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THE FREEDOM OF EXPRESSION KIDNAPPERS

Few years have started off as badly for Reporters Without Borders as 2005. On 5 January, we were horrified to learn of the kidnapping of Florence Aubenas, special correspondent in Iraq for the French daily paper *Libération*, and her local guide Hussein Hanoun. Every kidnapping is painful for families, friends, employers and colleagues of the journalists held hostage. But this one was especially so because Aubenas is a good friend of Reporters Without Borders who has always campaigned with us to defend jailed or persecuted journalists, especially in Tunisia.

So just a few days after the safe return to France of two other kidnapped French journalists, Christian Chesnot and Georges Malbrunot, we had to launch a new campaign and ask everyone to switch to the new victims and lobby just as hard for them. We weren't disappointed. The response was excellent and Aubenas and Hanoun were freed on 11 June, after 157 days.

Meanwhile, other foreign and local journalists were kidnapped in Iraq and then freed. They included Italian reporter Giuliana Sgrena and Romanian journalists Marie-Jeanne Ion and Sorin Dumitru Miscoci. Unfortunately, the kidnappings show no sign of ending and each week brings new ones.

As this is being written, the fate of American reporter Jill Carroll, of the *Christian Science Monitor*, and Rim Zeid and Marwan Khazaal, of the Iraqi station *Sumariya TV*, is uncertain. Once again, we can't let up in our campaigning. We have to remind the kidnappers every day that Carroll and her Iraqi colleagues were simply doing their job as journalists and that nothing can justify subjecting them to this terrible ordeal.

But press freedom isn't threatened just in Iraq. Next door, in Beirut, journalists live in fear of being attacked. Two senior journalists, Samir Kassir and Gebran Tueni, of the daily paper *An-Nahar*, were killed in car-bomb attacks during the year and a star presenter for the TV station *LBC*, May Chidiac, was seriously wounded in another.

Lebanon has the best record for press freedom in the Arab world but is now moving towards self-censorship. The best-known political commentators are moving about carefully and no longer dare to openly criticise neighbouring Syria, which is accused by many of being behind the attacks. Others have gone into exile, to France and elsewhere.

PRESS FREEDOM HAS ITS PREDATORS

Reporters Without Borders compiles an annual worldwide list of predators of press freedom to show which powerful people are attacking journalists and media outlets. This very exclusive club expanded in 2005 to include new Iranian President Mahmoud Ahmadinejad, who made inflammatory remarks as soon as he took office and forced reformist newspapers to close down.

Heads of state sometimes develop a sudden urge, after years in power, to crack down hard on personal freedoms. Zimbabwean President Robert Mugabe, after two decades of fairly moderate rule, got tough a few years ago and turned his country into a nightmare for journalists and anyone who wanted to express themselves freely. Nepal's King Gyanendra followed suit in 2005, when he assumed full powers on 1 February and began censoring hundreds of media outlets, especially the many independent radio stations, and arresting truckloads of journalists.

In 2006, other fears have arisen, such as with the victory in Palestinian elections of Hamas, which has little time for critical or independent media. Elections in Haiti and Peru could also affect press freedom one way or the other.

Leadership changes elsewhere inspire hope. Authoritarian reflexes persist in Ukraine, but new President Viktor Yushchenko seems determined to end the brutal and repressive practices of his predecessor. Liberia's new president, Ellen Johnson Sirleaf, the first elected female head of state in Africa, has been welcomed by all and the war-exhausted country's media can breathe again.

THE MOST DEADLY YEAR FOR A DECADE

2005 was a bloody one, with at least 63 journalists and five media assistants killed worldwide and more than 1,300 media workers attacked or threatened – the highest toll since 1995, when Algerian Islamic fundamentalist groups attacked anyone who didn't support them. Violence against journalists is now routine in

Bangladesh, the Philippines, Nigeria and Mexico and it goes unpunished.

A few killers of journalists were arrested and given prison sentences in 2005 but others are still walking free. Guilty policemen, soldiers, drug-traffickers, members of armed groups and criminals of all stripes are still at large and know they're safe from the law. Impunity is still the main enemy of human rights activists.

