

The Ministry of Information was one of the numerous ministries established by the newly born government holding the name of “The Ministry of Information & Communication”, which was composed of a mass media and telecommunication system. All broadcasted programs were mainly in foreign languages and the journalists were inexperienced nationals who replaced the foreign journalists. The Ministry of Information & Telecommunications supervised the programs in order to be on the right track.

Although there was no large progress as such, the mass media service fulfilled and covered the programs of the new Somali government. On the other hand, most of the people were not familiar with the activities of the mass media, as the majority of the
inhabitants are nomads and farmers, except a few intellectuals, government employees, and the urban citizens. But the most significant and remarkable step of the mass media was the great role it had taken during the war that broke out in 1964 between the four year old Somali government and the aged Kingdom of Abyssinia (Ethiopia). This time is assumed to be the first occasion the Somali people started to listen to information programs from the two radio stations – Radio Mogadishu & Radio Hargeisa – respectively.

As far as the dynamic role of the media was acknowledged and realized to be the frontrunner of all Ministries, the Somali government began to put its emphasis on the extension of the sections of the Ministry of Information & Telecommunications resulting in the formation of the Somali National News Agency (SONNA) responsible for gathering all news activities, locally and externally throughout the entire country.

The Somali Revolutionary Military Government, who overthrew the elected government on 21st October 1969, wrote Somali transcripts in 1973, with their own initiatives, efforts, and resources. The National Government carried out a program of literacy development in 1974 to 1975 engaging Somali journalists as well as students and the national army.

Consequently the Ministry of Information with the support of friendly countries has changed the former studios; materials, transmissions, and all programs were prepared in the Somali language, though foreign language programs were broadcasted in the daily schedule plan of the media.

In addition to that, the former president of Somalia, Mohamed Siad Barre announced officially on the occasion of the second anniversary of the revolutionary government (1971) the establishment of the Somali National University in which the faculty of journalism became one of the most important faculties in the later years of the existence of the ousted regime.

During the 21 years of the Military government the Somali mass media has been expanded, many journalists received quality education in journalism inside and outside of the country and the media developed and to some extent achieved some progress.

Unfortunately, from 1991, with the collapse of the Somali central government all social infrastructures in the country collapsed due to clan conflicts for the past decade, which caused great hardship and forced thousands of academics to migrate, while those still hiding in the country are desperate and jobless.

The collapse of central government has given an opportunity to interested writers and journalists who were not able because of government control to express their ideas/opinions on radio broadcast or in print to do so.

Hence, it became essential to create a coping mechanism to restore mass media activities based on civilized culture, languages, and social behaviours.
Mogadishu, the Somali capital, was the most devastated place by the civil war in the country. Many people fled away to neighbouring countries and throughout the corners of the world. The city remained divided into parts of vast destruction under the administrations of the warlords, General Mohamed Farah Aideed and Ali Mahdi Mohamed in Mogadishu, but now there are more than five parts under the increasing control of warlords.

The international intervention named the United Task Force of Restored Hope (UNITAF) and United Nations Operation in Somalia (UNOSOM II) in 1992 – 1995, attracted many citizens to return to the capital making it the most populous city in the country and creating small businesses.

Due to the prevailing security and stability in recent years, many expatriates returned and initiated various private development activities, which are the main basic reason for the increase in the population of the capital.

Thus, it is certain to accomplish competitive radio stations, TVs, papers, Web Sites of modern style through Internet. On the other hand, this step would make easier for the beneficiaries – the Somali society – to adopt modern style of information system, culture and behaviour. The new program of civilized media information system will contributes to substitute the old programs due to the modern technological changes in Somalia particularly and generally to the whole world.

**Media Foundations**

Due to a civil war that erupted in 1991, Somalia has operated with no central government for more than a decade, and its infrastructure has been totally destroyed. Since the withdrawal of UN peacekeepers in 1995, the country has continued its descent into clan warfare, and remains fractured into warring fiefdoms that have sprung up throughout the nation. Although in August 2000, a new president, Abdulkassim Salat Hassan, was sworn in and a new transitional national parliament was elected, many faction leaders have said that they will not recognize the new president or parliament, leading some to doubt how effective the new regime might be.

The greatly politicized atmosphere has made any form of physical or social rebuilding nearly impracticable and forceful faction leaders tried to use media outlets as a means of propaganda, making independent journalism almost missing.

**Print Media**

There are more than 60 independent monthly, daily, biweekly & weekly newspapers and two dependent newspapers owned by the TNG and the self-declared administration of Somaliland, but the print media consist mostly of A4 sized, duplicated newspapers which are published in the larger cities. Several of these publications are somewhat independent and critical of faction leaders. There is also one English-language weekly. The Dhamaan newspaper and Somali press are both available online.
### List of the papers

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Freeing Arab Media from State Control

Broadcast Media

In Somalia there are 12 independent radio stations and 5 dependent radios. Most citizens obtain news from these stations, and also they obtain information from foreign news broadcasts, such as the BBC, which provides a daily Somali-language program. These local FM radio stations, which have traditionally promoted current community activities, are working well. There are two television stations but their influence is only limited in Mogadishu.

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In Somalia there are 57 websites, 34 of them are privately owned news-oriented websites located in different towns in Europe, USA, Canada, Africa, and Asia. They are well connected to the society because the latest statistics show between 10,000 to 60,000 persons per day visit each web page. The work of this modern media is greatly benefited by Somali nationals living in the Diaspora as well as people in the country.

**Short list of the websites:**

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There is no national telecommunications system in Somalia, as the entire network was destroyed during the past decade of war. In August 2000, Somali became the last African country to gain local Internet access. Before September 1999, Telecom Somalia Company (Ex-Aerolite telecommunication) had offered gateway access via an on line provider in Norway, but the US$120 installation fee, US$30/month user fee...
and US$75-cent per minute charges for the international connection far exceeded the budget of most Somalis. The new local supplier, the Global Internet Company that bought the equipment from the US banned Somali Internet Company, is a joint venture by three of Somalia’s telecommunication companies, Hormuud, Telecom Somalia and Nationlinks. Their service costs US$20/month and US$1.5 per hour and can handle about 2,000 users.

Furthermore in Mogadishu wireless telecommunication for Internet and telephone was structured. The provider of these services, Wireless African Broadband Telecommunication (WABTEL), achieved high speed, and attracted the Somali Internet community. A third company of Internet business called Standard was founded last month. Internet access is also available in other larger cities of the country such as Hargeisa, Baidoa, Kismayo, Bosaso, Galka’yo and many other cities.

The competition of the ISPs benefited the people to get very low price Internet services. Initially, the one hour charge of the Internet was $6 dollars, while now is $1 dollar, a reduction of $5 dollars in 10 months

Press laws
Because there has been no central administration for the entire decade, there is no national law or constitution protecting the rights of journalists in Somalia, although various warlords have created their own rules in their respective regions. In the Puntland region, for instance, the administration issued a media announcement that any local or international reporter working in its area must register with the Ministry of Information and can only work out their business under the full power and permission of the Puntland’s administration. The transitional National Assembly (Parliament) passed late 2002 a press law, which was against freedom of the press, and the media community opposed the law strongly.

Whatever the case, it is apparent that journalists, both local and international, carry on functioning under unsafe conditions.

Training programmes implemented
1. Print journalism course I & II
2. Broadcasting Journalism Course I & II
3. Educational Media.
4. Investigative Journalism.
5. Ethics of journalism

All these above-mentioned courses were implemented by the BBC world service training department.

Other programs that were implemented by SOJON include:-
1. Journalism & Somali language.
2. Web design.
3. Web maintenance.
4. Editorial management.
5. Upgrading skills of internet journalists.
6. Human rights & democracy.
7. Ethics of journalism

Obstacles and best ways to develop Somali media

**Obstacles**

In Somalia there are many obstacles that face the media community particularly the journalists. These problems are threats, abduction, murder and intimidation. Also Media stations are attacked and invaded deliberately with out any proper procedure.

Freedom of expression in Somalia is suffering from a lot of negative features that weaken the credibility of the press on one side and reflects the power of the warlords and bad tribal traditions. These negative features include the following:

1) Lack of Journalistic neutrality
2) Lack of facts and truthfulness
3) Interference of personal values
4) The strength of the dictatorial administrations
5) The lack of international support to the freedom of expression movement
6) Lack of training
7) Lack of resources for working in a hostile environment
8) Tribalism
9) The need for powerful journalists' organization
10) Intimidation and targeting of journalists
11) Instability and civil disorder

But Journalists feel that they are doing an exciting task in society. They appreciate their hard work of improving their people in different parts of the society at the economic, social and cultural level. However, if press freedom is rejected, journalists know that:

1. Democracy and economic prosperity are not possible because the public accountability to its leaders and transparency in its transactions will be lost.
2. Independent media cannot exist where journalists are jailed/killed/threatened for their work. And without independent media, their nation can't call itself a democracy.
3. Full participation in the international political and economic community is not possible as long as a nation fails to abide by the principles of good governance accepted by his/her country.
4. Media is the watchdog of the society.
5. Information is for the common public good
6. Many newspapers and radio stations will be closed
7. Banning of websites owned by specific people
8. Criminal persecution for updating news from abroad on an Internet site.

**Best ways to Develop Somali Media**

Since the over throw of the military regime, independent media organizations started but they met with drawbacks that need to be solved in order to achieve freedom of expression. Remembering the problems and their causes, the best ways to develop media in Somalia are:

1. Capacity Building
a) Role in the society  
b) Journalists to make decisions  
c) Importance of Safety  
d) Ethics of journalism  
e) Preparation requirements  
   - How to ensure that you are physically fit?  
   - How to know the knowledge of the local situation that you are covering?  
   - How to clarify lines of communications?  
   - What are the right clothes and equipment?  
   - Social protection  

2. Safety Training  
a) Abduction  
b) Assessing risk  
c) The process of abduction  
d) Targeting journalists  

3. Global Moves  
a) Condemning press freedom violations  
b) Taking tangible steps if possible  
c) International attempts to improve knowledge  
d) Offering Equipment  

Extinction of media stations  
Death of media institutions in Somalia are increasing day after day for many reasons. For instance, many newspapers such as Shabelle Press, Midnimo, Beel Deeq, Barmuuda, Arlaadi, Garyaqaan, Warhele, Waaberi, Afyaal, Somali Times etc gave up their operations.  

Also three radio stations that hold up Somali’s warring factions, SBC in Bosaso, Somali News Cooperation (SNC) in Baladweyn, DMC in Baidoa and many others are not on air.  

Some of the web pages also face the same difficulties. Gargaar.com, daljecel.com etc. are not online. So, this challenge to survival is caused by:  
1. Financial Problems  
   a) Excess of costs over incomes  
   b) Feeble asset basis  
2. Authoritarianism  
3. War  

Media associations  
After the over throw of the military government, the trade union of Somali journalists also disappeared with the government, and national journalists were confronted by confusion.  

Journalists tried to rebuild their union and they finally announced that they were mostly united under the umbrella of the Somali Independent Journalists Union (SIJU).
SIJU did not last long, and its activities were blocked by the beginning phase of tribalism and widespread instability.

Behind SIJU other initiatives emerged, and national organizations were established. Somali Internet Journalists founded the first Internet association of journalists in Africa with the official name of Somali Journalists Network (SOJON). Up to now members of SOJON enjoy the accomplishments confirmed by their association.

SOJON offered capacity building programs, debates, conferences and publications against press violations such as upgrading the skills of Internet journalists, web maintenance, women’s empowerment in the field of journalism and meetings.

The Somali Journalists Club (SJC) is also running a limited of training program. Women journalists formed the Somali Women Journalists Association (SOWJA). The East Africa Media Institute (EAMI) has a representative in Mogadishu.

**Conclusions**

Somalia has radio and TV stations, papers, web sites which have made it easier for the beneficiaries – the Somali society – to adopt a modern style. The new program of a civilized media information system replaces the old programs due to the modern technological changes in Somalia particularly and generally to the whole world. These foundations- newspapers, radios and TV stations & websites- are confronted by financial problems, authoritarianism, and civil wars.

The journalists meet with threats, killings & injuries, and need sustainable programs of training.
A Chronology of Press Freedom and its Violations in Somalia

12-05-2003- Militias Kidnap Radio Banadir Engineer
Militias demanding ransom kidnapped Eng. Sharif Mohammed of Radio Banadir in Mogadishu. The Engineer was held in Towfiq district, but was released after more than a month of detention without payment. Sharif Mohammed is the technician of Radio Banadir. Business people in Mogadishu created radio Banadir Broadcasting.

31-05-2003- A Somali Journalist Threatened, Abused by US troops in Baghdad
Ali Mohammed Halani, Somali journalist, was threatened and abused by US troops in Baghdad, when he was the Islamic online correspondent in Baghdad. Ali said that a U.S. patrol stopped their car and snatched their digital camera, while five soldiers pointed their weapons at him, took them forcibly to an out of the way place and treated them inhumanely. He said the soldiers violently pushed him and knocked him against the car, leaving him with bruises covering his arms, knees and his collarbone. After half an hour he was released, and left Baghdad.

25-06-2003- Rashid Barre of Shabelle Radio Arrested in Marka
Mak’il Rashid Barre of Shabelle Radio was arrested in the port town of Marka, Lower Shabelle region, by the military forces of the Transitional government after his station published details of military destruction of markets in the region. Mak’il was released after days in jail without any legal action.

01-07-2003- Two Journalists Jailed by TNG Police
Abdurahman Mohamed Hassan (Hudeyfi) and Hussein Mohamed Geddi (Heynuf) of Radio Banadir in Mogadishu were jailed by the police of The Transitional National Assembly (TNG) after the deputy mayor of Mogadishu accused them of stealing his mobile telephone. But the mobile was taken from the deputy mayor by other journalist so as to get in touch with his station and then returned to the deputy. Abdurahman Hudeyfi and Hussein Heynuf said in a press conference that they were illegally detained but they were freed after torture.

24-08-2003- Two Independent Journalists Imprisoned in Galkaio
Two Somali independent journalists were imprisoned In Galkaio, Puntland regional state without any obvious purpose. The victims were Adam Nur Mohamed, Member Of Somali Speaking Pen and Editor of Yameyska Weekly Press in Galkaio, and Dahir Abdulkader (Afloa), member of Ex. Bulsho Weekly News Paper. Galkaio Administration of Puntland ordered this detention of the journalists, and they were in the detention centre about 28 hrs as Adan Nur Mohamed told a SOJON Information Officer. The administration of Puntland always puts pressure on journalists and does not permit them to do their profession freely.

28-08-2003- New Press Law Forces all Media to be Licensed by the Government
The Transitional National Assembly (TNA) passed a new press law obliging all media to be licensed by the government and forbidding the publication of any material supposed contrary to the common interest. Also this law forbids criticizing government officials or reporting government secrets. Following another round of strikes and protests by journalists, the president promised to return the law to parliament for revision.
13-10-2003- **Puntland Closes the Only Radio Station in the Capital**

Puntland administration closed down Radio Garowe, the only radio station in Garowe the capital city of Puntland State without reason.

04-11-2003- **SOJON Launches Website**

The Somali Journalists Network launched a website (www.sojon.org) that publishes news, events and press abuses about Somali journalists. The site is keen to improve the knowledge of foreign and local journalists about the situation of the local Press.

20-01-2004- **23 Articles in Press Law for Silencing the Freedom of the Press**

The Somaliland administration prepared a law for the press and the other media working in Somaliland, which was disputed after journalists recognized its articles as silencing the freedom of press. Journalistic organizations, opposition parties and civil society groups described the number of articles of this bill, (23), as unacceptable for the independence of journalism.

24-02-2004- **Editor of Radio Jowhar in Shabelle Region Held for 13 hours**

Abshir Ali Gabre who is the news editor of Radio Jowhar in the Middle Shabelle region was held for 13 hours on the order of the Somali faction leader Mohammed Omar Habeeb (Mohammed Dhere). Dhere is the chairman of the self-appointed Jowhar administration. The arrest of Gabre happened when the journalist pointed out that Mohammed Dhere and his friends from the Somali Reconciliation and Restoration Council (SRRC) had signed a January 29 peace agreement in Kenya, even though Mohammed Dhere had stated that he did not support the accord.

28-02-2004- **Two Journalists Arrested by Somaliland Police at Hargeisa Court**

Mohammed Hussein Jama’ (Rambo) and Mohammed Abdi Urad of Jamhuriya daily newspaper were arrested by Somaliland police at Hargeisa Court, during the trial of Boqor Osman aw Mohamud (Buur Madow) when they were reporting the first hearing of the accusations against the Boqor (King). The Boqor was mainly accused of creating instability in Somaliland after holding talks with Puntland officials.

09-03-2004- **Horn Radio Closed by the Self-declared Republic of Somaliland**

Horn Radio, which was recently founded in the town of Erigabo in the Sanaag Region, was closed down by the self-declared republic of Somaliland’s authority there. The shut down occurred when the order came from Hargeisa, the capital of Somaliland administration, through the acting Governor of Sanaag region, Mr. Abdiaziz Hassan Absiye, executed this closing by means of his local authority.

10-03-2004- **Somali Journalists Progressed To International Partisanship**

Journalists from the country almost destroyed by civil war obtained international recognition when the International Federation of Journalists (IFJ) admitted members of the Somali Journalists Network (SOJON) to their recent executive committee meeting on March 6th and 7th in Berlin.

18-03-2004- **Mogadishu Journalists Denied Free Access to Information**

Two journalists from Idaacadda Qur’anka Kariimka (Holy Quran Radio) in north Mogadishu were prevented from reporting on the closing ceremony of a seminar held
for the Mogadishu police force at the Police School, which was officially closed by
the president of the Transitional National Government of Somalia (TNG), Dr.
Abdulkassim Salad Hassan. The refusal happened when the acting Governor of
Banadir Region, Mr. Abdullahi Hassan Ganey (Firimbi), ordered the police to remove
the reporters, Mr. Hassan Haji (Hanafi) and Mohammed Sheik Nur (Sheekha) from
the school

23-03-2004 - **Gunmen rob Radio Garowe of Puntland**
Radio Garowe of Puntland autonomous administration was attacked by gunmen using
F1 bomb and guns on the order of one of the staff of the Radio who had been fired.
The robbers escaped with the transmission.

23-04-2004 - **Journalist Abdishakur Detained by Puntland Minister of Finance**
Somali Journalists have condemned the arrest of Abdishakur Yusuf Ali, editor in
chief of War-Ogaal newspaper, in Bossaso of the Puntland self-declared autonomous
regions in the North-East of Somalia. The detention happened when Abdishakur
published that the Puntland minister of finance, Mr. Abdirahman Mohamud Farole,
was involved in corruption.

06-05-2004 - **Two Journalists Arrested by Armed Militias**
Abdulkani Sheik Mohammed and Abshir Ali Gabre who are editor-in-chief and news
editor of Jawhar Radio respectively were detained, after the chairman of this
administration; Mr. Mohammed Omar Habeeb (Mohammed Dhere), sent two of his
armed militias to take these journalists into custody.

31-05-2004 - **Minister of Finance Refuses to Release Abdishakur**
Puntland’s minister for information, Mr. Abdikarin Ali tried to have Abdishakur
Yusuf released on Saturday, 29th of May 2004 after receiving International and
National condemnation demanding the immediate release of this journalist, but the
minister of finance, Abdirahman Mahamud Farole refused ordering the jail
commander not to free him.

14-06-2004 - **Journalist Abdishakur Yusuf Ali is Free after 6 months in Prison**
Abdishakur Yusuf Ali was freed after he was brought to Bossaso court. The court
ruled that Abdishakur published false information, which created conflict amongst
ministers and the public in Puntland alike. The court sentenced Abdishakur Yusuf to
six months imprisonment but, efforts made by the Somali Journalists’ Network,
Dulmadiid Human Rights organization based in Bassasso and Puntland journalists
started talks with both the Bossaso Court and Puntland administration.

15-06-2004 - **Faction Leader and his Militias Destroy Journalist’s Equipment**
Faction Leader Muse Sudi Yalaxow and his militias destroyed a journalist’s
equipment and denied him freedom to collect information. This maltreatment
occurred when a mediation committee from Abgal Elders and religious people
nominated to solve about one month’s fighting between two militias loyal to Muse
Sudi Yalaxow and businessman, Bashir Raghe Shirar, returned the Muse Sudi militias
with their battle wagons to their headquarters in north Mogadishu. Journalist
Abdirahman Ali Subiye from Idaacadda Qur’aanka Kariimka (Holy Quran Radio)
was surrounded by Yalaxow’s militia in their centre of operations. ‘I was brought to
Muse Sudi, and he told me to give him the Camera, which he placed under a battle vehicle, which destroyed the digital camera’ Subiye told journalists.

04-07-2004- **Two Journalists Detained by Puntland Police in Garowe**
Two journalists from Shacab newspaper in Garowe, northeast Somalia, were arrested by Puntland police forces at the headquarters of Puntland parliament on 3rd of July 2004. Shacab is an independent, weekly and popular newspaper in Garowe. The journalists, Mr. Abdi Farah Nur and Abdirashid Hussein Qooraansey, editor in chief and reporter of Shacab Newspaper respectively, were arrested while taking photographs from the hall of the parliament sessions in Garowe.

06-07-2004- **A Journalist Arrested in Galkayo**
Jamaal Salah Adam, a journalist working with Radio Galkayo in northeast Somali was arrested today around 9:00am local time in Galkayo after he interviewed demonstrators opposing a program of Puntland’s local government to build houses on the main road in Galkayo town.
Sudan

A Chronology of Press Freedom and its Violations in Sudan

11-5-2003- Suspension of Khartoum Monitor for two months
Khartoum Monitor, the only English language newspaper in the Sudan, was suspended by a court ruling for two months, because of articles it published about alcoholic drinks, which were considered an affront to well known religious beliefs and a call for incitement and sectarian strife. Its owners: citizens from the Southern part of Sudan, were asked to pay a fine of one million Sudanese pounds (381 US Dollars) to be paid equally by the editor in chief and the owners.

29-6-2003- Suspension of al-Sahafa Newspaper and to warning one of its writers
On 28th and 29th June security agents confiscated two issues of the independent Al-Sahafa newspaper, for an article criticizing the government. Salah Ouda, the writer of the article was summoned to the security offices and warned from ever criticizing the government again. Security agents also ordered al-Sahafa to withdraw one page carrying three opinion articles from 16 thousand copies of one issue of the newspaper.

3-9-2003- Suspension of “Alwan” because of an interview with Mrs. Turabi:
Alwan newspaper was suspended by a decree by the Court of Crimes against the State for publishing material deemed by the government as inciting and libellous. Mr. Hussein Khojali, the owner and editor in chief of Alwan, described the ruling as catastrophic because it was not against an individual, but against freedom of expression and the freedom of thought which is held in high esteem by the Sudanese people. He added that all they did was to interview the wife of Dr. Hassan al-Turabi, leader of the Popular Congress, in which she talked about the life of her husband in prison. Nothing out of the ordinary was said or published, as Mr. Khojali said.

11.09.03- Suspension of Khartoum Monitor
Khartoum Monitor was again suspended because of articles criticizing the government for its neglect of the South. Mr. Alfred Tabab, editor in chief of the newspaper issued a statement saying that the Council of the Press and Publications has indefinitely suspended his newspaper ‘starting from today’.

17-11-2003- Indefinite Suspension of Al-Ayyam Newspaper
In response to a complaint by the security organization against Al-Ayyam newspaper, alleging that the newspaper’s policy was liable to threaten the security and stability of the country, Al-Ayyam was suspended indefinitely. Mr. Mahjoub Mohamed Salih, a veteran journalist, said that the suspension of his newspaper was a flagrant violation of the promises of the President of the Republic to protect the freedom of the press. He added that al-Ayyam followed a responsible policy of promoting peace and democracy and it would never betray its national calling.

22-11-2003- Journalists Protest to President Bashir
A group of journalists submitted a protest to President Bashir condemning the crack down on the press and the recurrent administrative suspensions, and pointed out that those procedures represent gross violations of the freedom of expression and opinion which are globally recognized as basic human rights. The memorandum stated that the persistent violations of those rights by the institutions of the state would erode the
credibility of the government in the eyes of the Sudanese public, in particular, and the international community, at large.

22-11.2003- **22 Journalists Arrested after Peaceful Protest**
22 journalists were arrested after they had organized a peaceful demonstration to the ministry of information, protesting the security forces’ decision to withdraw an article accusing the government of sending expired medicines to the rural areas. The article was withdrawn from Al-Watan newspaper whose editor in chief, Sid Ahmed Khalifa, was one of the arrested journalists. The journalists were later released on bail, but they were accused of incitement against the state and disturbing public order. If convicted they might serve a long time in prison.

23.11.2003- **The Umma Party Condemns the Government’s Intervention**
After the suspension from publication of Al-Watan’s article about the expired medicines, the Umma party launched a strong attack against the government’s policy of intervention in the press and the violation of the freedom of expression. The statement said: ‘The intervention of the security organs in the freedom of the press and the crack down against newspapers is totally unacceptable’.

24.11.2003- **Al-Ayyam Reappears Ending the ‘Indefinite’ Suspension**
Al-Ayyam won a court ruling stopping the suspension, and dropping accusations of crimes against the state attributed to it by the attorney general. The newspaper’s editor in chief later said that the attorney general interrogated him after the suspension about some articles written over a period of sixteen months, which the attorney general described as carrying false news. Many of the articles were related to Dar Fur which had been propelled into a state of severe turmoil since the break down of the cease fire agreement between Sudan government and the rebel forces.

24.11.2003- **Suspension of Khartoum Monitor for the third time**
Khartoum Monitor was suspended for the third time. The decision of the attorney general said: ‘The English newspaper, Khartoum Monitor, has been suspended as of today, because its editorial line does not serve the country and its citizens and does not serve stability’. The statement went on to say that the paper had discussed the issue of slavery in Sudanese society, and had cast doubt on the independence of the judiciary. The paper was further accused of opposition to the peace agreements.

17.12.2003- **Al-Jazeera office Closed, its Director Detained**
One day after al-Jazeera Satellite Channel started airing a series under the title ‘The Sudanese Scene’, interviewing representatives of the government and the opposition, the channel’s officials declared that their offices in Khartoum had been closed and the channel was asked not operate in the country. Security agents later arrested the director of the office in Khartoum, Mr. Islam Salih, vandalized the office, and seized three cameras and the transmission equipment. The channel also disclosed that they had received many threats from officials complaining about the channel’s coverage of events in Sudan.

Arab Press Freedom Watch (APFW) issued a statement demanding the release of Sudanese journalist Islam Salih, director of al-Jazeera office in Khartoum. APFW
expressed deep concern over the way Sudanese authorities were dealing with journalists and newspapers and asked the government to stop harassing journalists and suspending newspapers.

23.12.2002- **Bashir Declares his Intention of ‘Extending the State of Emergency’**
In his letter to the “National Council”, the Sudanese parliament, President al-Bashir demanded the extension for another year, of the state of emergency, declared all over the country four years ago. The letter alleged that the conditions that necessitated the imposition of the state of emergency, in the first place, were still holding: for despite the cease fire agreement, the peace process had not been concluded; the war in Darfur was still raging, in addition to the imperative of preserving the achievements of the peace talks.

The director of al-Jazeera office in Khartoum, Mr. Islam Salih, was released on bail by the Sudanese authorities, after one week in custody, accused of airing material with false information, biased analyses undermining and compromising the reputation of the country.

29.12.2003- **Sudanese Parliament Extends the State of Emergency**
In conformity with the demand of the President of the Republic, Omar al-Albashir, the Sudanese parliament decided to extend the state of emergency in the whole country for one year, starting from the first of January 2004. The parliament, however, expressed the need for lifting the state of emergency once circumstances were opportune.

15.01.2004- **Release on Bail of the Editor in Chief of Al-Ayyam**
Sudanese authorities released on bail Mr. Mahjoub Mohamed Salih, a Sudanese veteran journalist, and editor in chief of the independent al-Alayyam, which had been suspended since last November. Some businessmen and friends of al-Ayyam and its editor in chief paid 200 million Sudanese pounds (80,000 US Dollars) for the release of the elder journalist who was burdened with hefty fines and taxes that his paper could not possibly pay in the light of continual harassment, suspensions and trade war.

28.2.2004- **Al-Jazeera Director on Trial for Undermining the Reputation of the State**
Islam Salih, the director of al-Jazeera channel in Khartoum was put on trial in the Criminal Court in Khartoum, to face the accusations of ‘publishing false information, and undermining the prestige of the state’ levelled against him by the National Security Organization. He was accused of propagation of this false information globally by transferring it through satellite by SNG equipment.

4.3.2004- **Islam Salih Appeals Faulty Procedures**
In the courtroom, Islam Salih said the procedures used by the security authorities to put him on trial were erroneous and defective. The judge, however, dismissed his objections and decided to go on with the hearing.

18.3.2004- **Khartoum Monitor Returns**
The security forces agreed at last to allow Khartoum Monitor to hit the market again, and dropped the accusations on the basis of which it was indefinitely suspended. The afflicted newspaper was allowed to resume publication immediately. The minister of justice said in a statement that article 130 should not be interpreted to condone the suspension of any newspaper ‘unless there was a convincing and urgent reason and the suspension should continue for no more than 24 hours in that case.’

06.5.2004- APFW Award for Mahjoub Mohamed Salih
The annual award for the defence of the freedom of the press, of Arab Press Freedom Watch, went this year to Mr. Mahjoub Mohamed Salih, the veteran journalist, and father figure of Sudanese journalism, as a token of respect for his honourable record in defence of the profession and his services to the Sudanese press. The award was given in a ceremony at the end of the third conference of the organization which elected a new executive committee including Sudanese journalist Amal Abbas.

02.6.2004- Parliament Passes Press Law, Abolishing Imprisonment of Journalists
Putting an end to the heated discussions, the Sudanese Parliament passed the new Press and Publications Law, after inserting many positive amendments to the satisfaction and jubilation of Sudanese journalists. One of the most important amendments, added by the House Media Committee, was the abolition of imprisonment as a punishment for journalists as incongruent with the freedom of the press. The authority to withdraw licenses from journalists, formerly enjoyed by the Press Committee, was entrusted to courts, with a proviso that the license should not be withdrawn on the first violation, whatever the nature of that violation.

Amnesty International issued a report on Sudanese government’s violations of the freedom of the press in the aftermath of the conflict in Dar Fur. The government had imposed stringent regulations on the coverage of the war on all newspapers, set out in a circular from the security organ about what was permissible and what was not, in the coverage of the war.

12.9.2004- Authorities Reintroduce Prior Censorship, Detaine Alwan Editor
Reintroducing prior censorship, the security authorities arrested Mr. Hussein Khojali, editor in chief of Alwan, and confiscated 10 thousand copies of al-Sahafa newspaper. The newspaper was allowed to appear in the markets after withdrawing some articles rejected by the authorities. Alwan was also compelled to drop some articles and one of its front-page news. Newspapers were only allowed to publish after dropping any reference to the press conference held the previous day by the opposition Popular Congress, led by Dr. Hasan Turabi.
Syria

If Literature is the Mirror of a People,
The Press is the Mirror of the Political System

By: Osama Al Masri
Syrian Journalist

(Paper presented to the APFW Annual Conference- Rabat- May 2004)

If literature is the reflection of the creativity of the people, the media is the mirror of the political system and the political reality in this or that country. Every political system reflects its own image in the media and the press. To the extent that the political system is democratic, the media and the press will be free: bringing to light whatever happens in that society; closely watching the government institutions and authorities and disseminating information to all sections of the community. For decades now, Syria has no experience of an independent press; the official press has ruled supreme and has cast its dark shadow on the whole political landscape. It is the true reflection of the political regime; a propaganda machine and a mobilisation instrument for the state, not a medium for the enlightenment of the people.

During the last ten years, the new systems of the media, the product of the huge information revolution, have been able, through their satellite TV channels, to penetrate the iron curtains raised by tyrannical governments and political systems as dismal quarantines for their peoples. While these satellite channels have been able to enter every household, even without asking for the permission of the owners, patriarchs or otherwise, the print media is still languishing in its age-old captivity, suffering under the archaic laws and primitive practices. The political system defines, for its own purposes, the form and content of both official and non-official newspapers.

The Internet is too limited, filtered and monitored, to play an active role in disseminating information on a large scale. It has merited less regulation only because of its restricted use in the country.

This situation, even though understandable, is not at all acceptable. It is understandable because, as we said earlier, the press is a reflection of the political system. We cannot expect the press to be free in a political system based on the hegemony of the state, the single party and their affected role as guardians of the people; in a country that has been ruled through emergency laws, as old as the regime itself. In such circumstances, any reform of the press and other media could only be possible by modernising this political system and transforming the way it conceptualizes things and how it operates.

The free press in Syria is still in its nascent stage, while the hegemony of the official press is still intact. This is an expression of the discrepancy between word and deed, between the reality of the political system and the legal appearance it prefers to assume. If we take the Syrian Constitution, it has this to say about the freedom of the press: (Every citizen has the right to express his point of view freely and publicly, orally, in written form or through any other means of expression… The state guarantees the freedom of the press, publication and distribution, in accordance with
The law.) (Article 38 of the Syrian Constitution.) The reality, however, is that the emergency laws rob the Syrian citizen of most of his rights, not least the freedom of expression. There is even a more sinister dimension to this reality: the Syrian citizen, under the merciless yoke of poverty, is more concerned about his daily livelihood than to show any interest in the freedom of expression or the press. For the majority of Syrians, who live on the economic, political and cultural margins of their own society, freedom of expression is a luxury, a pure fantasy and an idle talk of the ‘literati’ who live in a different world. Under such circumstances of daily toil, in the absence of the rule of law, and the tyranny of wielders of power on all its levels, high and low, the Syrian citizen will have no respect for those who talk about the freedom of expression while turning a blind eye to his suffering.

The present state of affairs goes back to 1963. The entrenchment of the concept of the media as the mouthpiece of the state, through uninterrupted practice, can only be matched by the hollowness and sterility of the content of that media. It is only natural that the role of the media as a venue for the expression of different views, as a monitor and watchdog acting on behalf of the people and as a facilitator in the formation of public opinion, has simply been forgotten. Even after three years of the publication of the new Publications Law, we are yet to see the emergence of an independent press that expresses the political, economic, social and intellectual interests of the different strata of society. After the publication of that law, many publications have seen the light of day. Let us enumerate some of them:

- 26 promotional and commercial publications.
- 12 scientific publications.
- 7 political publications.
- 6 sports publications.
- 5 cultural publications.
- 5 social publications.
- 4 pharmaceutical publications.
- 3 economic publications.
- 3 tourist publications.
- 3 Showbiz publications.
- 2 legal affairs publications.

Later, in October 2003, 11 non-political newspapers and magazines were licensed. It is to be noted that 5 of the 7 licensed political newspapers belong to the ruling parties of the so-called National Front. After the suspension of ‘Al Domary’ satirical magazine, there is only one independent magazine called ‘Black and White’, which ‘disappeared’ for three months but emerged again at the beginning of this year.

President Bashar Al Assad has been in power for three years now. We have witnessed three governments come and go, during this period, but we are yet to see any real change in the situation of the press and the media in Syria. The official media is still playing its old game of whitewashing the regime and its institutions, while adopting some of the new lexicon of transformation and change. The formulation of the news is still captive to the political message the regime wants to send. The news bulletins, overloaded with value judgements, propaganda and political justification, are no more than a thin brew of informational content. When formulating his material, the editor is
mainly concerned with the reactions of the authorities and how they feel about what he publishes, rather than the service and enlightenment of the reader. So if the main heading falls within the official policy of the state, any details that might serve the reader are simply ignored. Let us take this statement published in ‘Tashrin’ newspaper, the official mouthpiece of the Ba’ath Party and the government, issue number 8879 on 6/1/2004:

Under the heading: ‘Itry Lays the Foundation Stone for the Train Station and the Hijaz Market’ the statement reads as follows:

‘Under the guidance of President Bashar Al Assad, Engineer Mohamed Naji Itry, the Prime Minister, laid yesterday the foundation stone for the train station and Hijaz market project in downtown Damascus. The ceremony was attended by Engineer Makram Obeid, Transport Minister, Engineer Hilal Al Turshe, Local Administration and Environment Minister, Dr. Saadalla Agha Al Galaa Tourism Minister and Mohamed Nihad Mushantat, Housing and Construction minister. It has also been attended by comrades: Damascus Branch Party Chief, Suburban Damascus Governor, Executive Office Deputy Chief, and a number of leaders of popular organizations, trade unions, economic and social personalities and technical staff involved in the project. After laying the foundation stone for the exceptionally important project, his Excellency the Prime Minister was briefed by Engineer Salah Habib Ahmed, General Director of the railways and Shaykh Zaid Mohamed Al Sharif, president of the board of directors of the Saudi company Agar, which is taking part in the execution of the project, about the importance of the project, the different phases of the execution and its different sections. His Excellency the prime minister talked to the journalists and the news media, confirming the importance of this essential project and its role in the achievement of development in its different dimensions. He also indicated that the general atmosphere in Syria is quite conducive to investment, within the framework of the far reaching development plan under the leadership of his Excellency President Bashar Al Assad. The three billion Syrian Lire project consists in building a modern train station with all the supporting services, a mall, a car park and other tourist attractions and services. The project is expected to provide ten thousand jobs when it is in full operation.’

We notice that the news item which is supposed to concentrate on the project, the job opportunities it would create while it is under construction and when it is fully operational, the investor and his background, the share of the state, the expected profits and economic benefits and services etc…, has actually been concentrated on those who have attended the occasion. In the Arabic version of the coverage 190 words were about those who attended, and only 35 words about the project. We should add here, that the information given about the project might not be accurate: a three billion Lire project can hardly create 10 thousand jobs.

This shows a total lack of respect for the reader by the official press. Completely oblivious of the reader, the real terror of the journalist is to inadvertently drop the name of any important official present in that ceremony, the sort of negligence for which he would pay heavily. Conversely the citizen has no confidence whatsoever in the official press. Having known it for decades to be the shameless mouthpiece of the government, having seen its disrespect for his intelligence, its disregard for the truth, he has stopped treating it as a source of information. If he is keen, he would turn to
other Arab newspapers and media to obtain information about the world, as well as about Syria; if he is not, he would just shut himself up and stop bothering about his country and about the world. Under these circumstances, it is no wonder that official newspapers distribute a few thousand copies every day, most of them given for gratis to the officials themselves, for they are actually written for them. If we take into consideration that the population of Syria is more than 18 million, the full dimension of the problem would be in sight: the Syrian citizen is expressing himself by silence! By boycotting the official press, the Syrian citizen is telling the state that he does not believe the lies poured upon his head everyday, that he is rejecting all this in a negative way, through apathy and withdrawal of confidence. It is also to be noted that the prices of the official newspapers are very low compared with other Arab newspapers, but the readership of the latter is incomparably wider than the former. Ignoring the huge number of unsold copies of Syrian newspapers, people look for and hardly find other newspapers and magazines where they expect to lay their hands on some information and enlightenment.

A poll by the Syrian Economic Centre, on a random sample of 600 residents of Damascus, found that 35% said that the official press is ‘misleading’, 42% said that it is externally oriented and doesn’t care about the Syrian people, 23% said that it is internally oriented. The obvious result is that more than 75% of the Syrian people have no trust in the Syrian press and do not feel that it is addressed to them.

The government owns the three main newspapers in addition to another four in the provinces. A new official newspaper under the name of ‘Al Furat’ is scheduled to be published shortly in the Eastern province, and is expected to tread the same road of its ‘sisters’ as a mouthpiece of the state, the government and the party. The major source of information for all these newspapers is the official news agency ‘SANA’ of which they are unnecessary additional copies.

Generalization about the Syrian press cannot automatically be extended to the journalists working for them, many of whom are highly qualified, and could have been excellent journalists in a different environment and within a more open informational policy. Although ‘Al Ba’ath’ Newspaper has recently declared that it would increase the number of its pages to 20, we have seen no progress whatsoever in the content of the material published in the new pages. It has been simply an enlargement of its same old self.

The press can only be free and independent in an environment that nurtures freedom of expression and thought, the formation of independent political parties, the rule of law in the absence of emergency laws that have been in place for 40 years now. The absence of the rule of law is tantamount to the absence to all forms of freedom, and the freedom of the press will be a purely formal concept if not an outrageously deceptive one, in that case. We have a specific example in mind here: ‘Al-Iqtisadia’ is an independent magazine aspiring to represent the new strata of business people in Syria. In its issue No. 128 on 4/1/2004, journalist Yousuf Khalaf wrote under the title: ‘Mr Prime Minister: There is a Smell of Corruption in the Air’, about the pollution of drinking water consumed by tens of thousands of people. Although Mr. Khalaf has researched his issue thoroughly, and appeared to be conversant with all its aspects and details, he stopped short of naming the place where people drink polluted water or
shaming those who were responsible for the corruption that led to that criminal threat to the lives of tens of thousands of citizens. Speaking anonymously about committees that have been formed, investigations that have been made, he gave the impression that our cities were bereft of the honour of having names and our corrupt bureaucracy is both faceless and nameless. But even what Khalaf vaguely indicated about the ‘smell’ of corruption, was too much for the powers that be. In its 129 issue, Al-Iqtisadia disclosed that Khalaf had received many threats and many dark hints of revenge. We are left to imagine what would have happened to this journalist if had dotted his i’s and crossed his t’s and given the names of the sources of that offensive smell! Not only would the independence of his magazine be in jeopardy, but its very existence.

The bureaucratic, hierarchical and command nature of the whole society, has naturally been reflected in the official press, where the journalist deteriorated into a bureaucrat, writing a quota of lifeless articles per month, of a certain length, a certain number of words and a single aim in mind: to please the authorities hiring him for a meagre monthly salary. Journalists have become the mouthpieces of the rulers, defenders of their rights and their wrongs and magnifying glasses for their unbelievably huge egos. The journalist would not hesitate to deny today, what he had said yesterday, simply because those above had told him to do so. His unwritten contract is more specific than any words: do as you are told to do, you take your monthly salary and save your neck, or else…

The unions that were supposedly established to protect the journalist, have something else in mind: the defence of the freedom of the press in other countries, the protection of the rights of foreign journalists, the solidarity with the sufferings of colleagues all over the world, but not in Syria! When journalist Taysir Allouni was arrested in Spain for accusations related to international terrorism, the Syrian Union of Journalists demanded his immediate release, but when Ahmed Jan Osman, a poet of Chinese decent, was expelled from Syria, the president of the Syrian Union of Journalists, Sabir Falhout, declared that his union was against the violation of freedom ‘anywhere on this planet’, but that the man was not a member of the union, so they had no professional relationship with him. ‘But if somebody submitted his case to us,’ he said, ‘we would definitely investigate and see what we can do.’

Two simple questions would be in order here: Did Taysir Allouni, or anybody on behalf of him, submit any complaint about him to the union? And is Ahmed Jan Osman out of this planet?

In a meeting of Damascus Branch of the journalists’ union, held earlier this year in the offices of Al-Thawra newspaper, Mr. Talib Qadi, information minister assistant, said that the professional advancement of journalists is badly needed, as for the protection of journalists, “I have enough courage to protect the journalist.” But is the protection of the journalist better served by the courage of an assistant minister, or through the rule of law, that would not only protect the journalist, but the citizen as well, from the encroachments of government institutions and powerful individuals?

Dr. Sabir Falhout, the president of the journalists’ union, once said:
“If we were incapable of solving your problems in the past, we had at least suffered for your suffering. Now there are very good promises to improve the circumstances of journalists. The Prime Minister has already promised to provide 20 houses for the provinces, 10 of which would be in Damascus. We have also tried to drop taxes on cellular phones, provide journalists with cars, and achieve some pay increases.”

It is to be noted here that the president of the journalists’ union acknowledges that they had not been able to solve the problems of journalists in the past, and that he wants to redeem his failure by vague promises. It is unrealistic to expect that every journalist would be given a house, a car and a cellular phone. It would have been more realistic if Dr. Falhout talked about the reduction of taxes, rents and the necessity of pay rises. But even before that, he should have talked about the freedom of the press, and the need for the journalists to unite and fight for their rights against a government that has consistently turned a blind eye as far these problems are concerned. He should have talked about the imbalances of incomes in Syria as a whole, where the majority are living in poverty and deprivation. He should have talked about the chronic problems the press faces in Syria. But Mr. Falhout seems to be unaware of any problems other than those he chose to mention.

When he gently touched on the publications law, Mr. Falhout had this to say: “The publications law contains some defects that offend against the principle of transparency, since the law now in operation, allows the incarceration of the journalist in many of its articles. We have raised this issue and the year 2004 would be the year of change and amendments.”