Exile abroad is one result of such violence. The Journalists' Residence for refugee media workers, set up in Paris with the help of Reporters Without Borders, is as full as ever. Similar houses ought to be opened in cities such as London, Madrid, New York and Berlin, wherever journalists flee to escape death or imprisonment.

Reporters Without Borders often hears that a journalist has disappeared, leaving no word with employers and family who suffer terribly in their search for signs or news of the missing person. We've added a special page to our website (www.rsf.org) so that vanished journalists such as cameraman Fred Nérac and reporter Guy-André Kieffer, as well as the lesser-known Acquitté Kisémbé, Ali Astamirov and Djamil Fahassi, are not forgotten.

NEW TASKS ON THE HORIZON

Imprisonment is the favour weapon of authoritarian rulers to silence journalists and more than 100 currently languish in jails around the world. The picture is much the same from year to year and China, Cuba, Eritrea, Ethiopia, Iran and Burma are still the countries holding most journalists.

In these places, a sharp commentary, an over-strong adjective or an irritating news item are immediately dubbed "threats to public order," "sedition" or "undermining state security." Punishment can be five, 10 or even 20-year prison sentences, as well as cancellation of civil rights, all aimed at breaking the journalist involved and frightening others who might utter some critical or disobedient thought.

No form of media escapes censorship, not even blogs, which soared in number in 2005. Many journalists in Iran or Tunisia, for example, turn to the Internet when censored in the mainstream media. Websites, personal pages and blogs in such countries have become the only source of opposition or independent news. But the censors are watching and bar access to sites and filter, monitor or delete material they don't like. China is by far the top world expert at this but other countries are catching up.

But our focus isn't all on countries south or east. We must also keep a careful eye on press freedom in Europe and North America. It would be foolish to compare the plight of journalists in Burma with those in Europe. But it needs to be pointed out that not everything is perfect in Western democracies.

The battle to defend the secrecy of journalistic sources, which landed American journalist Judith Miller in prison, is more pressing than ever. The issue is hotly debated in France, Belgium and neighbouring countries. The repeated searches of journalists' homes and offices in several European Union member-states are alarming. Concentration of media ownership, even if it doesn't yet seem to much affect media diversity and freedom, will also perhaps concern us in the future.