The problem with the publications law is not that it contains some defects. The problem with that law is that it leaves the door open for the government, or any of its agencies of censorship, to interpret the law in any way they find to serve their purposes. Article 51, for example, incriminates the publication of false information or forged documents and metes out a punishment of between one to three years in prison and a fine of between five hundred thousand to one million Syrian Lire. The article stipulates that the maximum punishment should be served in case the publication has in a premeditated way, and in bad faith, caused public discomfort, or undermined international relations or belittled the prestige or dignity of the state, or threatened national unity, or affected the morale of the armed forces, or negatively affected the national economy and the value of the national currency.

Whether the material has been written or published in bad faith or otherwise, is to be decided by the prosecutors, effectively by the government, since no specific definition has been given to the term. In that case, any criticism that the authorities find difficult to stomach would be construed to be written in bad faith, a situation where the ‘bad faith’ of the government in its war against freedom of expression, would be elevated to the status of law. The law has also placed in the hands of the council of ministers all the powers it needs to refuse to license any independent publication without giving any reasons. The likes and dislikes of the government have also been elevated to the status of law as far as licensing new publications is concerned.

The situation in the Press Department in the University of Damascus, which is supposed to inject new blood in the profession and be a source of renewal and
progress, is by no means better than what we encounter on the national scene. Creeping corruption, which we find in all departments of the university for that matter, is the order of the day in the press department. Established twenty years ago, the department lacks the basic infrastructure to justify calling it a press department: no qualified lecturers, no laboratories, no video cameras, no curriculum, no magazines and not even a wall newspaper, is to be found here. The future has been confiscated in the interests of maintaining the status quo. Under the title ‘The Press Department in the University of Damascus: a Miniature of the Syrian Press’, “Black and White” magazine, published in its issue of 21/1/2004, a feature by Buthaina Awad that reads: “When I told him ‘referring to one of the lecturers in the department’ that I wanted to write a story about the department, he was enthusiastic about the idea, at least at the beginning. But he later commented meaningfully that his condition for acceptance would be that the interview should stress the positive aspects of the department and ignore the negative ones, since publication of such material would stain the reputation of the department and demoralize the staff. He continued to say that “sometimes you find certain people who are sent to the department for ulterior motives”, a statement that baffled me completely.”

“The real catastrophe,” Buthaina adds, “is that most of the lecturers have no official qualifications, no journalistic experience and depend solely on theoretical generalizations about the profession. How can they, under these circumstances, help these young men and women to become the journalists of the future?”

It has to be mentioned, though, that there are many good journalists in Syria whose lack of academic background is more than compensated for by their long experience in the field. They hail from different political, intellectual and professional backgrounds, and although many of them don’t take journalism as a full time job, but they show remarkable activity in writing to different media venues in the Arab world, in the fields of political analysis and about intellectual issues. The emergence of the electronic press has presented them with wide space for relatively free writing, away from the stifling grip of official censorship and within their own concepts of what is permissible and what is not. But, alas, this medium is still very limited because access to the Internet is very restricted in Syria. It is very difficult even for the journalists in the official newspapers to access the Internet, let alone other citizens. While his counterpart in Europe can buy a car for part of his monthly salary, the Syrian citizen needs his whole salary for many months to buy a computer.

One of the funny things that happened to me of late, and which I like to mention to my friends is the following:
When I accessed the website of the Syrian Ministry of Information, a few days ago, I was astonished to discover that no window has been updated for a very long time. Let me give you some examples:

4- Official Statements: Last updated on 19/11/2002.
5- Break News: No Material.
If that is the situation on the website of the Ministry of Information, which still carries the name of the minister Mohamed Umran, almost six months after the formation of the new government, what do you expect to find on the websites of other ministries and official newspapers?

In conclusion I say that the press in Syria will not change, unless the journalists themselves change their conceptions about it. In an editorial of Al Mustaqila (an ‘independent’ magazine), issue number 128 on 4/1/2004, and under the title ‘Happy New Year’, Mr. Waddah Abdrabbo, the editor in chief has this to say about his wishes for the new year: “Our wishes for 2004 are so many and so varied, we cannot enumerate all of them in this editorial. As journalists, our first wish will be for the Arab media to assume its role in alerting the Arab citizen of the dangers in store for him.” This is an expression of the condescendence with which the Arab citizen is treated by this school of thought: the “Arab citizen” is somebody who is waiting passively to be alerted and educated about the anonymous dangers in store for him, his heart is in need of being filled with more fear and foreboding! I think that the ‘Arab citizen’ will definitely be better off without such media!

Caring only about the reactions of the officials in the state, and exerting every effort to please them, newspapers still decline publishing any bad news for the government, or postpone publication till it is too late. They think that they are doing the political regime a service by doing so, but in actual fact they are severing all relations between the regime and its citizens, which is the true death of the regime. Journalists are constantly complaining about their lack of access to the government officials, sometimes staying for long hours to obtain an interview with a government official without being able to see him. The obvious fact here is that the role of the press as a monitor and a watchdog is non-existent. Corruption cannot be reigned in, in such an environment. The journalist will not be more than a timid employee of the state. Only through freedom of expression, guaranteed by the constitution and made into reality by a free, independent press, can this situation change, and only then can the real concerns of our citizens find their way to the public domain, be exposed to public scrutiny and find a chance of being resolved in the interests of those citizens.

Finally: Is it possible for the state to understand that reform, defeat of corruption and the rule of law can only be achieved in an atmosphere of freedom, embedded in the constitution and protected by it? Is it possible for the state to reconcile itself to the freedom of the press that will enable it to play its monitoring role, to inform the citizen rather than dictating to him and indoctrinating him? We hope so.
The Syrian Press: Between the State of Emergency and the New Publications Law

By: Akram Al Bonni
Syrian Journalist

(Paper presented to the APFW Annual Conference- Rabat- May 2004)

Under the oppressive presence of the state of emergency and arbitrary rule, the press situation, in Syria, has not changed after the endorsement of the new publications law. Both the state of emergency and the publications law give the executive power the absolute right to intervene in the affairs of the media and to exploit media outlets in the propagation of the ideology of the ruling elite and to guarantee its total control of public opinion and the falsification of popular consciousness. The principles adhered to, and employed by the regime in enforcing its hegemony and the forms that hegemony takes, can be summarized as follows:

- Firstly: State monopoly of all the media and its restriction of private ownership of media outlets to those who are totally committed to its ideology and political orientation and who are expected to commit themselves to and abide by the guidelines of the state.
- Secondly: The hegemony of the state on the outlets of circulation and marketing of newspapers, magazines and promotion agencies, and its firm control of private publishing and printing houses.
- Third: Firm control and monitoring of newspapers, periodicals, foreign magazines and banning many of them from access to the local market, whenever they carry views or commentaries considered objectionable by the government.
- Fourth: The adherence to the principle of a guided press with huge assets and resources at its disposal characterized by its one-sided discourse and parochial vision and controlled by the nomenclature and institutions of the Ba’ath Party.

Under the state of emergency which has been in place for decades, the Syrian press is controlled, for all time and in every respect, by the will of the executive power and its right to dictate everything including the minutest of details. Immediately after broadcasting Statement No. 2, in 1963, which declared the state of emergency and emergency rules, in the country, the military junta issued Statement No. 4, banning all newspapers and magazines, suspending the publications law No. 35, of 1946, stopping issuance of new licenses, confiscating all printing equipment, freezing all the money and confiscating all the resources of press institutions.

According to the emergency rules, it is legal for the governor or his deputy, to impose whatever constraints he deems appropriate on the freedom of individuals, association, travel and passage. He also has an absolute right to monitor letters, intercept telephone calls, censor newspapers, newsletters, books, broadcasting stations and all media venues and outlets, before they go to the reader or be carried by airwaves. This is explicitly spelt out in clauses A and B of article 4 of the Syrian Emergency Law.

These almost unbounded authorities, imbedded in the emergency laws, have not only been used in settling accounts with political adversaries and depriving the opposition
forces of their legitimate rights to exist, organize and operate, but have also been exploited to impose an extreme formula of a one party rule in a putative coalition with nominal parties and groupings. Many hollow slogans have been repeated, ad nauseam, to justify such a state of affairs, like the need for cementing national unity, securing stability and facing the imperialist and Zionist enemies of the nation, and to legitimize the rights of guardianship possessed by an ‘inspired’ elite of ideologues, ruling millions of minors and leading them to the blessed land of Utopia. Those elites are allegedly the only ones who have the ability to differentiate between good and evil and to know what is in the best interests of society and what is harmful to it. Starting from such dangerous and wrong-headed premises, no difference of opinion was allowed, no criticism permitted, no advice heeded or taken in good faith, no questions asked, and no answers given. The faintest sense of doubt amounts to treason, the weakest expression of discontent should be nipped in the bud, if not by the threat of force, then by the brutal use of it.

It is to be noted, however, that the demise of the communist system, the erstwhile prototype of the Syrian regime, the consequent flourishing of the values of democracy, justice, human rights, the information and communication revolution: satellite channels, email and the internet, the multiplicity of voices calling for the lifting of the state of emergency and arbitrary rule and the rehabilitation of civil rule and civil liberties, all this has compelled the regime to reconsider its policies in a desperate bid to adapt to the new reality and try to contain the potentially dangerous forces that threaten to engulf the regime. We have heard a lot of governmental statements, during the last few years, about the need for change, for social and political reform, for modernization and the lifting of the state of emergency and limiting its role in public life. Unfortunately, the existing mentality is structurally incapable of understanding that governance can be divorced from repression, and that any government can achieve security and stability without the services of unaccountable security forces. It is only to be expected, then, that the resounding statements about change and reform would remain at the level of assertion and no practical steps would be taken to turn them into reality. We have since witnessed, in Syria, the emergence of an ‘intelligent mechanism’ to maintain the emergency laws, adeptly called by a lawyer and a human rights activist: “emergency as normality”, denoting the new practice of smuggling emergency punishments, procedures and rules, reformulating them and giving them the appearance of normal laws.

The Syrian Publications Law, issued in September as the Legislative Edict No. 50 for the year 2001, should be viewed from this perspective. It should be called, as one journalist indicated, The Press Criminal Law. Another journalist said that it must have been written in a police station with full presence of all the corporals. It is the perfect recipe for maintaining the legally pathetic status quo, for subjecting the press, and the media in general, to the same constraints imposed on freedom of opinion, expression and publishing, for putting writers, authors and literary people under the heavy yoke of a new set of chains and for giving the government an even freer hand in monopolizing for itself every word and every deed.

The new publications law has been written from the perspective of the ruling elite to legitimize the continuation of its monopoly of the information space and to put in place more constraints and stumbling blocks in the way of the freedom of the press
and freedom of opinion in general. It is a travesty of the Syrian constitution itself, which can hardly find a place among democratic constitutions, for it is almost totally oblivious of the international covenants on human rights.

The main objectives of the publications law are the continuation of the ownership of the state of the most important media organs and the imposition of uncompromising censorship on those which are not directly owned by the state. It lays down what it calls red lines to wipe out the essence of the press and to destroy its critical spirit. It imposes formidable constraints on the freedom of publishing and meticulously censors foreign books, newspapers and publications, sometimes denying many of them access to the country. We can give abundant examples of this all-pervading hostility towards the freedom of the press and opinion in Syria, but let us mention just a few of these. The closure of Al Domary magazine, after a very short life span, the on-going censorship of all publications published by the parties of the so-called National Front, which are supposed to be ruling parties, the closure of the ‘Discussion Panels’ which opened after the false dawn of the so-called new regime, and the open hostility towards all forms of literary and cultural expression, like poetry, short stories and novels, are just a few examples of the reality of Syrian oppression.

While securing the ownership of the state of all the media, the Syrian Publications Law tries to temper this down by allowing the licensing of private newspapers in accordance with article 129, clause 9, which gives the prime minister the right of accepting or rejecting the licensing of any regular publication, depending on considerations of the public interest which he alone has the right to assess. While the prime minister is under no obligation to give any reason for his refusal, the applicant has no right to appeal against the decision, if it is not in his favour, and can not legally submit another application before at least one year of the rejection of his first application. This simply means that granting or denying the license is treated as the exception rather than the rule, and is considered the sole prerogative of one person who happens to be the unelected Syrian prime minister.

The licensing process, however, is confined to newspapers and publications, without any reference to other media services like broadcasting stations and TV channels. This is explained by the fact that the regime wants these other media organs to be off-limit even for any discussion, and to be cordoned off as the pure monopoly of the state. It is still a taboo to talk about privately owning a broadcasting station or TV channel in Syria.

Judging by the punishments it metes out in crimes of publication, the new law is not only a continuation of the emergency law, but is sometimes even harsher than the latter. It contains cruel and far-reaching punishments cast in ambiguous and elastic expressions. It raises the ceiling for maximum imprisonment from one year under the emergency law to three years under the present law, and the maximum fine from one thousand Lire to one million Lire. The circulation of any publication, irrespective of form or size, through illegal channels, is punishable by three months in prison. Non-political periodicals should, under no circumstances, publish political material or else they would be subject to punishments that include imprisonment. Editors are to submit copies of their newspapers and publications before circulation, to the respective state agency. The law seriously undermines the ability of journalists to deal
with their own material and to make changes at the spur of the moment or to include any material of an urgent quality, which is the very essence of good journalism. Journalists are continually living under the horror of falling victim to booby traps set by the government to incriminate them, like the publication of false news, endangering national security, undermining the economic standing of the country and its national currency, belittling the prestige of the state or undermining national unity. The regime resorts to such ambiguous terminology because it can easily lend itself to the different interpretations deemed expedient by the government, at different times and under different circumstances. It a legendary sword, eternally hanging over the necks of journalists and media people reminding them of their liability for punishment at any moment.

We don’t need to be exceptionally gifted to discover the methods employed by the Syrian authorities to undermine the freedom of the press and violate the rights of journalists. Let us take some examples: article 29, clause 5 prohibits the publication of any material that is liable to undermine national security and the ‘unity of society’! Articles 50 and 51 mete out harsh punishments for the publication of material questioning public morality, disturbing public quiet, negatively affecting international relations, propagating false news or forged documents. Punishments for these crimes range from imprisonment of one to three years, to fines of five hundred thousand to one million Syrian Lire. Both punishments should be implemented in cases where publication is proved to be in bad faith and has actually caused injury to national security, economic or financial performance, international relations or the prestige of the state or public quiet.

These booby traps are almost impossible to be detected or avoided by any publication which practices real journalism. They are so ambiguous, so elastic, and so imprecise as to mean everything the government wants them to mean and carry every shade of meaning the government wants them to carry. Journalists and newspapers can easily be taken to court on that basis, to be tried by judges who are compelled to be the servants, not of justice, but of the state, and who have no choice but to sentence them either to hefty fines or imprisonment.

Take, for instance, article 44, which prohibits non-political periodicals from publishing political material: most often it is not possible to differentiate, let alone disentangle the political from the non-political, for almost everything can be construed as having a political dimension, especially by paranoid governments and leaders. Under these circumstances these publications can easily be suspended or permanently closed for the most flimsy of reasons. Article 22, clause 3, dictates that a newspaper should be closed down if it was proved that it had received money from foreign institutions or companies in exchange for promoting those firms or their products, or if it had been convicted twice, without any specification of the nature of the convictions. The irony here is that article 35 of the previous law of 1946, made any such closure conditional on the presence of five convictions, and it was subjected, fifty years ago when it was issued, to very severe criticism and was cause for a public outcry at that time! Some of the critics then said that the rule should simply be cancelled because there was no legality in imposing an additional punishment on a newspaper that had already been convicted, raising the unacceptability of the principle of double jeopardy. Others said that the number of criminal convictions should be
increased and should also be confined to major convictions related to the security of the state or having a special quality and not only minor felonies of a technical or administrative nature.

Printing and publishing houses are also threatened by suspension and closure because the new law has granted wide ranging powers to the administrative authorities to closely monitor these institutions and any other organs affiliated to them and to ask them to make available for these authorities all documents they ask for without any judicial procedure. Whenever these authorities conclude that a violation has happened they are free to decide the punishment they deem appropriate.

The articles about granting licenses to Arab and foreign newspapers, news agencies and their representatives are also very vague and imprecise, devoid of legal procedure and largely dependent on the minister of information whose decisions, in those matters, are not subject to appeal or reversal. Even after giving them the proper license these institutions and their employees live in permanent fear and apprehension because the material they send abroad is subject to heavy constraints that need a tight ropewalker’s dexterity to go around. The publication of news that does not gain favour with the government is considered a qualitative violation that deserves detention and trial, which is not performed by the natural judge, but before an emergency tribunal with wide leeway to wander outside the bounds of the law and mete out punishments that are meant to intimidate and deter not to serve the principles of justice. One victim of such a tribunal is journalist Ibrahim Al Ahmadi who is still threatened by the potentially harsh decision of the state security court.

In addition to the pathetic procedures suffered by the journalist in trying to obtain a license or to secure an officially recognized status, there are other formidable impediments in the way of obtaining authentic information. It is a well known principle that journalists should not be asked about the source of their information, let alone compelled to disclose them. But article 28 of the Syrian publications law pays lip service to this international principle by stipulating that a journalist may not be asked about the source of his information, unless he quotes an unnamed official, in which case he should disclose that official when asked to do so, which creates a double edged fear that prevents officials from imparting any meaningful information and prevents journalists from trying to obtain some authenticity to their reports by quoting officials on conditions of anonymity.

Not content with the constraints embedded in the Publications Law, the minister of information hastily issued decree No. 297 for the year 2001 giving his own interpretation of the law, and adding new constraints of his own making. In addition to the application forms to be submitted to the ministry and the number of issues made available to the security forces, the ministerial order decreed that broad sheet political newspapers should be of 8 pages while tabloids should be of 16 pages, should employ five editors and five reporters and subscribe to the National News agency; one Arab news agency in addition to a foreign one and should appear at least five times a week. All these conditions place a heavy financial burden on newspapers and require them to be big businesses rather than modest venues for the expression and propagation of different shades of opinion. This is aggravated more by an additional condition that restricts the space for advertisements in any issue to no more
than a third of the pages. The monopoly the government enjoys over ads and promotion is a further source of pressure on newspapers.

The state of siege under which the Syrian press is working, however, is not confined to the decades-old state of emergency which is still hovering over our heads and spelling doom to any form of freedom and smothering any initiative, and is not even confined to the publications law with its awesome arsenal of punishments and threats. There is actually a corpus of other laws that make it almost impossible, under the present circumstances, to liberate the press from the hegemony of the state and free it from the shackles of red tape.

The law of the journalists’ trade union, for example, makes the membership of the trade union mandatory for anyone who wants to practice journalism. If anyone crosses the red line, he would simply be deprived of the membership of the union and thus have all the doors of journalism closed in his face. We refer here to the decree No. 58 for 1974 on the formation of the trade union that declared the membership of the trade union to be compulsory for all journalists who should also believe in the objectives of the union, and work diligently to implement them. Those objectives were professed to be the belief in the principles of the Ba’ath Party, the propagation of ‘Unity, Freedom and Socialism’, and ‘Nationalist Thought’. Anyone found in violation of these principles is liable not only to be sacked, but can be subjected to other punishments as well. Other violations that can invite punishments such as deprivation from practicing journalism include ‘weakening the confidence of the people’ in the government, inciting instincts that undermine the interests of society or ‘portraying reality in a dishonest way’. Anyone can see that these are very ambiguous concepts that can mean anything and can be used not only by the government, but by the journalists union itself which has the legal right, or more precisely the obligation, to take its members to the court if they contravene the law of the union. So the union which is supposed to be the protector of its members and the guarantor of their rights becomes their adversary.

The recruitment of the journalists is itself subject to very primitive criteria including obedience, obsequiousness, loyalty and kinship. All this has nothing to do with competence, merit or ability. Dozens of potentially excellent journalists have been literally crushed by such practices and compelled to seek their livelihood in other walks of life. A few of them, however, found some chances with foreign newspapers and news agencies.

The hegemony of the state over the media had been taken a step further with the legislative decree No. 42 for the year 1975, on the formation of the Public Foundation for the Circulation of Publications, to be responsible for the circulation of all publications in Syria. From that moment, almost thirty years ago, no newspaper or any other publication was allowed to engage in any circulation activity on any level, for it could only do so at its own legal expense and responsibility. To make sure that the circulation of publications would be in accordance with the policies of the government, the minister of information formed a board of directors headed by one of his aides, and composed of representatives of the ministry of culture, the writers union, the journalists union, the Ba’ath party, the political directorate and an expert to be named by the minister of information. This almost exclusively partisan and
governmental board, with its total monopoly on the circulation of all publications in Syria, enjoys unlimited authority to monitor newspapers and to exert unbearable economic pressure on those publications, which are not in total agreement with the party line and government policies. The board has the right to decide the number of issues to be circulated, is under no obligation to corroborate its statistics of the number of unsold copies because it is not obliged to return those copies to the owners of the newspaper who have no control over the process of circulation. As a reward for its disservice to newspapers, the board levies a very hefty fee, which reaches 30% in some cases, of the returns of the newspaper. A case in point is Al Domary newspaper, which was ordered by the board to reduce its circulation from almost forty thousand to fourteen thousand. This caused the newspaper huge economic expense and unbearable pressure before its eventual closure by the authorities.

A complementary role to that of the board is played by the Arab Agency for Advertisement and Promotion, through its policy of stick and carrot: giving a chunk of the promotion market to newspapers when they tow the government line and depriving them of any morsel when they try to chart an independent line. Still the agency has the sole authority of fixing the prices of adverts and scooping a large percentage for itself.

The decisions of the ruling party conferences are occasions for the legitimization of the practices of the state in the information domain, as well as other domains of course. The fifth party conference, for instance, endorsed the principle of the centrality of information, while the sixth conference called for the partisan commitment of all the media, which was the war cry for putting all media outlets under the firm grip of the government and the party. Immediately after that all important media outlets became the property of the state: The Unity Foundation, The Ba’ath Foundation, The Arab News Agency, SANA, Tashrin Newspaper, The Information Training Institute and the Public Corporation for Broadcasting and TV, all became the property of the state, taking state hegemony to the absolute extreme.

Point 29 of the resolutions of the party conference on ‘partisan and committed media’, calls for controlling the mass media to serve the objectives of the party and the interests of the people as defined by the party. All media outlets should firmly obey the guidelines put forward by the leadership of the party, for the education of the people, by explaining and propagating the programs of the party.

In a nutshell, there is no free media in Syria. There is no media that carries any point of view different from that of the government. What we find here is a cluster of official, centrally controlled, newspapers and magazines, circulating on the national and regional levels and trying to reach all the strata of Syrian society, as tools of control, indoctrination and intimidation. In addition to the three official daily newspapers: Al Ba’ath, Tashrin and Al Thawra, the other newspapers at the regional level, there is one magazine for children in the elementary schools, [the government has recently refused to license private children magazines], another magazine called Al Shabiba, for students in secondary and high schools, another magazine titled ‘Jeel Al Thawra’ [the revolution generation], for university undergraduates. But there is also a cluster of ‘voices’, like the Voice of the Worker, the Voice of the Peasant, the Voice of the Arabic Soldier, The Peoples’ Army, The Arabic Engineer, The Arabic
Educationist and the Sports Scene which are variations on the same tone of indoctrination and total control.

The reality of state and partisan hegemony is neither changed by licensing some non-political magazines, confined to the fields of science, the economy or culture, nor by the continued publication of the docile newspapers of the so-called Progressive National Front which are no more than a pale imitation of the Ba’ath Party newspapers. As far as its hegemony is concerned, the regime takes no hostages at all: after failing to reign in the satirical Al Domary newspaper, it closed it for good.

Some may say that the introduction of the internet and the emergence of some electronic newsletters and websites, have partially changed the picture. But this cannot be borne out by the facts. In addition to the fact that some officials are now trying to extend the publications law to cover the electronic media and introduce similar constraints in that domain, so many violations have been committed even without any law. The internet material is heavily monitored, sifted and censored. The publication of one article that does not gain favour with the authorities normally leads to the closure of the whole website, and even international web services like hotmail and yahoo have been closed. Many other websites have simply been wiped out. Some of these were: News of the East, Human Rights and Democratic Freedoms’ Committees’ Website, The Syrian Committee of Human Rights Website, Arab Human Rights Committee Website, Damascus Centre for Theoretical Research and Civil Liberties, Arab East Centre, Al Quds Newspaper Website and Ilaf Newspaper website.

Bearing what we have said above in mind, we can say that press freedom in Syria is a political issue, par excellence. It is organically connected with the whole corpus of human and political rights and freedoms, which are conspicuously absent in the country. The situation here is not different from the typical one-party states, in thrall to the all-pervading and sinister security organizations, a state that casts its dark shadow on all aspects of life, and monopolizes to itself all the forms of political, social and cultural activity. The press, and the media, in general, are the tools it abuses to impose its ideology and its totalitarian Weltanschauung. So, when we criticize the publications law, we are not oblivious to the other forms of totalitarianism which should all be changed and transformed, for we know that democratic reform should be comprehensive and should sweep away all forms of hegemony and prepare the field for political, social and cultural multiplicity and press freedom, and set the relationships between the state and society on a sound basis.

The people are fully aware of the winds of change, their aspirations for a new life and a different state of affairs are very high, their yearning for democracy is very strong, but to their disappointment and dismay, things are moving in a painfully slow pace and those in power are dragging their feet and trying to buy time, deceive the people and beguile the world. Reformers are ignored, shunned or repressed. What we really need today, during this critical period, we and our country are passing, is a resolute will for democratic change, inspired and enlightened by a simple vision of Syria as a home for all its citizens, to live and to prosper in dignity, equality and justice. Injustices should be corrected, freedoms and rights should be guaranteed, the state of emergency should be lifted for ever, all constraints on the freedom of the press should
be relegated to the past and a new publications law should be promulgated. All these steps are liable to restore confidence, nourish optimism and hope and enable people to transcend the state of fear, apathy and cynicism.

Yes, what we need in Syria is to have an image of the political future of our country, characterized by free dialogue, the spirit of tolerance, a free and responsible press that mirrors and reflects the needs of society, and satisfy the yearning of the people for the multiplicity of opinion, ideas, political organization and media outlets and forums. What we really need is the sort of press that would monitor those who happen to be in positions of power and responsibility, exposing their mistakes and misdeeds, fighting corruption and helping to set society on a sound footing. A press that contributes to the process of democratic opening and plays its part in the development of our country and helping it face the formidable challenges that lie ahead.
Culture is the Essence of Journalism
By: Abbas Mahmoud Abbas
Syrian Journalist

(Paper presented to the APFW Annual Conference- Rabat- May 2004)

It is almost a truism that journalism, in its essence, is a cultural activity, derived from the right of self-expression, and the ethical commitment to the dissemination of knowledge, as two mutually connected domains. This being as it is, it may not be acceptable to talk of journalism in isolation from the wider domain designated as the domain of knowledge production. In the same vein you cannot isolate freedom of expression from the general climate, or the social framework within the specific determinants of time and place, for freedom is the necessary space for intellectual, cultural, artistic, literary and political creativity.

Having said that, we think that the theme of our conference: The Liberation of the Press from the Intervention of the State, assumes exceptional importance at a time when those working in this field experience this intervention as the most formidable obstacle facing the freedom of the press, in particular, and intellectual freedom in general.

I think that the almost total power the state has over the citizen in the Arab world, has deprived Arab people of their basic human rights enshrined in international covenants. Because this process of almost total control has been consolidated through the decades, we now need to retrieve our rights to mere human existence before claiming the full political rights of citizenship. In the light of this situation, our activism should take both historical and contemporary forms, and should involve all those who have been victimized by faceless and overbearing political tyrannies. Only through such aggressive activism can our countries stop being cut down to the size of their rulers who are blessed with longevity and fortitude.

In their relatively recent history, so as not to talk about the ancient one, Arab countries have been teetering under the sheer weight of slogans and programs produced by dictatorial regimes, ostensibly flaunting their nationalistic feathers, while actually destroying the cultural, intellectual, political and social basis of nation building. Neither have these regimes liberated the land, nor have they released the unlimited potential and energies of the people. There are some general characteristics which can, more or less, be common to all Arab countries. These are:

1- Reducing the motherland to a personal or family estate and turning citizens into subjects totally subjugated to the state.
2- Total control of the mass media, all means of communication and all sources of information; the consolidation of political and security presence through a thick web of laws, decrees and procedures and the imposition of a state of emergency which turns into a way of life.
3- The marginalization of the role of the intellectual, by pushing him, through the policy of stick and carrot, either to lose his independence, act against his conscience and support the regime in all its policies or to opt out and escape

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the country to preserve his life and some of his integrity. Intellectuals thus become politically polarized and lose the richness of unbridled creativity.

4- Arab regimes have consequently produced irreconcilable dualities and choices for its citizens compelling them to be either nationalists without being democratic or democratic without being nationalists. This situation arose in the aftermath of the anti-colonialist struggle and was later complicated by the Arab Israeli conflict.

5- The formation of unions, trades, and establishments dependent on the state and strongly affiliated with it, reduced the possibility of the emergence of independent civil society organizations. Independent parties have already been outlawed and disbanded, and secular attitudes were not allowed to flourish.

In short our need for independence has been very acute, or as expressed by our colleague Moncef al-Marzouki, we have become badly in need of a ‘second independence’.

Since we have made some generalizations about the Arab regimes, is it possible to do same about Arab intellectuals?

The most outstanding common characteristic amongst about nine tenth of Arab intellectuals is the ideological nature of their affiliations: they belong to the broad categories of nationalists, religious mystics or Marxists, whether these are affiliated to parties and movements or not. This situation has seriously impeded the development of the free intellectual who has the ability to transcend class, sectarian and minority polarizations.

This in its turn leads to more complications in the relationships of culture and politics, on the one hand, and the intellectual and the politician, on the other. It is not possible for these two different domains not to be connected with all the attending contradictions and animosities. Under all circumstance, however, the intellectual should always be aware of his ethical duty to defend the right of all, including those who differ with him, to express their points of view, if he really wants to lay the basis for true democracy and put a firm lid on the long history of exclusion and repression. The achievement of this formidable task demands the alliance of the intellectual and the politician.

I think that free journalistic activity, practiced by both individuals and press establishments, independently, and under civilized laws and regulations, is a very important step towards free and civil journalism. This, however, cannot possibly be achieved without defeating the trilogy of fear, narrow interest and ideological dogma. In addition to all this, a healthy distance should be kept between the journalist and the state. Otherwise we will be deepening our own crisis, since we know that Arab regimes are organically incapable of making any substantial reform or transformation of Arab reality, including their own ways of saying and doing. We know that these regimes can only accept change if it is imposed from outside, through intimidation or encouragement, a stick and carrot, but only after they fail to find any way of escape or evasion. The Greater Middle East Plan is a case in point.
We are really in need of total transformation, with the full knowledge that as far as democracy is concerned we are no more than toddlers. Due to the fact that Arab regimes have succeeded throughout the decades to embrace, neutralize and contain, generations of intellectuals, bureaucrats and technocrats, they have been able to fortify themselves against change and have created an unholy alliance between the intellectual and the state, by using a large section of the intellectuals to consolidate their ideological structures and to coerce and obliterate any alternative vision or standpoint. The almost unlimited support Arab intellectuals and politicians granted to their tyrannical regimes is too obvious to be highlighted, and the reasons cited by these intellectuals, even when they keep some distance from these regimes, is that these regimes are still resisting the enemy and refusing to succumb to foreign powers. The support given to Saddam, even to the last moments before his fall, is a case in point.

**A return to where we started:**
Democracy has not descended on us from heaven; it is not an invention we can attribute to ourselves, although we have lived its painful and fearful absence moment by moment. Democracy is a way of life, a human experience which others have lived before us for centuries on end. Still there are new factors to be considered, on the global level and in each and every country. With unprecedented speed the whole world is changing, politically, economically and socially, things are almost impossible even to track, let alone control. The lines between right and wrong, the ethical and the non-ethical, the trivial and the essential, are almost blurred. On the backdrop of this state of flux, our governments have no choice but to figure out new methods for managing their multi-faceted crises. It is no more viable for them to reproduce themselves through the old ways ad nauseum. This societal quagmire expresses itself in two forms: there is, on the one hand, the crisis of the state, and, on the other, the weakness of a society that lacks its basic constitutional rights, that has no civil organizations to express its will and aspirations. We are left, not with states, but with political regimes that have swallowed up the state with all its constituent parts and functions. The need for democracy has become a societal need, not only a political one, and an urgent one at that, irrespective of whether western powers are pressing for it or forgetting about it altogether. We can neither accept the justification that democracy is a ‘western’ value that cannot be grafted in our oriental societies, nor the complementary apologia that our regimes enjoy ‘revolutionary’ or ‘national’ legitimacy and can, for that reason, do without democracy. Even the propagators of these justifications know that they can no longer hold water. And since all these regimes cite the Palestinian-Israeli conflict as a justification for their malpractices, corruption and incompetence, let us ask them one question: when were the Arab peoples asked about what they think about that conflict?

**Syria: Facts and Figures:**
Syria, as a signatory to the ‘International Covenant for Civil and Political Rights’ has vowed to protect freedom of expression. Article 38 of the 1973 constitution reads: ‘Every citizen has the right to express his opinion freely and publicly, orally or in writing, and to participate in the supervision and construction, in the service of nation building and the propagation of the socialist system. The state guarantees the freedom of expression, printing and publishing in accordance with the law.’
I think that what has already been written about the state of the Syrian press, by people both inside and outside the regime, has sufficiently illuminated the different corners of the picture and has put in bold relief all its dark sides; but there is still some more to be added in that respect.

On the face of it, the constitutional article cited above, may seem positive and promising, if we turn a blind eye to a premeditated vagueness that leaves the door open for the courts, (read the government), to adopt laws and regulations that render the rights expressed in that and similar articles, meaningless and vacuous. So, as a matter of principle there is a constitutional commitment to protect the right of the citizen to freedom of expression, to supervision and participation in the running of the state. But the problem doesn’t lie in the principle; the problem lies in putting the constitution as a whole on the shelf, and giving free reign to arbitrariness. The problem is preaching one thing and doing another. That is why we should not be deceived by the rights enshrined in the constitution, but should concern ourselves with reality and actual practice. Our questions should be: where, in reality, is the free press? Are there any newspapers or other media that are not defending the state and towing the official line wherever it leads them? Where are the specific laws formulated by the state to protect freedom of expression? Where are the checks and balances to right the wrongs and stop the trespasses of the government against the right of expression?

- A quick look at the history of the Syrian press, would give us an idea about the deterioration of journalistic practice through the years: in 1918-1920, Syria saw the publication of its first batch of newspapers, magazines and newsletters, mushrooming to 54, with only one official newspaper. Even when Syria was a protectorate, it used to issue 183 publications with 114 in Damascus alone. In a speech made by Najib al-Rayes, before the parliament on 21.12.1944, he had this to say: ‘Censorship is getting very tight for the press, to the degree that they no longer know what they can publish and what they cannot. Either the government come out clearly with what is allowed and what is not, or I suggest that censorship be totally cancelled as far as internal affairs are concerned.’ At the end of the session, parliament decided to cancel all forms of censorship with the exception of military censorship. The most important thing here is not for one Member of Parliament to suggest the cancellation of censorship, which no member of Arab parliament today would dare to suggest, but the most important thing is for the parliament to agree to what have been suggested.

- If we compare the 1949 bill, number 530, and its later amendments in 1949 and 1954, with the 2001 Publication Law, number 50, half a century later, we find out how oppressive the latter is compared with the first, and how it has epitomized more than four decades of back-pedalling to the dark ages. The basis of this regress was laid down by the imposition of the state of emergency in 1963, which was accompanied by the abrogation of 1949 law, a document you would have a chance to read during your conference.

- On March 8, 1963, the National Council for the Leadership of the Revolution issued a decree suspending the publication of all journals in Syria with the exception of three: Arab Unity, The Ba'ath and Barada. Other newspapers can only be published after obtaining a license from the relevant authority in the
Decree number 195, issued on November 23, 1958, at the start of the unity with Egypt, said ‘Any owner of a newspaper that used to be published in the Syrian Province may renounce his privilege by submitting a form to the department of propaganda and news, within 15 days of the endorsement of this law.’

After the declaration of the state of emergency, the total control of the Ba’ath party, the ‘Leader of Society and the State’ according to article 8 of the constitution, was imposed by force. The hegemony of the party was undisputed in all aspects of life, and from that time on, politics, culture, social activism and ideology, carried the indelible imprint of the Ba’ath. Pluralism, organized opposition, free press, all became distant memories of the past. Even the parties that later joined the Ba’ath, to form the so-called the ‘Progressive Front’, were seriously incapacitated by preventing them from performing any political activity amongst the students and the army. Its almost unqualified endorsement of all the policies of the Ba’ath was not enough for the latter to give them a free hand in publishing their own papers and have their own independent platforms.

The political arena was thus evacuated from any independent, competitive action, and those who chose to go underground paid a hefty price if they ever fell in the hands of the security organizations. Living an uncertain life of permanent danger, subjected to an unremitting witch hunt, they were sure to be subjected to merciless torture when they were caught.

The political arena was also purged of civil society organizations. Those that were not disbanded were taken over by the state. Others that were formed by the regime were lifeless from the beginning as they were meant to be. The negativity of oppression and the sterility of hegemony had nipped any initiative or creative effort in the bud.

It goes without saying that the security organization has maintained an oppressive presence and laid its firm grip on all institutions, associations and organizations, including government institutions, especially during the last 25 years. The omnipotence and omnipresence of the security organizations could only have been perfected by smothering any and every different point of view be it partisan or non-partisan, personal or organizational, political or otherwise.

Simultaneously with these repressive practices, the regime was erecting its own cultural, informational, security, ideological and political structures. In due time the regime formed two ministries one for culture and the other for information; issued partisan newspapers in every department; delivering the same message by different tongues, and making use of the experiences of all totalitarian regimes the world over. Through continual improvement the ideological discourse of the regime was able to reach all segments of society, from the kindergarten to the grave. Every Syrian child who goes to school automatically becomes a member of the ‘Ba’ath Pioneers’ and reads the ‘Pioneer’, the party magazine for children; students in secondary and high school become members of the ‘The Revolutionary Youth Organization’, and read ‘The Youth’, a magazine for this age group. Then comes ‘The National Union for the Students of Syria’ to accommodate college and university
students and publish ‘Revolutionary Generation’ magazine. For the military forces you find the following magazines: The Arabic Soldier, The People’s Army, Military Thought and The Police. In the trade unions you have: The Socialist Struggle of the Workers, The Struggle of the Peasants, in addition to other magazines for women, lawyers, engineers, doctors and teachers…. etc. The point, however, is not the publication of such magazines, but the fact that they are the only ones on display, and they carry one point of view, which is that of the government. We have already mentioned the national partisan newspapers like Al-Thawra, Tishrin and Al-Ba’ath, the provinces also issue similar newspapers to tackle local issues, and a few ‘independent’ newspapers are allowed to nibble at a list of permissible issues in a modest way.

- After the promulgation of the new publications law, some independent, unofficial magazines had made their appearance, including ‘Al Domari newspaper.

Al Domari was closed because of its stance against the government, against corruption and its defence of freedom of expression. The parties of the so-called ruling front, were allowed to publish their own newspapers, but without appropriate legislation to legalize the practice. The government is still closely monitoring the internet and communications and tightly controlling the dissemination of information.

It is worthy of particular note that the unrelenting censorship that has been going on for decades, has become so entrenched in the sub-consciousness of the people that they practice self-censorship as a routine. Some writers and journalists, try to neutralize the ‘external’ censor by setting certain ceilings for themselves, which are sometimes even lower than the ceilings set by the state. Because the emergency laws are, like fate, unpredictable, these writers play it safe and never wander into unknown lands. The sterility of what they are writing, irrespective of any personal talents, stems from here. This mind set has succinctly been summarized by one journalist, in a discussion panel on Syrian press, when he said:

'We Syrian journalists read what we write ten times: nine times to make sure that it doesn't cross the red lines, and the tenth time to make sure that it is well written!'

The most important question here is how to liberate Arab press from the intervention of the state? Isn't the freedom of the press one of those important issues discussed heatedly in our Arab world today? Isn't it related to the dismantling of the totalitarian structures of the state in our societies? We know that structural, political, social and cultural deformations have happened, in different degrees, in all Arab countries, and have to be addressed now and engaged head long.

If the responsibility for the present state of affairs lies with the consecutive governments, as it really does, don't we as social forces, political and cultural elites, individuals and groups, share some of that responsibility?

These questions and issues are addressed to everybody, and all citizens should participate in raising and solving them in a spirit of collective responsibility for the welfare of all society, and not in the interests of a few and at the expense of the many. In the course of this process, it is important to find the most common denominator to be protected by laws and regulations, bearing in mind that true legitimacy lies in
collective consent, the public good, the ballot box, constitutional rights and the open competition to serve the citizen and protect his rights.

We should work for the establishment of the rights of citizenship together with other human rights. But we cannot succeed in that effort without abandoning the old ways of thinking, the old tools of doing, and without dismantling the age-old structures, whose incapability to accommodate change and to adapt to global trends, has become obvious for the vast majority.

- It is important to differentiate between the state and the government, and to expose the mechanisms through which the latter came to dominate society, to destroy and marginalize it, never mind that it was originally meant to serve it.

- In countries where the state of emergency and emergency laws and procedures, have become the order of the day, the first step is to resist this situation and lift those laws and procedures. It would be futile to try to achieve anything under these laws, because it can easily be retracted.

- Journalists and their independent institutions should adopt certain strategies to build their own power base and to adopt an aggressive stance in the defence of the citizen and his rights. While a concerted effort is being exerted to compel governments to protect the rights of the people, the citizens themselves should be made aware of their rights and mobilized for the achievement of them.

- Arab Press Freedom Watch (APFW) should act vigorously for the implementation of its general principles in the Arab world as a whole and in every country on its own. Despite the formidable obstacles, APFW should follow up with great care the newsletters, reports and statements of different press organizations in the Arab world, and should offer help whenever and wherever it is needed. The conferences and annual meetings are very important forums for discussion, mobilization and cooperation among Arab journalists.

- It is very important, in this context, to strengthen the legal side of the organization's work, in cooperation with Arab and foreign legal organizations and unions, for only through monitoring the legal structures of Arab governments, can the organization know where these regimes stand as far as freedom of the press, and civil liberties, are concerned.

- Although journalism is a dangerous profession in the countries we live in, the ethical responsibility we have accepted to shoulder, demands that we face all the dangers, be they big or small. Without prejudice to plans and programmes, we think that a single practical step is more important than many. We should then be action oriented. And if we want to offer a simple description of the sort of homeland we aspire to live in, after ages of repression, marginalization and exploitation, we should say that it is a country 'where blessings and curses are shared equally between its citizens.'
235 Syrian Intellectuals Demand Comprehensive Political Reform
In a letter sent to President Bashar al-Asad by registered mail, 235 eminent Syrian intellectuals and politicians, demanded comprehensive political reform, including and embracing freedom of opinion and expression, with a view to preparing the country for the formidable challenges and impending change after the invasion of Iraq.

Syrian Authorities Release ‘Al-Hayat’ reporter
Arrested on December 27, for writing an article on Syrian logistical preparations for receiving potential Iraqi refugees, and accused of threatening national security, Al-Hayat correspondent, Ibrahim Hamdi, was released this day.

Unprecedented Deterioration in Human Rights due to President’s Back-pedalling on his Former Promises
A statement issued by the Syrian human Rights Committee pointed out that the human rights situation in Syria had deteriorated throughout the first half of 2003 at an unprecedented rate since the late eighties of the last century. The Committee added in its annual report, issued today, that the President of the republic, in his statement before the new People’s Council, had retracted the promises he had expressed in his inaugural speech of July 2000, which, alas, had till then remained ink on paper.

Suspension of Al Domary Newspaper
Al Domary weekly declared that its last issue had been suspended the previous day. The statement condemned the procedure as illegal and asked the higher authorities to stop its attacks against freedom of the press, the protection of which is a necessary condition for reform. The satirical weekly, had previously complained about the unjust financial terms imposed on it by the governmental circulation agency. As a protest against those conditions it had suspended publication for three weeks back in 2002.

Suspension of Al Domary for its Call for Reform
Citing its violation of the publications law by not appearing on the market for three consecutive months, Syrian authorities withdrew the licence of Al Domary weekly, owned and edited by the Caricaturist Ali Farzat. Mr. Farzat is an independent journalist with no public affiliation to any political group. He accused the government of silencing his newspaper for the simple reason that it was not towing the line and was not talking the same language as the official press.

A Syrian Human Rights Group Welcomes the Release of Detainees
The Syrian human rights committee welcomed the release of 30 former Syrian refugees who had returned to the country during the three previous months. In its statement about the occasion, the committee mentioned the names of some of the detainees, most of whom turned out to be the sons of some members in the ruling Ba’ath party. The Syrian human rights committee, formed in 2001, demanded the release of refugees coming back to the country from Iraq and other countries who were arrested on arrival and asked for a general amnesty for all those in exile to encourage them to come back to their country.