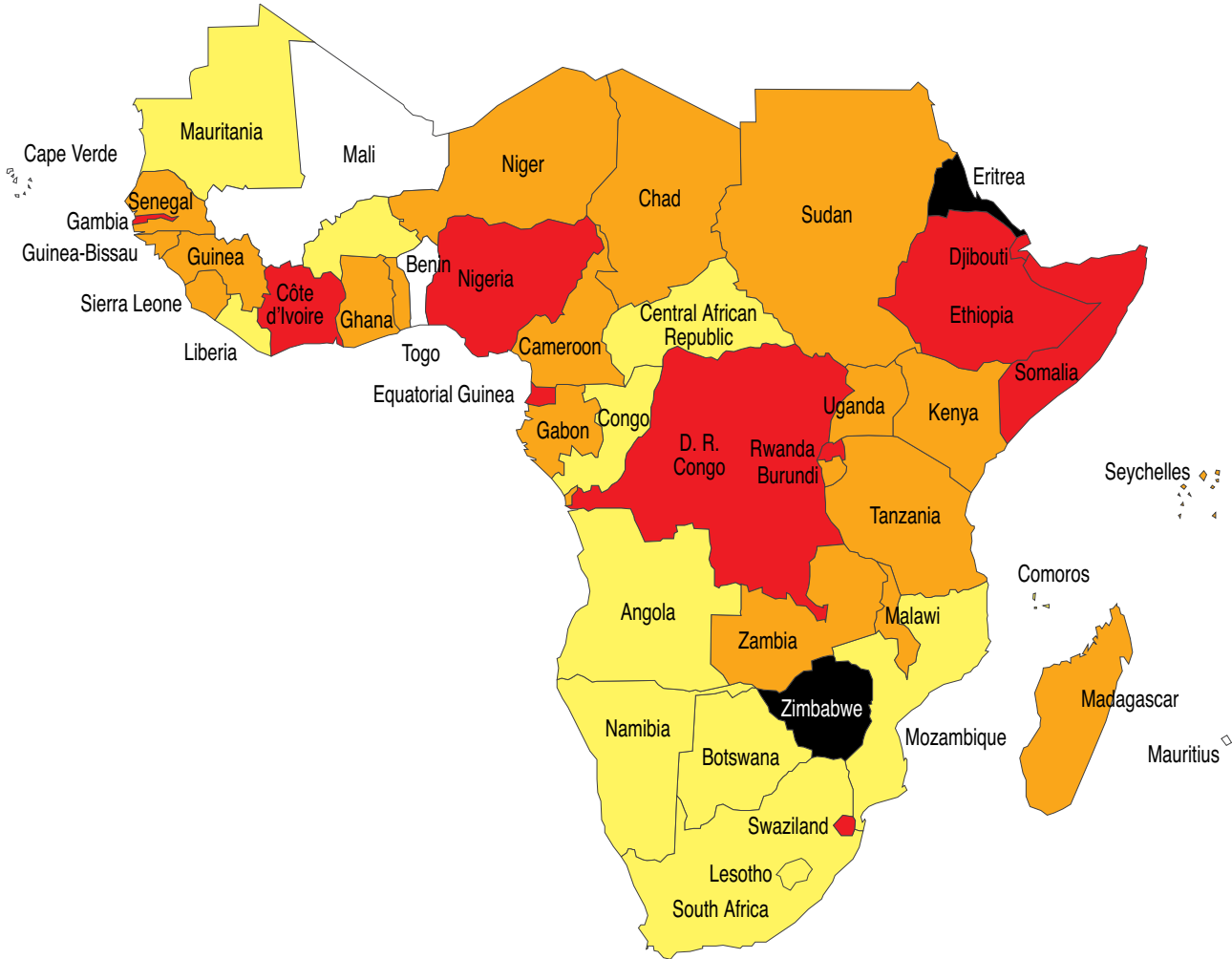
SOME GOOD NEWS TOO

There was also good news in 2005, which encourages us to continue campaigning. The release of a journalist, the reopening of a censored media outlet or the sentencing of an enemy of press freedom cheer us and make us cautiously optimistic. The media is freer now in India, some Central American countries and the Indonesian province of Aceh.

Reporters Without Borders has helped to reform the press laws in Mauritania and hopes to do the same in Chad and Cameroon. Mexico has set up a special prosecutor's office to investigate attacks on journalists, showing that it acknowledges the serious situation.

The row over the cartoons of the Prophet Mohammed printed in a Danish newspaper in September is a sign that people are very interested in freedom of expression. The definition of that often varies from one continent to another, but the row has shown that nobody is indifferent to the issue. And making an issue of press freedom can only benefit us all.

Jean-François Julliard
News editor



2006 Annual Report

AFRICA

In Africa, impunity is not a matter of bad luck, it is the general rule. In Burkina Faso, those who murdered journalist Norbert Zongo in 1998 spend their days in tranquility. The investigation has been stalled by the law of silence that surrounds the presidential guard and François Compaoré, the brother of the president, who has been implicated in this case. In Gambia, the killers of Deyda Hydara, gunned down in 2004, have every reason to enjoy peace of mind. They run absolutely no risk of arrest. President Yahya Jammeh is too busy sully the memory of the victim, as well as humiliating and threatening journalists. Nothing has been heard of Guy-André Kieffer, kidnapped in Cote d'Ivoire in April 2004, since he fell into a trap set by Michel Legré, the brother-in-law of the wife of President Laurent Gbagbo. Released after 18 months in custody, Michel Legré has pointed the finger at the head of state's entourage. But the French magistrates appointed to the case have failed to complete their investigation, in a politically poisonous climate. Even in Mozambique, where the murderers of Carlos Cardoso, who was ambushed in 2000, received heavy sentences, the wounds caused by this tragedy have still not fully healed. It is still not known whether the son of the former president Joachim Chissano, Nyimpine, has any link with the case. In the Democratic Republic of Congo, Acquitté Kisembo, who worked for *Agence France-Presse*, is still posted as "missing". But he was almost certainly murdered by one of the militias that operate in the east of the country.