Arrest of Intellectuals in Aleppo

The Syrian human rights committee issued a statement saying that a number of Syrian intellectuals were arrested Friday in Aleppo, 355 miles to the North of Damascus. Aktham Na’isa, president of the committee, member of the International Union of Human Rights, said that police authorities in Aleppo had arrested about 20 intellectuals during their preparations to hold a discussion panel in Al-Kawakbi Cultural Club.

The 14 detained political activists were released late at night after investigations by the authorities. The Syrian committee for human rights said that the released men were: Najib Dadam (lawyer), Safwan Akkas, Fatih Jamous, Samir Nashar (Lawyer), Fuad Buwadgji, Zaradicht Mohamed, Abdel Ghani Bakri, Mohamed Adib Kour, Abdel Jawad Salih, Hashim Hashim, Mohamed Hazim Ajaj Agra’i (lawyer), Ghazi Mustafa, Yassar Ghadoor, and Ahmed Naser.

25.8.2003- Dr. Haitham Manaa Returns from Exile after 25 Years
Putting an end to a 25 year exile in Paris, Dr. Haitham Manaa, spokesman for the Arab Committee of Human Rights, returned to Syria. Dr. Manaa, who had left the country in 1978 after accusations of founding ‘The Secret Cells’, was received by a ‘high ranking official’ who offered substantial facilities, it was declared. Al-Hayat newspaper later reported that a high ranking Ba’ath official visited Dr. Manaa, ‘on a personal basis’ in his home in Daraa in the south of the country.

30.10.2003- Washington Protests the Airing of Al-Shatat series on Al-Manar TV
The state department in the US, issued a statement saying that Washington had protested to Syria and Lebanon the airing of Al-Shatat series, deemed anti-Semitic by a Jewish group, on Al-Manar TV Channel. Al-Manar Channel on its side, said that it had not received any complaints about the series and added that the series, composed of 26 shows, was inspired by Jewish and Israeli books and documents, and that the authors had not consulted Arab references at all.

5.11.2003- Al-Siyasa Editor in Chief Justifies his Campaign against Syria
Ahmed Al-Jaralla, editor in chief of the Kuwaiti newspaper Al-Siyassa, said that the campaign his newspaper launched against Syria, was not motivated by personal ends or agenda. He said that he hoped Syria would learn its lessons and not commit the mistakes committed by Iraq. A Syrian court had convicted Al-Jaralla for propagating false news about Syria, published by Al-Siyasa and later denied by it. He was sentenced to serve three months in prison and pay a fine of 500 thousand dollars.

10.11.2003- Arrest of Writer Yasin Al-Haj Salih for an Article on Reform
In broad day light, hand-cuffed and surrounded by armed police, the writer Yasin Al-Haj Salih was arrested and taken to the notorious Mazza prison in the outskirts of Damascus. The reason for his arrest and rough handling turned out to be his article ‘Riyadh Saif and Syrian Reform’, published in the Lebanese Al-Nahar Supplement, and republished on a number of websites, in September 2003.

04.12.2003- Lawyer Anwar Al-Bonni barred from leaving the country
Human rights activist, lawyer Anwar Al-Bonni said that he had been notified by the authorities that he was barred from leaving the country. At the time he was preparing to attend a seminar in Germany about democracy in Syria. ‘When I went to the
immigration circuit to receive my exit visa,’ he said, ‘they told me that I was barred from travelling abroad.’

09.12.2003- **Closure of the Website of Bakiti Kurdish Party**
Syrian authorities closed the website of the Kurdish party ‘Bakiti’, to be added to Gamishlo.com, another Kurdish website, which had been closed on 6.10.2003. The security branch responsible for websites had previously closed some websites like Ilaf, Sharq News, Arab Human Rights Committee’s website, and the services of hotmail, yahoo and Jawab.

14.12.2003- **Trial of a Citizen used the Internet**
Abdel Rahman Al-Shaghouri appeared before the Supreme Court for State Security in Damascus, accused of ‘propagating false and exaggerated news, liable to dampen the morale of the nation’. The prosecution alleged that Al-Shaghouri ‘was in the habit of receiving news and articles through the Internet, which he later used to disseminate inside and outside Syria, by resending it to many individuals. The trial of Ahmed Mustafa Al-Gasim started simultaneously. The latter was accused of ‘membership of a clandestine organization working for the cessation of parts of Syria and annexing them to a foreign country’ Al-Gasim was apprehended while he was distributing books and pamphlets related to the Kurdish Democratic Progressive Party in Syria.

15.12.2003- **Licensing 8 Magazines and Three Newspapers**
The council of ministers has agreed to license 8 magazines and 3 newspapers with specialized and advertisement mandates.

Syrian PM, Mohamed Naji Atri, withdrew the licences of the following 5 children’s magazines: ‘The Little Moon’ edited by Maaz Daboul, ‘Yaman’, edited by Maaz Daboul, ‘Omran’ edited by Mazin Hindawi, ‘Children of the World’, edited by ‘Arab Tone’, and ‘Nilover’ edited by Iffat Estuwani. The latter was the only one that was able to hit the market by publishing two issues. The others were nipped in the bud before publication, as it were! They were withdrawn as names not as magazines.

24.01.04- **Hundreds of Activists for Democracy Protest the Trial of 14 Colleagues**
Hundreds of democracy activists gathered in front of the building of the Military Court in Halab ‘Aleppo’, where 14 of their colleagues were facing charges of attending an illegal gathering marking the 40th anniversary of the imposition of the state of emergency in Syria. Demonstrators were carrying placards and signs demanding freedom, democracy, protection of human rights, the release of prisoners of conscience and political detainees. It is important to note that the gathering that was the subject of the trial, did not take place, because it was pre-empted by security police.

25.01.04- **Defence Lawyers of Democracy Activists Withdraw in Protest**
Defence Lawyers of the democracy activist put on trial before a military tribunal, for ‘attending’ a discussion that didn’t take place, withdrew in protest of the tribunal’s military judge who refused to hear witnesses for the defence and for his arrogant
attitude towards the defence panel. Many citizens, some of them students, were arrested at the same time in Aleppo.

29.01.2004- **The Military Tribunal Reverses its Former Decision and Decides to Hear Witnesses for the Defence**

As a result of the withdrawal of the defence team, the Military Tribunal, sitting for the trial of the 14 democracy activists, decided to retract its former decision to bar defence witnesses from being heard. The tribunal adjourned to the 4th of March. The University of Aleppo witnessed, for the first time in its recent history, its students demonstrating for democracy, claiming their rights to free political activism, condemning the interventions of the security agencies and calling for the stopping of harassment and intimidation.

30.01.2004- **Release of Detainees from Religious Groups and the Iraqi Ba’ath**

About 130 political detainees, affiliated to various religious groups and the Iraqi Ba’ath, were released. President of Human Rights Committees in Syria, Mr. Aktham Na’isa, said that ‘Most of those released have actually served the full length of their sentences, others have been released for health related reasons and still others have been released because they had been minors at the time of their arrest between 1980 and 1982.’ Mr. Na’isa commended the move very strongly and said it had important political and legal implications in the present political climate and may denote an attitude of openness on the side of the Syrian authorities. He stressed, however, that the unconditional release of all political detainees and the cancellation of the emergency laws were important key factors in opening the gates for political relaxation and real democracy.

9.02.2004- **Security Authorities Expel a Resident Chinese Poet**

Chinese poet Ahmed Jan Osman was told by Syrian authorities to leave the country without being given any reasons or explanation. The poet has been resident in Syria since the eighties and is married to a Syrian woman and they have two daughters.

10.02.2004- **Arab Human Rights Organization Elects Raadoun as President**

The nascent Arab Human Rights Organization in Syria has elected Lawyer Ahmed Raadoun as president and formed a board of directors composed of 12 members. The organization entrusted lawyer Mahmoud Mar’i with following up the process of the registration of the organization with the relevant authorities. The assembly passed the organization’s rules of operation.

11.02.2004- **Cancellation of an 18 Year Old Law to Allow More Publications**

With the intention of allowing more magazines and newspapers to be licensed, the prime minister decided to cancel an 18 year old government circular denying government agencies the right to print or publish any newspaper, magazine or newsletter without permission from the council of ministers. The Ba’ath newspaper said that the council of ministers’ order was due to the scarcity of paper and related materials at the time, and that the order had been cancelled ‘due to the disappearance of the reasons that caused it to be made at that time.’

11.02.2004- **Security Agencies Bar Al Malih from Travelling**
Security authorities banned Mr. Haitham Al-Malih from leaving the country to the United Arab Emirates, on a family visit, because he had made a speech on human rights in the German Parliament on the universal day for human rights.

12.2.2004- **A Memorandum Asking for Reform and Respect for Human Rights**
Many intellectuals, democracy activists, lawyers and artists, signed a memorandum demanding the lifting of the state of emergency in Syria, which, they said, put society under siege, sapped its energies, restricted its movement and took many citizens to languish in prison because of their opinions and political standpoints.

13.02.2004- **President Assad Cancels Economic Emergency Courts**
27 years after their formation, President Assad has cancelled the exceptional ‘Economic Security Courts’. The decision will allow those charged with economic malpractices to be tried before civil courts without losing their freedom before conviction, with the exception of money fraudsters and car thieves who will be kept in custody while waiting trial.

23.02.2004- **Al-Horra Permitted to Set up in Syria**
The Lebanese newspaper, Al-Safeer, reported that the Syrian authorities have permitted Al-Horra satellite channel to set up an office in Syria. The authorities decided to give the permission to an executive producer connected to the channel.

15.02.2004- **Arrest of 13 Students in Aleppo**
In the aftermath of the second sit-in to be organized by Aleppo university students within one month, in protest of the government’s renunciation of its commitment to employ graduates of the faculty of engineering, the security agency arrested 13 students for 5 hours after which they were released.

26.02.2004- **A Syrian HR Organization demands Lifting the State of Emergency**
A Syrian human rights organization demanded the lifting of the state of emergency saying in a statement that ‘the Syrian people have been suffering under the state of emergency and arbitrary laws since the coup d’etat of 8 March 1963’. The National Charter Committee in Syria went on to say that ‘under the state of emergency imposed 41 years ago, and is still holding, public freedoms had been suppressed, oppressive laws had been promulgated, emergency courts had been operated, and tens of thousands of Syrians sent to prison for their political opinions, convictions and affiliations, to be subjected to the most heinous acts of torture and persecution. Many of them had been executed by Kangaroo Courts, defective in justice and lacking in proper procedure’

05.03.2004- **12 Students Transferred to the Disciplinary Council for Protesting**
The Syrian National Democratic Alliance issued a statement condemning the authorities’ decision to send 12 students to the Disciplinary Council because they had rejected a law absolving the government of its responsibilities towards engineering graduates.

08.03.2004- **11 Demands Submitted to Assad to Lift the State of Emergency**
The Syrian Committee of Human Rights and a group of Syrian citizens resident in Britain, organized a sit-in in front of the Syrian Embassy in London, submitting 11
demands addressed to President Assad, headed by the lifting of the state of emergency and protection of public freedoms.

08.03.2004- **98 Citizens Arrested for 5 hours**

98 of the citizens demonstrating before the building of the National Council (the Syrian Parliament), demanding the lifting of the state of emergency, cancellation of emergency laws and the release of political detainees, were arrested for five hours in the buildings of the law and order battalion. The Syrian organization of human rights, said in a statement that amongst those arrested was the president of human rights committees, Mr. Aktham Na'isa and a number of notable citizens and students. The demo was organized by a group of human rights organizations, democratic groupings and student unions.

09.03.2004- **Kurdish Women’s Celebrations lead to arrests in Gamishli**

8 citizens have been arrested in Al-Gamishli. The Syrian human rights committee said in a statement that during preparations for the celebrations of the international women’s day, organized by a Kurdish women’s association, a contingent of security forces stormed the place and compelled those present to disperse, and arrested the director of the Kurdish ‘Media Troupe’, Mr. Akram Mohamed Murad. One of the members of the security force assaulted a Kurdish girl and tried to snatch a video tape of the occasion from her. In response to this provocation, some of the men present tried to stop him, at which point the other security agents joined the fight. Some citizens were injured in the fight. The security agents later stormed some of the houses and arrested 8 people.

13.03.2004- **Syrian Organizations Appeal to Stop Violence**

11 Syrian organizations sent an urgent call to the government demanding self-restraint and the stopping of violence after the incident of Al-Gamishli in which some people died and others were injured. The signatory organizations demanded the formation of an investigation committee.

15.03.2004- **A Call for the Release the Correspondent of Al-Arabia**

The Syrian Committee for Human Rights reported that Mr. Abdel Gadir Saleem, Al-Arabia TV Channel correspondent in Syria, had disappeared mysteriously while he was covering funeral services for those who had died in the skirmishes with the security agents in Al-Gamashli town three days previously. The committee demanded his release together with all the innocent citizens apprehended by security agents in the streets and arrested without any wrong doing on their side and without any charges submitted against them.

18.03.2004- **Death Threats to a Journalist who had Investigated Corruption**

Immediately after publishing his article ‘I smell Corruption’, journalist Yunis Khalaf, became subjected to a vicious campaign of slander, death threats and witch hunt by the people who were responsible for the contamination of the water supply in Al-Haska. Mr. Khalaf was so terrorized that he refused to open the door of his house, after a friend told him that some security agents were coming to arrest him. With the mounting death threats received through his cell phone, he escaped Al-Haska to Damascus in the middle of the night. Al-Iqtisadia newspaper reported that the Governor of Al-Haska’s visit to the Al-Wuhda Corporation for Press and Publication
was the direct reason for the sacking of Mr. Khalaf as head of Al-Thawra and Furat newspapers’ offices in the province of Al-Haska. A deed that deserves to be commended thus turned into a cause for punishment, harassment and witch hunt.

23.03.2004- **Military Police Arrest Writer Mohamed Ghanim**
The Syrian Committee for Human Rights demanded the immediate release of the Syrian writer Mohamed Ghanim, and condemned the security police for its attacks on human rights and freedom of expression. The committee expressed its concerns about possibilities of maltreatment, quoting previous practices of military police against anyone detained by them for interrogation. Mr. Ghanim’s family said that a military convoy had arrested him immediately after his arrival from the school where he was teaching.

31.03.2004- **Syrian Opposition Launches a Broadcasting Service from Cyprus**
Mr. Fareed al-Ghadri, a Syrian opposition figure and leader of Al-Islah political party, resident in the USA, said that ‘Free Syria Broadcasting Service’ would be launched that day from Cyprus and would extend its services to people in Syria and Lebanon. In an article published on the Internet he said that the new station is financed by a group of Syrian businessmen. It is worthy of note that the station's name is akin to the 'Free Iraq Broadcasting Services' financed by the Americans.

01.4.2004- **Unjust Sentences against Aleppo Activists**
The Syrian Human Rights Committee condemned the sentences against the civil liberties activists in Aleppo as unjust and arbitrary. The military tribunal handed down sentences of three months in prison against 13 citizens simply because they were preparing for a public discussion about democracy, quoting the state of emergency, and the protection of the Syrian socialist regime, as justifications for such wanton cruelty in the name of the law. Mr. Fatih Jamous, one of the accused was singled out for a harsher sentence of one year in prison.

02.04.2004- **Call on the Judiciary to Stand Against Emergency Laws**
In a statement about the prison sentences against the democracy activists in Aleppo, Mr. Aktham Na'isa, spokesman of 'Democracy and Human Rights Defence Committees in Syria', condemned the unjustified sentences. ‘The insistence of the prosecution to follow up with the accusations, and the sentences handed down by the military tribunal,’ he said, 'express a political intent rather than a legal dimension. The fact that the sentences against the 14 activists came after the arrest of our colleagues Ahmed Khazim and Hassan Watfa for their membership in the Democracy Committees and participation in the sit-in of 8 March, show that the authorities are adamant in their attitude to continue their violations of human rights and disrespect for democracy activists.'

03.04.2004- **A Syrian Organization Calls for Self Determination of the Kurds**
'The National Council for Truth, Justice and Reconciliation' a previously unknown Syrian political organization, issued an unprecedented call for granting the Kurds the right for self-determination. The statement attacked the 'Syrian National Anthem' as racist.

03.04.2004- **Release of the Novelist Mohamed Ghanim**
Novelist Mohamed Ghanim was released after ten days in prison for writing articles considered 'stirring emotions and causing national discord' by the authorities.

14.04.2004- **Arrest of Aktham Na'isa, the Human Rights and Democracy Activist**  
Aktham Na'isa, the lawyer, human rights and democracy activist, was arrested after a summons to the offices of the local branch of the military police in Laziqia Province. In a statement issued immediately after the arrest, human rights and democracy committees, condemned the arrest and demanded the immediate release of Mr. Na'isa, and asked the government to respect its commitments to the protection of human rights. The statement also held the government responsible for any complications in Mr. Na'isa's personal well-being and health situation, in the light of his heart condition and many other ailments.

15.04.2004- **Arab league Asked to Secure the release Aktham Na'isa**  
The Cairo Centre for Human Rights, The Egyptian Organization for Human Rights, Democracy Promotion Group and the Human Rights Organization for Helping Prisoners, have sent an urgent letter to Amr Musa, Secretary General of the Arab League, asking him to urgently intervene and use his good offices with the Syrian authorities to release human rights activist Aktham Na'isa, stating that Aktham was convalescing after a heart operation at the time of his arrest. The four organizations asked Mr. Amr Musa to raise the issue with Syrian President Bashar Al-Assad in his expected visit to Syria.

20.04.2004- **Authorities Ban Human Rights Activist from Travelling**  
Lawyer Mohamed Raadoun, President of the Arab Organization for Human Rights, was prevented to travel to Beirut to attend the Arab National Conference to be held there on 19.4.2004.

21.04.2004- **Aktham Na'isa taken to State Security Court**  
Syrian authorities have decided to bring lawyer Akram Na'isa, the president of the human rights and democracy committees before the State Security Court. In a statement about the case, lawyer Khalil Maatouq, said that Mr. Na'isa is accused of the propagation of false news, disrespect for the Syrian state and its defamation inside and outside the country.

22.04.2004- **Arab and International Campaign in Support of Aktham Na'isa**  
The Arabic Programme of human rights activists launched a campaign of signatures for the support and release of Aktham Na'isa. Rejecting the unjustified violations of human rights by the Syrian security services, the Programme asked the Syrian authorities for the hundredth time to release Mr. Na'isa and provide him with badly needed health care.

25.04.2004- **Amnesty International Demand the Release of Aktham Na'isa**  
Amnesty International asked the Syrian authorities to release Mr. Aktham Na'isa, president of democratic freedoms and human rights committees, immediately, condemning what it called the arbitrary arrest and detention of the Syrian activist. Amnesty International considered Na'isa as a prisoner of conscience, arrested for the sole reason of his defence of human rights and warned about the gravity of his health condition.
26.04.2004- **APFW Declares its Support for Na'isa, calling for his Release**

In a statement about the arrest of Aktham Na'isa, Arab Press Freedom Watch (APFW) declared its solidarity with Syrian human rights organizations in their efforts to release Aktham Na'isa, pointing out that his arrest was in flagrant contradiction to basic human rights and to the declared intentions of the Syrian authorities to respect these right after long decades of oppression and deprivation of Syrian citizens of their basic human rights.

15.05.2004- **Communist Party Leader Released**

Syrian authorities released Mr. Faiq Al-Meer, member of the political bureau of the Syrian Communist Party, under the leadership of the well-known opposition figure, Mr. Riadh Al-Turk. Security authorities, however, declared later that Mr. Al-Meer was not put under arrest, but was only summoned for a few hours because of his activities against the state. Sources close to Mr. Al-Meer said that he was arrested because he was found in possession of Al-Rai newspaper which, together with the Communist Party itself, is banned by the authorities.

30.05.2004- **Al-Malih Clears Position Regarding Paris Conference**

Mr. Haitham Al-Malih, the President of the Syrian Human Rights Organization said that his organization's failure to attend the human rights conference held in the Parisian neighbourhood of Malkof, was not due to the government’s policy of sowing discord between moderate and extremist human rights organizations, as has been alleged, for the government lacks such a clear strategy in this field, but was due to the fact that the organizers of the conference didn't invite the organization, but invited two of its members on a personal basis. He said that the two members invited were Nihad Nahas and Najib Dadam.

09.06.2004- **Intelligence Investigates Journalist Jihad Nasra**

Journalist Jihad Nasra was summoned, from Laziqia, to the headquarters of Branch 251, of the General Intelligence, for investigation. The last time Mr. Nasra had been summoned for investigation was ten years ago. The Syrian Human Rights Committee noted that the summons constituted a violation of freedom of expression and the freedom of the press and asked the Syrian authorities to stop investigating Nasra and to desist from intimidating citizens for freely expressing their views and opinions.

10.06.2004- **Internet Detainee Released After a Month**

A military judge in Lathaqia decided to release Mr. Mohamed Jumaa Quban after a month spent in prison because he had downloaded some political articles from the Internet. Mr. Quban had previously spent 17 years in Syrian prisons as a political detainee.

15.6.2004- **Quban Rearrested**

On his release from prison by a judicial decision, Mr Mohamed Jumaa Quban was apprehended again and rearrested by the military security in Hamat. His lawyer Mr. Mohamed Raadoun said that his re-arrest immediately after his release was a flagrant violation and a direct affront to the laws and the judiciary.

16.6.2004- **75 Kurdish Citizens appear before a Military Court**
Human Rights activist Mr. Anwar Al Bonni, said that two military courts in Damascus, have started the trial of 75 Kurdish citizens accused of violating public order, demonstrating and insulting the state.

20.06.2004- Security Court Sentences Citizen for surfing the Internet
A state security tribunal convicted a citizen for receiving 'Al-Sharq' newsletter, issued from London, through the Internet and sentenced him to two and a half years in prison. Ahmed Al Bonni, a member of his defence team, said that the State Security Court had sentenced Mr. Ali Abdel Rahman Al-Shaghouri, 32, to two and a half years in prison after it found him guilty of propagation of false news and destroying the reputation of the state. Mr. Al-Shaghouri was working in the field of information in the private sector.

21.06.2004- APFW Condemns Repression in Syria
Arab Press Freedom Watch in a statement today, expressed its full solidarity with the 'Rainbow Organizations for Democracy' in Syria, commemorating the 'Syrian Detainee Day' and in support of all Syrians languishing in Syrian prisons for notoriously long periods.

23.06.2004- Call for the Release of Na'isa as his Health Deteriorates
The follow up committee for the release of Mr. Aktham Na'isa issued an urgent call for his release in the light of the serious deterioration of his health situation. The committee said that his arrest was an inhuman act of barbarity and a flagrant violation of basic human rights, warning that what was at stake was the life of the human rights' activist.

26.06.2004- Human Rights Organization Demands Release of a Student
Arab Human Rights Organization in Syria demanded the release of Mohamed Al-Mohmoud bin Hassan, a student in the Commercial Institute in Riqqa, arrested by security agents on June 9, because of his political views and later transferred to Damascus.

05.07.2004- Intellectuals Demand Release of Doctor Abdel Aziz Al-Khair
Hundreds of Syrian, Arab and International individuals have signed a memorandum addressed to Syrian authorities demanding the release of Dr. Abdel Aziz Al-Khair, after 12 years in prison. Dr. Al-Khair was the editor in chief of Al-Rayat Al-Hamra (The Red Flags) at the time of his arrest. The newsletter was published by the Communist Labour Party, in which Dr. Al-Khair was alleged to be a member. A military court had sentenced him to 22 years in prison.

12.07.2004- Arab Human Rights Organization condemns the arrest of Students
Arab Human Rights Organization in Syria condemned the arrest of four students, by security agents on June 01, in the town of Harasta and demanded the immediate release of all political detainees without any exception. The four detainees were: Fadi Omer Faraj, Ali Mahmoud Afof, Abdel Latif Mahmoud Shakir and Adnan Hassan Afof. The four were detained after a visit they made some friends they had previously met in Iraq.
Security Authorities in Aleppo Cancel a Discussion on Iraqi Interim Law

Security authorities have decided to cancel a panel discussion on the Iraqi Interim Administration Law called by the Jurists’ Association and attended by the well-known lawyer Ihsan Al-Kayali, former deputy president of the Arab Lawyers’ Association and one of the most respected legal and social personalities. The panel organizers announced they had the implicit consent of the security authorities when they sent out the invitations for the discussion, a consent which had later been retracted.

25.7.2004- Syrian Correspondents receive Imprisonment Sentence

Sentences of four years in prison had been handed down against the brothers Haitham and Muhannad Qatamish, who were arrested in October 2002 and remained in prison since, for sending material through the Internet to a newspaper in the United Arab Emirates. Another sentence of two years had also been served on journalist Yahia Al Aws, who was arrested in September 2002 and was put on trial together with the Qatamish brothers. Appearing before the ‘Damascus Supreme Court for State Security’, their charges included ‘Acquiring for the benefit of a foreign power, information that the security of the state dictate to be undisclosed’, and ‘authorship of writings not permitted by the Syrian government, exposing Syria and the Syrians to offensive actions from a foreign power.’ And last but not least ‘Dissemination of false news’.

27.7.2004- Na’isa’s trial adjourned in the Presence of Observers

The trial of Aktham Na’isa, president of the Democracy and Human Rights Committees in Syria, was postponed to August 16, at the request of his defence team who wanted to study the case documents and the prosecution’s evidence. The adjourned hearing before the Supreme State Security Court in Damascus was attended by Arab Lawyers and representatives of the European Union.
UAE

Sunshine and Censorship: Press Freedom in the UAE

By: Andrew Picken
British Journalist based Edinburgh

The battle for ‘black gold’ currently dominates the Middle East but although oil wealth paves the way for shiny new highways it has left a cultural imbalance in one of the region’s most stable and ambitious countries, the United Arab Emirates (UAE). Journalists’ rights to report uncensored have been pushed aside during the brutally efficient transformation of this tribal society and Emirati nationals are learning that cultural and societal transformation cannot be as easily manufactured as the fantastically equipped cites rising from the desert.

When your neighbours, such as Saudi Arabia, are noted oppressors of press freedom it’s understandable why the UAE is often overlooked on the radar of press freedom activists. It’s not widely documented that UAE journalists operate in a climate of direct and indirect censorship, highlighted by its rating of ‘Not Free’ by media watchdog Freedom House in its 2003 World Press Freedom survey where the UAE ranked 74th out of the 100 countries surveyed.

But any notion that the UAE is some journalism backwater appears way off the mark if you see the state of the art facilities, such as Dubai Media City, available to journalists. Equal measures of capital investment and rhetoric about press freedom by the UAE government have not been followed by the freedom to report uncensored and journalists are learning that it’s easier to pour concrete than fundamentally change the cultural framework of their country.

“Who defines self-censorship?” asked Ibrahim Al-Abed, director of the government’s Department of External Information. “The phrase is often abused, given different connotations and I don’t like the words. The people working in the media use their own discretion to decide what goes.”

Despite such official exhortations in favour of openness and unbiased reporting, self-censorship is rife within the UAE media and its proliferation is actively encouraged by a media-savvy government. The Department of External Information has a censorship department responsible for monitoring all media and internet content and there is a definite quasi-communist feel to the UAE power elite. A governmental politburo of Sheikhs, handpicked from the country’s dominant tribes, is propped up by an endless trail of cabinet ministers and committees who maintain the current status-quo. A lack of government accountability is compounded by its vice-like grip on the media and an absence of democracy.

Dubai Media City (DMC) is often hailed by the government as a panacea for all press freedom woes in the Middle East but in truth it’s no more than an elaborate real estate project that has secured no further rights for journalists. The hype surrounding DMC’s launch in 2000 typifies the government’s rhetoric-heavy approach to press freedom in the UAE. The constitution guarantees freedom of expression but journalists power is diluted by government interference and archaic legislation.
“In the UAE we always come back to this great caveat: as long as it’s in accordance with the law,” said Hoda Barakat, a senior partner at Al Tamimi & Co, one of the few legal firms in the UAE that specialise in media law. “The law in the UAE, like many Gulf States, is still very primitive and in many ways it doesn’t always match what is happening in the media. When I meet with clients I am constantly using the phrase ‘strictly speaking’."

The UAE government is fully aware of the threat that true freedom of expression poses to their regime but often adopts a softer approach to suppressing the media than some of its Arab neighbours. Ambiguous boundaries for reporting have been established but they amount to nothing better than putting journalists in a minefield and telling them they are free to go as they please.

Sheikh Abdullah bin Zayed Al Nahyan, the minister for information and culture, previously called on the media to make more of its supposed freedoms and stated that “media institutions that serve only to offer echoes of serving applause are of no value to government or to the people”. What Sheikh Abdullah failed to highlight was that the majority of the media is either owned or subsidised by the government and is rarely inclined to bite the hand that feeds it. For example, consider the partisan tone used in a 2003 Gulf News article discussing urbanisation in the UAE. The opening line states, “The UAE is developing at a breathtaking pace, and residents know they are fortunate to be living in the country’s modern metropolises”.

Commercial censorship poses an equal, if not greater, threat to press freedom in the UAE because prominent Emirati families are often involved in many areas of both politics and business. Media organisations in the UAE are not characterised by clear political leanings towards what Westerners understand as left and right but are distinguished by how many risks owners are willing to take in terms of what they publish or broadcast. For example, Dubai-based Motivate Publishing insists all editorial content for its portfolio of magazines is sanctioned by the company’s senior management.

A lack of a credible ratings or circulations bureau is symptomatic of the UAE’s underdeveloped media and the lines between the media and marketing professions have been blurred by the country’s rapid pace of development. A 2002 ‘Cash for Editorial’ study by the International Public Relations Association claimed that 60% of the Middle East PR community had altered the editorial judgement of a journalist through influence or direct payment. 27% of the respondents also reported that a journalist in full-time employment was also employed, either openly or secretly, by another company or PR agency.

The UAE’s English language media is dominated by Westerners but the fact that the majority of non-Arab journalists have been raised in parts of the world with a free press doesn’t necessarily mean they are balking at the UAE’s censorship.

Freelance journalist and former editor of Time Out Dubai, Brian Scudder, claims that overseas journalists are doing little to aid the cultural development of the UAE. He said, “A lot of the ex-pats that come to live here are not coming out of a love for the region. They’re coming to enjoy the sunshine and make a bit of money in a tax-free
environment, there is an absolute lack of hunger to dig that little deeper and raise awareness of current issues.”

Scudder’s concerns are echoed by Barakat, who added, “You know, people have a very nice lifestyle here in the UAE and nobody really wants to rock the boat. I think in many cases people are not bothered by the reporting at all, it is more that reputation must be protected at all costs.”

The vast influence of expatriate journalists in the UAE has created a cultural imperialism of sorts with publications such as Time Out catering solely for European readers by offering a non-Arab diet of ‘birds, booze and bikinis’.

Scudder freely admits to making Time Out wholly British when he was editor. He added, “We were the first magazine to introduce booze by name in the region and the first to introduce bikini clad woman. We got away with doing things, but it meant that there was a definite dislike of Time Out by certain, quite influential, people in the Dubai emirate”.

With no trade unions or political parties, the UAE is missing the grassroots building blocks needed to champion discussion or simply to encourage people to ask questions of their leaders. However, a recent shift in the UAE media may have unwittingly created the type of inspirational vehicle needed to get Emirati asking more questions of their society.

The unprecedented reporting freedom granted to satellite television broadcasters Al Arabiya and Abu Dhabi TV is a much needed boost for the UAE media. Both stations are following in the footsteps of Qatar’s Al-Jazeera and their coverage has introduced a limited range of investigative, and crucially, censor-free journalism to the UAE for the first time. Perhaps more importantly they provide an objective and alternative viewpoint for Emirati in their native tongue. It’s hoped this type of coverage will stimulate interest, from journalists and the presently ambivalent UAE public, to push for further press freedom. And until such freedom to report uncensored is extended from foreign to domestic matters they will remain little more than trophy TV stations for the UAE government to show off to its Arab neighbours.

Many observers now feel the only way to negate the ambivalent attitude towards the importance of press freedom is to ship out the foreigners and recruit more Emirati journalists, empowering them to exert more influence over their leaders. Dubai-based author and journalist Ben Smalley said, “If an ex-pat tries to criticise here they will be shipped out straight away, so they don’t rock the boat because their job depends on it and they have no back up. If there were more nationals involved in the media then they would have more right to criticise as it’s their country.”

Over the past decade there has been a concerted effort by the UAE government to preserve Emirati heritage and keep jobs for local people through its ‘Emiratisation’ programme. UAE nationals make up only 20% of their total population yet, crucially, they remain almost entirely in control of their country’s resources. But most Emirati entering the office of a media organisation head for the boardroom rather than the news room due to the perception that the media often peddles ideas that are at odds with the Muslim way of life.
It has still to be established whether a desire for more media freedom exists amongst Emirati but the incumbent overseas journalists have thus far been unwilling, or indeed powerless, to highlight the flaws in the UAE’s censorship ridden media.

The key to flushing out censorship from the UAE media lies with the Emirati nationals themselves, as Scudder concludes, “I believe there is a genuine intent from the ruling family to develop the media. They have got the will and money to do it and, barring acts of gods, it will keep getting better.”
Yemen

The State of the Press in Yemen
By: Hamdi Al Bokari
President of Professional Affairs and Training Committee,
Yemeni Trade Union of Journalists
Managing Editor of Al Wahdawi Newspaper

(Paper presented to the APFW Annual Conference- Rabat- May 2004)

General Perspective:
With an independent judiciary, an elected parliament, a majority government, opposition parties publishing their own newspapers; with active civil society organizations: societies, unions, trade unions and their attendant political, social and cultural activities; with regional, Arab and international conferences on democracy, human rights and such related issues being held in the country, the democratic set up in Yemen seems to be complete and exceptionally robust.

All this, however, cannot be viewed in isolation from realities on the ground, for example; the mentality of those who define the essence of the democratic process, the slow pace of social transformation, the embryonic nature of the whole experience and the state of the freedom of the press within that context.

It is natural for the freedom of the press to occupy centre stage amongst the issues encountered by a nascent democracy. At least two reasons could be cited for the centrality of this issue in Yemen:
First: the regime has chosen democracy as its system of governance and officially endorsed that choice. Second: the direct implications of this choice are to allow all forms of freedom, including the freedom of the press, to grow and flourish.

These two reasons lead to one conclusion: freedom of the press is a genuine constituent of the mosaic of rights, institutions and processes we call democracy; and commitment to it is not only legal, being a constitutional right, but also moral, in view of the vows the government made to its people and to the whole world, to respect the constitution and the rights enshrined in it. If the rulers’ commitment to these rights remain at the level of assertion, and proves to be lip service, democracy will be no more than a sham.

Speaking about the freedom of the press, we have to mention, even if in passing, some of the pillars on which it stands and some of the rational justifications through which it obtains legitimacy. The most important pillar is the constitution itself, which guarantees freedom of expression as an inalienable right for any and every citizen, to be expressed in different forms and through different media including the press. Then comes the Publications and Publishing Law, to enforce, in its positive aspects, the concepts of the freedom of the press as enshrined in the constitution and to define the framework for its practice, as a reflection of the balance of power at the time of its issuance. It has to be said, though, that this law has remained as it is, without any amendment despite the critical remarks about some of its articles. The third pillar and source of legitimacy is the Yemeni endorsement of many international covenants on human rights, freedom of expression and freedom of the press.
13 years ago, namely on the unification of the country on 22 May 1991, Yemen officially committed itself to the freedom of the press, together with political pluralism, civil liberties and the publication of the press law, later in the year.

**Press Pluralism and the State**

With the exception of opposition parties’ newspapers and a handful of private newspapers, the government owns all the media in Yemen and through its ministry of information formulates the policies to be followed by the different media venues. Relying on the silence of the constitution about this matter, the official press carries only the official point of view of the government and the state to the almost total exclusion of any opposing point of view especially on TV and Radio.

The ministry of information, being responsible for all the media, acts as the government’s jealous watchdog of the Publications law, on the negative aspects of which we will talk later. The ministry also represents the state in all public interest cases related to the media and it has the right to decide, through the office of the Publications Attorney, whether or not to take violations to the courts. Political considerations are always paramount in this decision.

The presence of political parties, civil society organizations and correspondents of many Arab and foreign news agencies, has led to the proliferation of newspapers in Yemen. This is at once a reflection of, and a challenge to the newly adopted democracy.

Partisan newspapers at the present are more than fifteen; independent publications are more than ten, two of them in English. The state owns three major dailies, one weekly, using state of the art technologies, and the only news agency in the country. Official press foundations issue many weekly publications of their own.

Publications are mostly weekly, with the exception of two daily independent newspapers and a third bi-monthly one. In total, there are more than fifty publications covering a wide spectrum of issues and points of view and giving a new face to Yemen.

As for the Broadcasting Service and TV channels, they are the exclusive monopoly of the state. In addition to the national Broadcasting Service, the government owns five regional broadcasting stations, a national TV station and a satellite one.

Early this year, Mr Abdul Gawi Al Shuwaye, a business man, approached the government with a proposal to establish a private satellite channel which he intends to call ‘Democracy Satellite Channel’. The ministry of information kept silent at the beginning, but flatly refused when pressed by the business man, citing the absence of legal regulation as the reason for its refusal. What the ministry omitted to mention was that the absence of legal restriction should be a very good reason for accepting the proposal.

Government owned newspapers are printed in government printing houses, and with the exception of five independent newspapers issued by two private institutions with
their own printing houses, all other newspapers and publications are printed on commercial bases.

In addition to a government subsidy of US$300, partisan newspapers depend on their respective parties for their financial support and to some extent on ads. Independent newspapers mainly depend on ads and circulation, while government newspapers are financed by the government as part of the national budget. Other financial sources come from ads (mainly from government agencies) and circulation.

The institutional and financial edge which government newspapers have in comparison with the others deeply influences professional performance and, consequently, the circulation and impact of these newspapers. But it has to be mentioned that the journalists themselves, wherever they are employed, face the same problems and suffer the same injustices: those working for the government newspapers are treated as minor employees; others are very poorly paid and are working virtually without any contracts. Here and there, the journalist is living under wretched conditions, incapable of satisfying the basic needs of himself and his family and totally handicapped in his search for professional excellence. It goes without saying that the press cannot flourish under such circumstances and would fall abysmally short of serving the lofty values of the profession, a situation that would negatively influence the public attitudes towards the press and towards those who are working for it.

A recent survey indicates that there are about 1000 journalists in Yemen today, a number liable to increase steadily in the presence of two information faculties in Sana’a and Eden universities and through the return of many others who study abroad.

**Freedom and Status of the Press:**

To judge the freedom of the media in Yemen, we have to deal mainly with the print media, but without ignoring the electronic and audio-visual venues. It is important to mention at the outset that the use of the Internet, although fairly recent, is steadily widening and there are now six, daily updated websites carrying news and commentaries to a very important Yemeni constituency of youths and enlightened social groups. These websites are mainly established by political parties or newspapers, although one of them is an independent website.

Yemeni media can be dealt with on four levels:

1- Newspapers, broadcasting stations and TV channels owned by the state.
2- Partisan newspapers
3- Independent newspapers
4- Foreign media represented by locally based correspondents. (about fifty of them)

Since the main test for the freedom of the press in Yemen revolves around differences and contradictions with the policies of the government, we can exclude from our discourse all the official media, which cannot even dream of running foul of the official political line, any time and in any detail. As for the other three, there is a continual tug of war, whenever something lacking the favour or offending the sensibilities of the government, finds its way to the reader. There are, of course, ups
and downs and negative and positive aspects to this issue, depending on the state of relaxation or otherwise, within the ranks of the government, at the specific moment.

With a population of 20 million, Yemeni newspapers do not print more than 20 thousand copies, which means a single copy for every 1000 citizens. Readership is furthermore restricted by the high rate of illiteracy and the absence of children’s newspapers and magazines. Although many Arab and foreign publications reach Yemen on a daily basis, they are subjected to heavy-handed official censorship once they arrive at the airport. On many occasions some of these publications have been denied access to Yemen because they were found to contain material not to the liking of the government. Two issues of Al Quds Al Arabi newspaper, of the 4th and 5th March 2004, for example, were confiscated by the authorities because they covered an alleged assassination attempt on the son of President Ali Abdalla Salih, who denied the attempt and appeared personally on TV to demonstrate his safety from any injury. The use of the Internet has largely neutralized the effects of such confiscation because people, or at least many of them, can go directly to the electronic copy of the confiscated publication and read the prohibited material there.

Access to Information: a Persistent Difficulty:
It is almost impossible to have a free press in the absence of a basic prerequisite of that freedom: the easy access to information and the ability to convey it to the reader. Only then can people form enlightened viewpoints on the issues affecting their lives and well being. A strange phenomenon in Yemen is that the freedom of opinion greatly surpasses the freedom to access information. Most of the material published in the media tends to be opinion articles rather than news and information. The major impediment here is the difficulty of obtaining information. Although the Publications Law explicitly mentions the right of the journalist to obtain information and urges the official agencies to provide that information, the fact remains that the only source of information available is the official news agency, or sometimes some well connected government newspapers. This is a ‘source’ of permanent headache for journalists, especially those who work for foreign news agencies, because they cannot verify the news by asking the original sources and have no choice but to wait for them to be published officially, when it would be too late for them to send their dispatches. You can easily verify this if you take a look at Yemeni news in Arab newspapers, where they are always attributed to official newspapers or the Yemeni news agency, unless, of course, they are related to conferences and public occasions to which the government is not a party.

The problem here does not consist in attributing news to its sources, for that is an ethical duty, but the problem is why shouldn’t the journalist have his independent sources and his direct access to the newsmakers themselves, which is one of his established rights? And should certain newspapers have the right to monopolize the news to the exclusion of all the others? Journalists have not left any stone unturned in search of first hand information, but they have always failed to achieve any success. When this issue was put for serious discussion, the government appointed an official spokesman more than a year ago, but he is yet to find his tongue!

One of the results of this situation is the frequency of anonymous officials denying statements attributed to them by opposition newspapers or by foreign correspondents.
Journalists cannot take issue with anonymous and faceless officials and are always at a disadvantage in this absurd game of hide and seek.

This situation has to be rectified by the activation of the role of the official spokesman and by government officials taking responsibility for what they say. Otherwise the right of the reader to know all the information that impacts upon his life is violated and the confidence between the reader and the press is sacrificed for nothing. In the absence of authentic information the profession itself will not develop and the democratic process as a whole will be stymied.

**Violations and the Judiciary: The Conspicuous Absence of Justice**

Freedom of the press is an unwelcome guest in Yemen. This fact is demonstrated by the rough treatment of journalists, who can simply go to prison because of something they have written. If journalists can be imprisoned for what everyone knows to be the performance of their profession, any talk about freedom of the press is nonsensical. The main problem here is the absence of an independent judiciary, which, in Yemen, is almost an organic part of the executive power. Under these circumstances cases related to publication, more often than not, become politicised and are usually seen in that light. Consequently, any conflict between newspapers and the government is decided in the interests of the latter. A just sentence can only be possible if the case defies any attempt to politicise it, which is very rare of course.

Before the general elections of April 2003, the Supreme Elections Committee, an official committee appointed by the President himself, tabled legal cases against five of the opposition newspapers. After winning the elections the government could afford to be somewhat liberal and show some magnanimity, so some of those newspapers were declared to be not guilty. The real punishment, however, was the state of instability, self-censorship and intimidation these newspapers suffered pending the trial. They had effectively been neutralized during the election campaign. This magnanimity, however, cannot be shown with any degree of consistency. A case in point here, is the trial of colleagues: Ali Al Saggaf, editor in chief of Al Wahdawi (The Unionist) newspaper, published by the opposition Nasserite Organization, Ahmed Saeed Nasser, the executive secretary of Al Wahdawi, Abdul Aziz Ismail, an editor in the same newspaper, who were convicted of undermining Yemeni-Saudi relations, and in one of the most preposterous rules in the history of journalism, ordered not to mention Saudi Arabia at all in any of their future issues!

In June 2003, journalists Abdul Rahim Muhsin, Ibrahim Hussain and Khalid Salman, the latter the editor in chief of Al Thawri (The Revolutionary) newspaper, were given a suspended sentence of five months because of writing articles ‘that were liable to incite sectarian sentiments and threaten the unity of the country’. Another unbelievable sentence was the one issued against ‘Al Wahdawi’ newspaper, on the 12th of January 2004, ruling that the editor in chief and all the journalists in the newspaper should not write anything, in whatever context, about the Parliamentary Leader of the ruling party, as an eternal punishment for what they had written about him before and was proved to be wrong by the court.

According to a recent report, prepared by the Press Freedom Committee, for the third conference of Yemeni journalists, 180 legal cases were made against Yemeni
newspapers and journalists between March 1991 and December 2003. While 43 of these cases are yet to be seen by the courts, 63 were convicted, 32 dropped for lack of an incriminating act, and 42 resolved outside the courts. Journalists were acquitted in only 8 cases. Four of those have been filed and kept, two of them on the orders of the attorney general and two for the death of the accused. The state, however, was not involved in the majority of these cases, but the few in which it was involved had the most important bearing on the freedom of the press in Yemen.

Irrespective of the defects we highlighted in the process of litigation, we have to accept it as a civilized way of resolving disputes. The real threats to freedom of the press emanate from the gross violations suffered by journalists while performing their professional duties. We have so many recent examples of these violations: Mohamed Al Sayed, a photographer working for Al Jazeera Satellite Channel, was threatened by the ministry of information with the termination of his full time job with the Yemeni Second Channel. Mohamed Sayed was investigated by the ministry on 21 April 2003, for photographing a child killed by the security forces during a public demonstration against the American Administration. During a fierce engagement with rioting demonstrators, the security forces opened fire, killing many citizens, including that child. Mohamed Al Sayed was able to photograph the boy, smeared in his blood, during his death throes. The photo was broadcast by Al Jazeera, deeply annoying the government. Al Sayed’s professional excellence and his service to the truth should be rewarded not punished. Such absurdities are the inevitable result of violating the freedom of the press.

On the 7th May 2003, the security branch of the governmental Republican Hospital, interrogated, manhandled and beat journalist Abdusalam Jabir, from Al Thawri newspaper, published by the Yemeni Socialist Party, who had visited the hospital to report on the status of its medical services. The security forces neither took Jabir to court, nor apologized to him, but he was able to publish a report about the hospital which earned him even more wrath form the government.

In September 2003, journalist Abid Hamoudi Al Mihzari, editor in chief of Al Diar newspaper, published by the ruling party in the province of Saada, was arrested by security agents for almost 24 hours, because his newspaper was critical towards the performance of the security forces in the province.

Late February 2004, security agents arrested colleague Najib Babli, working for the independent Al Ayyam, because of an opinion article which didn’t gain the favour of the authorities. Although he was released after private contacts, his arrest, taking place immediately after the successful conference of the journalists, caused a lot of disappointment.

In a new twist, journalist Saeed Thabit Saeed, member of the journalist’s union and correspondent of Quds Press, was kidnapped in such a way as to merit special consideration. We will deal with this case at the end of this report.

Legal Constraints and the Need for Change
Under the Publications Law of 1991, freedom of the press in Yemen will always be precarious. The law is in need of urgent change to guarantee such freedom and to enhance the freedom of expression and other rights and liberties at the same time.

The present publications law gives the ministry of information many rights and powers, including the right to give or deny licenses for newspapers, with the exception of partisan newspapers which are required only to inform the ministry of their publication; to endorse correspondents or refuse to do so and other powers that cannot be reconciled with the spirit of democracy. Although the law recognizes freedom of the press, expression, communication and access to information, it states that these rights should be practiced within the limits stipulated by the law, which is always a suspicious way of taking with the left hand what you have given with the right. (Article 3).

The law says in article 4 that the press is independent and free to perform its role in the service of society, and should not be hampered in its performance of that role as far as it remains within the bounds of the law. Article 5 states that journalists are free to express their views and should not be subject to any legal constraints unless they break the law.

In all these articles, freedom of the press, of expression and of journalists is subject to the stipulations of the law, the constitution and sometimes the public interest and the aims of the 'revolution'! It is very obvious that the generality, vagueness and even obfuscation of such concepts as 'aims of the revolution' or 'public interest' can easily be construed to mean what the government finds objectionable. The vagueness of legal texts has always been a ploy of governments to pay lip service to many concepts which society takes very seriously.

Article 58 demands of owners of printing houses to keep a list of all the publications they intend to publish to provide to the respective authority before publication. It holds the owner of the printing press responsible for any publication violating this law.

The law prohibits journalists from writing any material that is liable to:
1- Insult Islamic Belief, or demean heavenly religions or human systems of belief.
2- Undermine the highest interests of the country, like the publication of classified documents or information, the disclosure of security or defence secrets.
3- Incite tribal, sectarian, regional or ethnic tensions and conflicts, or disseminate discord and segregation between the members of society or accuse them of apostasy.
4- Propagate ideas that contradict the principles and aims of the Yemeni Revolution, or threaten the unity of the country, belittle or stain the image of Yemeni, Arab or Islamic civilization.
5- Offend public morality or the personal dignity of individuals or civil liberties to satisfy libellous intentions or achieve character assassination.
6- Expose any details about undeclared meetings of the high institutions of government.
7- Disclose minutes of investigations or secret court proceedings to pervert the course of justice, especially if publication is forbidden by the courts, the prosecutors or the investigating authority.
8- Propagate in a premeditated way any false statements, information or news, with the intention of undermining the national economic situation or cause confusion, unrest or instability in the country.
9- Incite resort to violence or terror.
10- Publish ads that contain words or photos that do not conform to Islamic and public morality, destroy the reputation of individuals, violate the rights of others or deceive the public.
11- Publish any ads about medical derivatives or food products without permission from the relevant authorities.
12- Publish direct and personal criticism of the President of the Republic, or attribute statements to him or publish his photo without prior permission from his office or from the minister of information. This does not include, however, photos and statements made during public appearances or official interviews and may not include objective and positive criticism.

Being vague and elastic, these ‘prohibitions’ can easily lend themselves to a wide range of restrictive interpretations.

The law gives the ministry of information the right to confiscate newspapers before publication according to the so-called ‘administrative seizure’ when the paper is deemed by the ministry to have violated the law. This was implemented in August 2003 when the minister of information confiscated issue No. 127 of Al Ray newspaper. Later, the court failed to order the ministry to compensate the newspaper for what was found to be a gross violation of the freedom of the press.

The law treats the editor in chief as an original culprit in publication cases, simply because he is supposed to have cleared the material for publication. That is why the editor in chief is always the first person to be summoned to the general prosecutor’s office in the case of any violation committed by his paper. The frequency of these violations subjects him to permanent harassment from the authorities for no specific crime he has committed.

Violations of the law, and without prejudice to any harsher punishments in any other law, are punishable by a fine of no more than ten thousand Riyals or one year in prison. (Article 401). It is to be noted here that journalists are liable to be punished by more than one law, with punishments that include imprisonment, at a time when third world countries tend to drop imprisonment in cases related to publication.

Although the law does not permit private ownership of broadcasting stations or TV channels, it does not prevent it. This must be taken as a serious defect, because it fails to acknowledge and to address the technological progress and the new developments in this field.

The law is also silent about the status of the electronic press which now enjoys full freedom. This silence can also be a ploy for a crack down on this medium, which would add a new dimension to the restrictions of press freedom. A further
defect in the law is that it does not give the journalists’ trade union any role in the regulation of the profession, other than issuing ID cards!

We can say in conclusion that the law is a political tool to be used when necessity arises and to be left alone when it doesn’t. This introduces a large measure of arbitrariness in dealing with the press, a situation that does not augur well for freedom of expression. Democratic states should be consistent and adopt legislations that guarantee inalienable rights like freedom of expression, a test this law has failed to pass.

Three Major Issues in the Balance

Three major issues are facing Yemeni journalists today:
1- Rejection of the present Publications Law.
2- Prevention and resistance of government agencies and political parties’ interference in the coming elections of the journalist’s trade union.
3- Strong solidarity around the kidnapping of colleague Saeed Thabit Saeed, member of the trade union and correspondent of Quds Press.

Concerning the first issue, a draft law for the trade union was introduced in December 2002, by the trade union council, for public discussion amongst journalists, in preparation for submitting it to the government and later to parliament. During the same month of December the council held a meeting for all journalists and a committee was formed to receive and process any amendments by the members. No amendment came through and the draft took quite a different course. In August 2003 the journalists found out that their committee had violated its mandate and failed to convene the third conference by its scheduled time of June 2003. This caused a lot of anger and dismay and members demanded that the conference be convened immediately. But the council was adamantly following another course and trying by every means to pass the draft law, one article of which gives the council the right to extend its tenure for another year during which the law would have been passed.

To their total dismay, the journalists discovered that the draft law contains many articles that seriously violate the freedom of the press. The council took a further step and submitted the draft to the government and the Shura Council (appointed by the President), disregarding the anger and mobilization brewing within the ranks of what it should take as its constituency. Facing such a complicated situation the journalists threatened to sue the council if it didn’t withdraw the draft law from the government. The unity achieved during that struggle had never been attained in the history of Yemeni journalists. A meeting was convened on 21.01.2003 and the president of the council succumbed to the pressure and withdrew the draft as demanded by the journalists. An agreement was also reached to convene the third conference and update the elections register. The journalists celebrated what they considered to be a major victory and the news was on the front pages of all newspapers. It turned out, however, that that celebration was a bit premature. Ignoring the unanimous will of journalists, the government proceeded to pass the draft and submit it to parliament. The journalists were fully mobilized and started to plan for a protracted campaign of resistance and protest while the council declared its solidarity with the rank and file for the first time.
At that point the government retreated and asked parliament to postpone the discussion of the draft, a demand that was simply ignored by parliament which scheduled the draft for discussion in its next session. The journalists were by now in permanent session, the government started a counter attack by saying that the trade union council was responsible for the mess and the council was incapable of defending itself.

With the time for the third conference drawing nearer, the journalists continued their pressure, taking their case to public meetings and conferences, including the Sana’a democracy and human rights conference. Political parties, newspapers, Internet websites declared their support and solidarity with the journalists and denounced the attitude of the government. A strong moral boost came from the solidarity of Arab Press Freedom Watch (APFW), when its president Mr. Ibrahim Nawar wrote a number of letters to his Excellency Abdul Gadir Bajammal, the Yemeni prime minister, demanding the cancellation of the draft law, and through the full and lively coverage of the activities of Yemeni journalists on the organization’s website.

The issue became what it really was: a national issue. The government was finally compelled to give in and officially demanded parliament to withdraw the draft and return it to the government. This is where the issue is standing now, still unresolved and the journalists should not be complacent with the partial victory they have achieved. Discerning any let up, the government would not hesitate to launch a new offensive against the freedom of the press.

Despite the weakness of the trade union council, the journalists were able, through their solid unity, to stop the assault. This is an important lesson we should not forget. Unity across the board, without consideration to party or sect, is the potent weapon journalists have at their disposal, and they forsake it at their own peril.

The second issue was convening the third conference, which successfully took place from the 12th - 24th last February. Yemeni journalists stood fast in the face of pressure from their self-appointed ‘guardians’ and were able to convene a conference that was seen to be a turning point in the history of Yemeni journalism. It was a genuinely democratic conference: procedural transparency, secret ballot, public counting of votes and the end result which reflected the professional and political diversity of the journalist body. All this caused great comfort and created a new spirit of hope that the aspirations of the Yemeni journalist would be possible to achieve through a highly representative and strong council.

In a letter sent by Mr. Ibrahim Nawar to Mr. Mahboub Ali, the elected leader of the journalist’s union and to all the members of the council, Arab Press Freedom Watch expressed its deep satisfaction with the conference and the free elections which they considered to be a model of genuine democracy in the Arab world.

From the beginning, and starting with its first meeting, the council was faced with its first challenge: that was the kidnapping of journalist Saeed Thabit Saeed, member of the trade union and correspondent of Quds Press, who was kidnapped by security
agents, during the afternoon of Friday 4.3.2004, on his way home from work. The kidnapping took place in broad daylight and from the main road.

Cancelling its scheduled meeting, the council called for a general assembly of all the journalists to launch a national campaign for the release of its member who had by then been taken to one of the political security prisons. He stayed there till Sunday, when he was taken to the Publications Branch of the Attorney General’s office for investigation. It was decided to put him on trial the following Monday, accused of publishing false news about an assassination attempt on the life of colonel Ahmed Ali Abdalla Salih, the son of the President and the leader of the Republican Guards, an allegation which was denied by the authorities. Colonel Ahmed Salih appeared on national TV to demonstrate the falsehood of the news and to prove his safety from any injury.

The new council faced this challenge with all the excellence of a democratically elected body enjoying the full support of its constituency. Journalists were not content with issuing statements protesting the innocence of their colleague, but they organized a sit-in in front of the buildings of the security police till Saeed Thabit was released three days later.

Yemeni journalists were not alone in that fight. Arab Press Freedom Watch stood fast beside them all through, and its president, Mr. Ibrahim Nawar made tireless efforts and sent many letters to the Yemeni government asking for the release of the arrested journalist and expressing solidarity with the trade union. He also made many contacts with the union president for follow up and encouragement. Mr. Youssef Fadel was also following the developments very closely and publishing on the organization’s website news, statements and reports on arrival. All these efforts added to the confidence of Yemeni journalists in APFW, boosted its image and highlighted its essential role in defending the freedom of the press in the Arab world, especially during times of crisis.

Support also came from other quarters: The Arab Union of Journalists and many regional and international organizations issued solidarity statements and exerted a lot of pressure on the Yemeni authorities which compelled them to back down.

Saeed Thabit was first released from the security service and transferred to the attorney’s office which decided to keep him for one night to put him on trial the next day. In the court, it was proved that Saeed did not send the news about the assassination attempt; on the contrary he asked Quds Press to deny it when he had heard it broadcasted by the agency. The prosecution’s case collapsed completely and in a court room packed with journalists watching in silence after they sealed their lips in protest, the judge declared Saeed Thabi not guilty and ordered his immediate release.

It later emerged that Saeed was not subjected to any physical torture but he nonetheless went on a hunger strike during Saturday and Sunday and during the investigation.
The way the new council and the unified journalist body dealt with these three issues is a cause for great hope and a source of legitimate optimism for the future of the freedom of the press in Yemen. Irrespective of the difficulties in store, we have to say that the awareness of the Yemeni journalist about his rights and entitlements under a democratic regime is a sufficient safeguard for future victories.

A Cause for Optimism:
My belief is that press freedom in Yemen is poised for extension and consolidation, even in the field of private ownership of the media channels. I believe so because any other option will not be in best interests of Yemen or its political system. At the same time we can take the abstention of government agencies and political parties from interference in the last elections of the journalists’ union as an expression of respect for the freedom of the press. Another good omen is the government’s tolerance of the wide freedom enjoyed by the electronic media, which goes beyond anything the print press can dream of publishing. Over and above, support for the freedom of the press is on the rise in Yemen, which is a further cause for hope and optimism.

All this bodes well for Yemen, which is poised to reconcile itself with the values of the age, not to lurk in the backwaters of stagnation and backwardness. There is a very strong urge for the country to sail with the powerful tide of change and renewal, to cope with the breathtaking developments in information technology.

After 14 years of pluralism and press freedom, setbacks are still frequent and dangerous. This demands vigilance, a war on complacency, an awareness that the defence of freedom of the press is an all time duty not a one off battle. For it to survive freedom of the press should always be consolidated, its horizons continually widened. Only then can journalists work in a friendly atmosphere, conducive to the display of creativity, under which a journalist feels safe without the sword of arbitrariness always hanging over his head.

Hamdi Al Bokari  
albokari@alwadawi.net

President of Professional Affairs and Training 
Yemeni Trade Union of Journalists 
Managing Director of Al Wahdawi Newspaper 
Sana’a 

18.3.04
Chronological Record of Violations of the Freedom of the Press in Yemen 2003

By Hamdi Albukari

This is a chronological, factual report about press freedom in Yemen during 2003, prepared with an eye to the role of APFW in promoting and consolidating democracy and defending press freedom. The report covers the period between January to December 2003 and documents and chronicles 40 cases bearing on the freedom of the press in Yemen during this period. And now to the report:

4.1.2003
The ministry of information issues circular No 7, in which it demands local newspapers and foreign correspondents to abide by ‘the stipulations of the Publications Law which categorically prohibits the publication of any material affecting the security of the country or its sovereignty.’ The ministry also warns the press that it should steer clear of any issues that are liable to incite discord or conflict in society. The circular continues to warn that harsh punishments would be inflicted on anybody violating the publications law. The fact that no specific violations were mentioned to justify the issuance of the circular, was understood by journalists as an exercise in intimidation and bullying.

27.1.03:
The publications directorate in the general attorney’s office, summons Mr. Abdul Karim Al Khiwani, editor in chief of ‘Al Umma’ newspaper published by ‘Haq Party’, to interrogate him about the case submitted against the newspaper by the Election Supreme Committee for publishing violations, allegedly committed by the committee, in its 256 and 257 issues. The case was filed and submitted to the court and is still pending trial.

On the same day the directorate summons journalist Khalid Salman, editor in chief of Al Thawri newspaper, published by the opposition Yemeni Socialist Party, together with journalist Mohamed Shamsan in relation to the complaint filed against them by the Supreme Election Committee for the publication of an opinion article by Shamsan, in issue No. 1793, allegedly passed by the editor in chief, criticizing the election committee for violations it had supposedly committed. The journalists were later exonerated by the court.

Al Thawri was actually the sixth newspaper to be sued by the election committee after Al Haq, Al Wahdawi, Al Shura, Al Umma and Al Sahwa. With the exception of the independent Al Haq, all those newspapers are affiliated with opposition parties. Only Al Thawri, Al Wahdawi and Al Haq were cleared by the court.

28.1.2003
The criminal department in the capital’s appeals court acquits journalist Jamal Amer after three years of litigation in a case involving the Saudi embassy in Sana’a. In a ruling issued on 22 February 2002, the capital’s south west district court prohibited Jamal Amer from ever writing anything about Saudi Arabia because of an article he had written about Saudi Arabia and King Fahd. Jamal, however, never gave up, but followed the case till he gained his innocence and his right to write about any country he deems to worthy of his attention and his pen.
2.2.2003
The Attorney General, Dr. Abdalla Al Alfi, asks his provincial office in Aladeen, in Ebb province (200 km. to the South of Sana’a), to transfer to him the file of journalist Mohamed Sadiq Al Adeeni, editor of human rights and freedoms, in Al Thawri newspaper, for review and tells the provincial office to cancel the arrest warrant of the journalist issued by the office in October 2002. The arrest warrant was issued on the basis of false allegations that previously took Al Adeeni to prison. The positive attitude of the Attorney General followed a visit made that same day by the Yemeni Association for the Defense of Journalists, a legal association formed by 15 journalists in Sana’a in 2003, together with parliamentarian Sultan Al Atawani, of the opposition Nasserite party and Mr. Khalid Al Ansi, a lawyer and chairman of the National Committee for the Defense of Rights and Liberties. During that meeting, journalist Rahma Hujaira, chairwoman of the association for the defense of journalists submitted a letter to the attorney general requesting the transfer of Al Adeeni’s case to the attorney’s office and stopping the harassment of the journalist by the provincial authorities. A request to which the attorney general complied immediately.

According to what Al Adeeni said to APFW, the provincial authorities didn’t comply with the request of the attorney general, and were still intent on harassing him for no reason at all but his activities in defense of human rights and his criticism of the authorities.

2.3.2003
Law enforcement agencies abstain, throughout the month of February, from the execution of a judicial order issued after a long process of litigation involving journalist Hussein Al Jarbani, Asharqalawsat newspaper’s correspondent in Yemen. Mr. Al Jarbani was about to move with his family to his new house, when an influential family decided to prevent him from doing so, alleging that the house had been built on a land plot belonging to them. Al Jarbani went to court and had a ruling on 12.11.2002, affirming his legal right to move to his home. But that was not to be, and he was prevented from moving into his new house at the barrel of the gun.

The Yemeni Association for the Defense of Journalists issued, late in the year, a statement highlighting the violations of Al Jarbani’s right to live in his home, condemning the threats on his life and the contempt some people have for the rule of law and the civil process of resolving disputes.
Despite the procrastination on the part of the authorities and the resistance of influential clans, and after a strong civil campaign, Al Jarbani was able to move with his family to their new home and to put an end to a painful and tiring ordeal.

27.3.2003
The ministry of information withdraws from the kiosks, Al Asima (The Capital) newspaper, affiliated to the (National Alliance for Reform), alleging the four year old paper is not licensed! The fact is that the law gives partisan newspapers the right to publish without asking for a license, provided that they notify the ministry of their publication, a thing the newspaper did four years ago when it was published in 1999.

28.3.2003
The capital’s south western district court issues a suspended sentence of four month in prison against journalists; Ali Al Saqaf, editor in chief of Al Wahdawi newspaper, Ahmed Saeed Nasser, managing director and editor Abdul Aziz Ismail. In a case
submitted by the authorities and the Saudi embassy in Sana’a, the court ruled that the journalists were guilty and should not write anything about Saudi Arabia in the future, which was dubbed the most preposterous ruling in legal history. The newspaper, however, appealed the sentence and the ruling was turned down.

12.4.2003
The ministry of information threatens journalist Mohamed Al Sayed to terminate his correspondence job for Al Jazeera Satellite Channel and to return him to his original job in the Yemeni Second Channel in Eden, because he photographed a child killed by security agents near the American embassy during a confrontation with rioting crowds that day.

7.5.2003
Security agents placed in the Republican Hospital in Sana’a attack journalist Abdul Salam Jabir, of Al Thawri newspaper, beat and interrogate him while he was preparing an investigative story about the performance of the hospital and the quality of its services. Although Jabir was expelled from the hospital, he was able to publish a story that proved to be damning to the authorities. For his rough handling by the security agents, however, he received no apology.

31.5.2003
Journalist Hassan Abdul Warith, deputy chairman of the journalists’ trade union, editor in chief of ‘Al Wahda’ newspaper, receives anonymous death threats by phone. He informs the minister of the interior and the trade union and after extensive investigations the source of the threats was found and exposed by the trade union.

31.5.2003
The Publications Directorate in the Attorney General’s office summons journalists: Jalal Al Shar’ee, editor in chief of the independent ‘Al Osboua, Fuad Al Riadi and Naef Hassan, both editors in the newspaper, for investigation about articles written by the two editors, and supposedly cleared for publication by the editor in chief, which the directorate considered to be offensive to Islamic and public morality. Al Riadi had written a piece about ‘The situation of female students in schools’, while Hassan had published the first of two articles about gay people. The newspaper was ordered by the ministry not to publish the second part, or else it would be closed down. The case is still pending trial. Hassan told APFW that the second part was dedicated to the social treatment of the issue and that the suspension of that part from publication had confounded the issue and confused the reader.

4.6.2003
The capital’s south west district court issues a suspended sentence of five months in prison against columnists Abdul Rahim Muhsin, Ibrahim Hussain and the editor in chief of Al Thawri newspaper, Khalid Salman for the publication of articles written by Muhsin and Hussain which the authorities considered to be liable to incite irrational sectarian attitudes and endanger the unity of the country. The sentence came after the kidnapping of Muhsin, by security police on 23 May 2003, and his incarceration in prison up to the 2nd of July the day the trial started. His
colleague Hussain was arrested a week later and they were both put on trial by the security police.

10.6.2003
The ministry of information issues an order of administrative seizure of issue No. 791 of Al Ray Al Amm, an independent newspaper, for what the order alleged to be a violation of the publications law. The newspaper believes that the order was related to its coverage of government corruption. The order was endorsed by the capital’s south west district court which turned down a compensation plea by the newspaper. The latter appealed against the rule.

12.6.2003
Security agents attack journalist Sanad Nijad, member of the central committee of the Yemeni Socialist Party, in his hotel room in Sana’a and take him to prison to spend two weeks without trial. Nijad told the journalists’ trade union during a visit to him in prison that the arrest was related to an article he had written two years ago in Al Thawri newspaper. During his stay in prison Nijad documented so many violations inside the prison and published his findings in a series of articles in Al Thawri newspaper causing the authorities a lot of unease. He was only released after the good offices of many well connected friends and acquaintances.

30.6.2003
Unidentified rogue agents assault the car of journalist Rafiq Omer Madi, correspondent of Abu Dhabi Satellite Channel, destroy its wind shield and run away. One of the journalists said that that was a message to Madi for his unsavory reports about Yemen, while Madi himself refused to comment because he was unable to identify the wrong doers.

30.6.2003
Somebody driving a car tried to hit journalist Hassan Al Adeeni, publisher of the independent ‘Al Usboua, while he was walking along the street, in the capital Sana’a, which was considered an aborted assassination attempt.

7.7.2003
Security and presidential guards prevent 12 journalists, including the correspondent of Al Jazeera, Mr. Murad Hashim, editor in chief of Al Balagh newspaper, Mr. Abdalla Al Wazir, from entering the journalists’ trade union building because the prime minister was inside the building at the time for the inauguration of the ‘Encyclopedia of Yemeni Press’.
The journalists later issued a statement saying that the guards told them that they were not allowed to enter the building because the prime minister was inside the building at the time and that no body would be allowed to enter the building under the circumstances. The group said that the trade union building should never be allowed under any circumstances to be a military barracks, but still they would go no further than making this point.

13.7.2003
The ministry of information accuses Al Ray Al Amm newspaper of publishing false information in its issue number 795 and takes it to court. The court, however, dropped the accusation as groundless.

21.7.2002
Journalist Salah Al Dakkak, from the official Al Jumhuria newspaper, published in Taaz, gets beaten by local security agents, with bare hands and rifle butts, during his visit to one of his relatives in Taaz prison. Dakkak knows no reason at all for that attack, producing his journalist ID did not help him in any way, and to add insult to injury the officer in charge refused to register the incident when asked to do so by Dakkak. The fact that Dakkak was known for his criticism of the local security forces in many local newspapers, could be the only reason for that attack on his person,

21.7.2003
An armed gang attacks journalist Fahmi Abdul Wahid, head of the sports section in Al Jumhuria newspaper, and steals his car, which was found later. The case had been reported by the journalist union to the minister of the interior who started an investigation and a hunt after the culprits. The reasons for the attack remain unknown.

28.7.2003
Publications Directorate summons journalists Ali Al Sagaf, editor in chief of Al Wahdawi newspaper, Arif Al Sarouri, an editor in the newspaper and Mukhtar Abdul Gadir, a trainee, for interrogation about the libel case tabled against them by parliamentarian Sultan Al Burkani, head of the ruling party’s parliamentary group. In two issues: No. 560 and 564, the newspaper alleged that Al Burkani had committed some violations. The case was heard on 12.3.2004, and the three men were convicted and fined 60 thousand Rials (US$400). The newspaper was prohibited from ever writing anything about Al Burkani and ordered to publish an apology for insulting him.
It is to be noted that the newspaper produced documents to prove its allegations which were refused by the court, and which the newspaper later published for its readers.

5.8.2003
An armed group breaks into the house of journalist Salih Al Hamidi, working for Al Thawri newspaper, terrorizes his family and takes him by force to the publications directorate. The reason for the raid was said to be the failure of Al Hamidi to pay a fine of 20 thousand Rials (US$ 110) demanded by a court ruling six months ago.

18.8.2003
Local security agents in Gaataba council, of Addali’e province, arrest journalist Abdul Rahman Al Mohamadi, put him in solitary confinement for four days following his publication of investigative material about violations of human rights in one of the prisons supervised by local authorities. The material was published in Al Shura newspaper, affiliated to the ‘Union of Popular Forces’, for which Mohamadi works, issues No. 441 and 447 on 29.6.2003 and 10.8.2003 respectively. Armed groups have been known to hunt for Al Mohamadi for some time before his arrest.

2.9.2003
The publications directorate summons Mr. Yahia Shawish, deputy editor in chief of Al Shura and journalist Abdul Rahman Al Mohamadi, local correspondent of the newspaper in Addali’e province to answer for an accusation of contempt and defamation of an official agency in issues No. 441 and 447 of the newspaper. The case has been referred to the court and is yet to be heard.

In the meantime the newspaper sacked Al Mohamadi, which was considered, by the trade union, to be an affront to the ethics of the profession and the principle of journalist solidarity.

7.9.2003
A plain clothes group of security agents try to arrest photographer Numan Haydar, of Al Sahwa newspaper. Although his camera was confiscated, Hydar himself was able to escape. At the time he was taking some snapshots of a sit-in by school girls protesting the closure of their school. Security presence was exceptionally heavy at the scene.

12.9.2003
On the order of the publications directorate, an armed force breaks into the headquarters of Al Wahdawi newspaper, in what the newspaper and the journalist union, consider to be an attempt at kidnapping journalists Ali Saqaf, editor in chief of the newspaper, Hamdi Al Bukari managing director and Ahmed Saeed Nasser, executive director and taking them by force to the publications directorate to answer for allegations against the newspaper by a highly placed official in the ruling party. The groups demands the editorial board to bring, there and then, local correspondents of the newspaper who happened to live 280 km away from the capital.

The armed group leaves only after contacts with the prosecutor’s office and an undertaking by the editorial board to bring the correspondents within one week. The union’s pleas to the minister of the interior to apprehend the group and put it on trial remain unheeded.

25.9.2003
Al Mualla police in the province of Eden, arrest journalist Abdul Fattah Al Hakimi, deputy president of the board of directors of the official ‘14th of Octorber’ newspaper, breaking into his office during work hours on the orders of the publications directorate. He was only released after 24 hours. The arrest was alleged to be for his failure to pay a fine of 20 thousand Rials (US$ 110), imposed 5 years ago when he was the editor in chief of ‘Ma’een’ magazine in Sana’a. Al Hakimi, however says that he had paid the fine there and then, and that the attorney’s office failed to notify authorities in Eden that he had done so. The real reason may have been the article Al Hakimi wrote a few days before his arrest, in the independent Annas newspaper, criticizing the arrest and detention of people, for differences with the ruler and alleging that the judiciary has become the ruler’s arm to intimidate his critics.

9.2003
The ministry of information prevents the printing of issue 66 of the independent ‘Al Fursan’, summons the editor in chief, Adil Al Aasam, to tell him that reshuffling the editorial board without prior notification of the ministry was illegal. The law, however, is a bit more flexible because it gives newspapers at least one week to do so. The newspaper did not appear after that, for unknown reasons.
10.2003
The security office in Saada province (North of Sana’a) arrest journalist Abid Hamoud Al Mihzari, editor in chief of ‘Addyar’ newspaper, published by the ruling party in that province, because of criticism of the local administration by the newspaper. Al Mihzari was only released after 24 hours and through the good offices of highly placed contacts.

2.11.2003
Security agents in Taaz province detain journalists Fikri Gasim and Ahmed Abu Zaid, of the official Al Jumhuria newspaper for nine hours, because of photographing an attack by the security agents against one of the citizens. The journalists happened to be passing by the building of the security police, when they saw the incident which wasn not meant for the public eye.

11.12.2003
The representative of the ministry of health in the joint Yemeni-Saudi Committee attacks journalist Ahmed Al Gurashi, correspondent of the electronic Al Sahwa newsletter, in Hijja province, to the North West of Sana’a and forces him to surrender a recorded tape containing statements by the Saudi director of the campaign for the eradication of Malaria. Al Gurashi was covering the joint committee’s meetings and was able to obtain a statement by the Saudi representative about which the Yemeni representative was not happy. The tape was grabbed and confiscated.
Democracy and the Media
The premise of democracy is that people govern themselves. The condition for this assumption is that people will have the information they need to make wise political decisions. Modern democracy, as the philosopher Richard McKeown has pointed out, is a community based on communication. Everything in a modern democratic system is based on the rational dialogue of an informed electorate. It follows that the press is a fundamental social institution. It is the chief medium of communication among the people, and between the people and their elected representatives in government. Thus the media of a country illustrate the political regime of that country, and the vitality of its society, its economy and lastly, of its population.
The media can only develop and thrive if the economy is highly industrialised and dynamic and if the population is fairly homogeneous. They thrive in industrialised countries with democratic parliamentary regimes.

The move to freedom from state control
The fight for freedom started in fact well before the publication of the first daily in England. As soon as printing was invented in the 15th century, obstacles were set up in order to prevent the new invention from influencing public opinion through the free circulation of news and ideas. In the English-speaking world, Henry VIII introduced press licensing in 1536. Printers and writers were the first to fight for the simple right to print and the press in England was the first in Europe to fight for its freedom. Newspapers and gazettes became part of the English political spectrum with the setting up of modern political institutions in the 17th century. A debate was opened concerning the role of the printed text, allowing pressure groups to express their ideas when the political system evolved towards parliamentary representation, a limited royal power and a strong Prime Minister. Parliament gradually gave up enforcing the Licensing Act as from 1679, and it was finally abolished in 1694. Newspapers no longer needed state approval and no longer needed authorisation to be published, a major landmark – in this respect, England can be seen as the cradle of press freedom.

However, the press was far from totally free. Constraints remained in place or new ones were added. For example, it was illegal to report parliamentary debates until 1771, and a series of taxes were created from 1712 on paper (the Stamp Tax) and advertisements in order to curb the development of the press and to limit its readership by making it too expensive, thus reflecting the predominant view in the political class that it was best if the popular classes were not informed about the details of political and social life.

At the beginning of the 19th century, the emerging radical press was published illegally and refused to pay the Stamp Tax. The radical press was very successful but was strongly repressed by the government and some individuals were imprisoned. The last of these “taxes on knowledge”, as they were called, was finally withdrawn in
1855. Interestingly, it has been argued that this was not done with the aim of encouraging diversity and pluralism, but rather the contrary. “Many of the parliamentary campaigners in favour of the repeal of the Stamp Tax in the 1830s believed that cheap newspapers owned by capitalists would become an educational weapon in the fight against trade unionism.” The aim was to “propagate the principles of free trade and competitive capitalism” and to give access to newspapers to businessmen who would then speak directly to the working classes. Indeed, this is exactly what happened: the radical press declined while a cheaper, popular, mainstream press blossomed essentially by industrialists, the only people with the necessary capital to start newspapers in the second half of the 19th century.

Compared to England, the history of press freedom in France is more chaotic and thus reflects the evolution of a country, which has known more violent and frequent political crisis than its neighbour across the channel.

Article 11 of the Déclaration des droits de l’homme et du citoyen (August 1789) defined the new principle of freedom of the press. This new freedom was followed by the publication of about 1,600 newspapers and periodicals in the ten years that followed. However, the battle for freedom of the press was far from over: there followed periods of relative freedom and others of strong repression, depending on the regime in power.

In the 19th century, the relationship between the press and the various governments was very tense. The state put many obstacles in the way of the development of the press: stamp tax, licensing, censorship and countless press offences defined by the law. In the end, after the initially promising attitude of the 1789 reformers, it took almost 100 years for the press to be free again. The Third Republic ended up giving the French press its freedom and a very liberal regime in 1881, thereby renouncing both political control and surveillance of its economic organisation. The 1881 law that established that “printing and bookselling are free” is still in force today, even though it has been amended about 50 times since.

Today’s legislative framework: two different regimes
It is customary to say that the press enjoys almost total freedom in Britain. The setting up of newspapers is free (unlike TV and radio stations which are strongly regulated). The press is under no specific legal regime; it is subject to the common law, just like any other industry. Yet freedom of the press does not mean that newspapers can publish anything they like about whoever they like. If at first glance the British press seems to be free in its links with the government, on closer inspection, a number of restrictions become apparent. There are limits on the information journalists can gather, in particular where the security of the state is concerned. The Official Secrets Acts (1889, 1911, 1989) make unlawful the “unauthorised communication of information about matters which must remain secret in the interests of the safety of the state.” There are also various acts that limit the information a reporter may gather on crime, and libel laws that restrict what journalists can write on people without proof. There are laws covering contempt, court reporting, defamation, human rights, race relations, etc. Access to information is also part of a journalist’s freedom and despite earlier promises for a Freedom of Information act, the Labour government elected in 1997 took almost three years to
vote such legislation, which was then criticised as being a watered down version of the access to information that had been hoped for.

Britain is one of the few countries on earth where there is no specific press legislation. By contrast, self-regulation is widely developed. The Press Complaints Commission is an independent, non-statutory body, whose role is to enforce its own code of practice. It has no statutory power and cannot award damages. Following a conviction, the guilty newspaper has to publish the judgment against it. The PCC has been severely criticised as a body funded by the press industry and with a code favourable to it. Britain has been experimenting with press regulation since 1953 but for over 20 years it has proved incapable of preventing intrusions into privacy – on the contrary, the increased competition between newspapers and the public’s appetite have pushed newspapers further down that alley. A parliamentary select committee report in 1993 called for the replacement of the PCC by a statutory body, but both Conservative and Labour governments have refused to legislate on this. In the absence of financial sanctions, the PCC’s weight is mainly a moral one and governments have been reluctant to introduce legislation, which might be considered a restraint upon the freedom of expression and also for fear of alienating the press.

If Britain is hailed as the country of press freedom, in France the situation is more qualified. In France, the state law has a strong legitimacy and legally, the separation of the State and the press is not as clear or well established as in Britain.

As in Britain, anybody is free to set up a newspaper provided a few formalities are respected such as printing the names of the publisher and the editor. But in contrast to Britain, freedom of the press is exercised within a legal framework (the freedom of the press is both guaranteed and regulated by the law). The press offences that are covered by the law are defamation, insults, incitement to crime, offences against the President of the Republic and foreign heads of State, false news, military news unless already made public, identification of minors involved with the judicial system, and violation of the secrecy of the process of criminal investigation. Privacy is also protected under the 1970 Act, which stipulates that “each person has the right to respect of his/her private life”. For example, somebody’s picture remains his/her property and can’t be published without his/her prior authorisation. This was strengthened by the June 2000 law which bans the publication of photos of people who have been arrested and handcuffed without their consent. This law was considered as limiting the freedom of the press and was criticised in France and abroad. Many journalists denounced the rise of an insidious censorship and published a letter of protest in the daily Liberation: “The role of the writer and journalist is to be critical witnesses of their time. They can’t limit themselves to being mirrors reflecting society’s stereotypes but must on the contrary exercise an analytical, even if sometimes dissenting function”.

The way press freedom is regulated in the UK and France is to a large extent a reflection of the respective legal structures of the two countries. Much of English jurisprudence is based on common law and case law, whereas in France, particularly since Napoleonic times, legislation is generally codified into statute. Furthermore, disputes concerning the press in the UK are usually civil cases (the only real exceptions are cases concerning the Official Secrets Act, as discussed above, and criminal libel cases, but these are very rare indeed), whereas in France, newspapers
breaking the law can easily find themselves subject to criminal proceedings, and this may explain why French newspapers are generally more restrained than their English counterparts – it is easier to pay a fine than to expunge a criminal record.

The protection of privacy by law raises the question of the freedom of the press to inform and the right of a person to protect their privacy. Is a law necessary? Wouldn’t it be more appropriate for journalists and publishers to decide what is in the public interest as opposed to what would interest the public? Unlike Britain, France has no professional or independent commission that oversees press conduct: there is no press council, no equivalent to the PCC, and very few ombudsmen. Critical thinking on ethics and self-regulation is not developed in France, largely because of the legal framework.

Concentration in France and Britain
“...the press which claimed to be free for so long is no longer the guardian of freedom in this country. The power of the press proprietors in this country has never been greater than it is today” said the former Conservative Prime Minister Edward Heath in 1985vi. The possibility for anyone to start a newspaper is an essential aspect of press freedom. Anyone has the right to start a newspaper that would reflect their point of view, but in reality this right remains purely theoretical, and very few people are able to exercise it.

There has always been faith in Britain in the virtues of the market as the adequate environment to promote a diversified and pluralistic press. This point of view was officially expressed in 1949 by the first Royal Commission on the Press which stated that “Free enterprise is a prerequisite of a free press”, thereby linking economic liberalism with freedom of expression.

This non-interventionist attitude allowed the development of press giants in the second half of the 19th century, which has in turn paved the way for the concentration of ownership characteristic of the UK press today. Today, four publishers own 86% of the national pressvii (in terms of circulation). Among them, two publishers (News International/Rupert Murdoch, and the Daily Mail) control six national newspapers with very explicit agendas on issues such as immigration, the European Union, and the war in Iraq, thereby to an extent shaping the terms of public debate in Britain. Governments have been reluctant to enforce the 1973 Fair Trading Act which allows the Monopolies and Mergers Commission to stop mergers that would create excessive concentration of ownership, partly because they felt that more powerful groups would guarantee the survival of a more dynamic press and partly because it suited their own agenda. (This was certainly the case when Margaret Thatcher allowed Rupert Murdoch to buy the Times and the Sunday Times in 1981 when he was already the owner of the News of the World and the Sun.)

In this respect, the attitude of the French state has been different. There has always been the belief in France that it is up to the State to guarantee diversity and pluralism in the press through various direct and indirect aids to newspapers. After Italy, France is where this system of aid to newspapers is the most developed among western countries. It accounts for about 12-15% of the total turnover of the pressviii, is non-discriminatory and all newspapers are entitled to it. This is done in the name of
freedom of the press in the belief that the state must allow citizens to have access to as wide a range of information as possible.

Concentration of ownership is also perceived as a restraint on the freedom of the press. When the Socialist government came to power in 1981, it decided to enforce the anti-concentration laws voted after the war. The then Prime Minister Pierre Mauroy declared in 1984: “The exercise of democracy demands pluralism and clarity. We must put an end to the setting up of ever more powerful and monolithic monopolies.” This law was modified when the right came back to power in 1986, in keeping with the principle that economic freedom and freedom of expression go hand in hand. Despite various measures taken by different governments and despite continuing state aid, the French press has not escaped concentration, and is dominated by three groups, which control numerous regional newspapers. The national press is not as concentrated, with papers like *Le Monde* and *Liberation* which are independent, but the press with the largest circulation and weight in French people’s lives is the regional press.

It has also been argued that State help also constitutes an obstacle to the very freedom it seeks to guarantee by making newspapers dependent on the State for their survival – how can the press be considered free and independent if it relies on state economic help?

Moreover, the egalitarian principle of financial aid has in fact benefited some papers more than others, which were struggling more and would have needed more. A reform of the system is currently under way in order to target the papers that need it most.

**Conclusion**

Britain and France offer contrasting examples of societies that on the face of it have a free press. As we have already seen, however, there are striking and significant differences between the two systems. These differences are generated by historical, societal, political and even cultural factors.

Britain experienced radical upheaval in political life much earlier than France, firstly with the Reformation in the early 16th century and later with the beheading of Charles I in 1649. The former had a tremendous impact on creating a literate people and promoting the use of the printed press, while the latter was the triumph of Parliament and the nascent bourgeoisie over the crown, bringing with it an agenda that would find its logical successors in the 19th century capitalists described above. By comparison, violent and revolutionary upheaval in French political life did not happen until the end of the 18th century, although as in England, the revolution was a revolt led by the emerging middle classes against a complacent monarchy, and as in England a century earlier, it brought with it an agenda which inevitably drove the impulse for greater press freedom.

One of the most significant differences between England and France, however, was that England never had its Napoleon. This meant that whereas the Napoleonic code brought with it a great codification of statute law, which obviated the need for much common law, the same thing just did not happen in England. Less obviously, this meant that successive governments have not legislated strongly against the press both
because matters concerning the press are often decided as civil cases, and because they have believed (usually wrongly) that by leaving newspapers alone they will receive favourable treatment by the press.

In terms of social and cultural factors, one may point to the fact that there are two striking differences between France and England in the printed media. Firstly, in France, the regional press is much stronger than in England, the corollary being that in England the national press is stronger. Secondly, England has a tabloid culture including a proliferation of newspapers and magazines whose only content seems to be unsubstantiated gossip, which does not really exist to the same extent in France.

As far as concentration of the press is concerned, we have argued above that this means that the British press is functionally less free than its French counterpart, insofar as the agenda of a very high percentage of British papers is set by a very small number of papers (and an even smaller number of owners). Even though the French press also has a high degree of concentration of ownership, because of the strong regional characters of different newspapers, there is not the same homogenisation of the news agenda as is found in the UK.

With regards to the tabloid culture, two arguments are possible (and they do not necessarily contradict each other). It could be argued that stronger legislation in France has prevented the development of a gossip culture, both because of the laws themselves and the punishments applicable, which apply not to the newspapers’ shareholders (as is really the case in England) but to the papers’ editors – this clearly gives journalists food for thought before rushing into print with what could turn out to be scurrilous assertions. However, it could also be argued that as a nation, the French are less interested in the private lives of celebrities than are the English. Hence, while a lot of ink has been spilt, and a lot of court time been used in the UK, by newspapers trying to establish their right to intrude into the private lives of ‘celebs’, it would appear that the French are simply much more prepared to let these same people enjoy their privacy. Whether this would have been the case without the legislation we refer to above is another question about which we can only speculate. However, this does mean that French society and politics has not experienced anything like the level of debate about the question of public interest that has been seen in the UK. And the crux of the matter is surely that a free press is one that can print what it needs to print about what is genuinely in the public interest without fear of prosecution by government or attacks in the court under civil actions.

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2 ibid, p.24
3 Central Office of Information