Impunity is also political. Countries systematically crack down on the press without being called to account by anyone. For more than five years, a closed and gagged Eritrea has been an open air prison. The least hint of opposition is punished by imprisonment. Thirteen journalists were sent to languish in jail, in a climate of general indifference, one week after 11 September 2001. But the threat of a new war with Ethiopia has allowed President Issaias Afewerki to escape any sanctions. As for the president of Zimbabwe, Robert Mugabe, a nationalist autocrat who brooks no discordant voices, benefits from the benevolent protection of Thabo Mbeki, president of a South Africa that has become the continent's superpower. Rather than support democratic movements, the country of Nelson Mandela prefers to play the role of guardian to a despot in the name of African sovereignty. The Democratic Republic of Congo has experienced a wave of murders of journalists which have not caught the attention of the UN or the European Union, both busy organising elections. Prime Minister Meles Zenawi, in Ethiopia, for his part, viewed demonstrations in November as an attempted armed insurrection organised by the opposition and its press. In an immediate reaction, opposition leaders and editors of some newspapers were arrested and faced with charges of extreme gravity, not to say absurdity, notwithstanding the fact that Addis Ababa is the headquarters of the African Union. In Rwanda, the government and party of Paul Kagame use and abuse draconian laws and the fear of "sedition" to hound any journalists who are too independent for their taste. The people's *gacaca* courts set up to try some of those charged with genocide, are sometimes used for score-settling. No country dares challenge the government directly, relations with the international community are still marked by the horrifying memory of the 1994 genocide. As for the "hate media" of Cote d'Ivoire, they continue to bellow their message freely in a country that has been paralysed and corrupted by civil war. Moderate journalists have to rub along with intolerable colleagues. In Teodoro Obiang Nguema's Equatorial Guinea no excuses need to be given for the desert for freedoms that the government runs. No-one talks about freedom of the press to the head of "Africa's Kuwait". In the small kingdom of Swaziland of the absolute monarch Mswati III, freedom of press is a fantasy. Publishing the truth is a crime and that does not appear to bother anyone.

Even if Nigeria has left behind the dark years of the military juntas, journalists can only suffer in silence the state security's beatings and heavy-handed searches. Nothing is done to oblige the police to respect press freedom, for which the government displays a sovereign indifference. To a lesser extent, police officers in Gabon and Guinea can continue to beat journalists doing their job; since these are the orders they are given. On the other side of the continent, the new government in Somalia is trying to rebuild a nation on the basis of an archipelago of domains defended by armies of the unemployed. But the clan chiefs have no hesitation in attacking journalists who inform the people despite the anarchy. At the best they are banished. At the worst they have them killed.

DAILY INJUSTICE

African journalists are also confronted with that other form of impunity that is injustice, whereby the guilty can be rewarded and the innocent punished. In countries such Zimbabwe, Democratic Republic of Congo, Rwanda, Cameroon, Madagascar, Uganda, Malawi, Seychelles, Zambia, Lesotho, Niger, Chad and Sierra Leone, defamation or publishing false news are considered to be crimes. On the basis of one

complaint and if the person lodging it should be influential or have influential allies, the police take a cunning pleasure in arresting journalists as if they were robbers. No matter that the subsequent trials prove them innocent. They will have been in prison for 24 hours or for several weeks. Where corruption is the general rule, the best way to avoid being thrown into a prison cell is to applaud ministers, officials and businessmen.

Reporters Without Borders has not let up in its pleas to governments to put an end to these practices and change their laws. Togo, Angola, and the Central African Republic have done so and are better for it. The press, which regulates itself through representative bodies, has acquired responsibility and relations with government are no longer marked with rancour and the spirit of revenge. The problems that continue to beset the press are more likely to be linked to a heritage of violence and political hatreds that sometimes make journalists the targets of those who are unaccustomed to the rules of democracy. The governments of Senegal, Madagascar and Niger, have frequently made convincing sounding promises to decriminalise press offences - but only later, when they no longer feel the need to send the police to punish journalists who have crossed the "red lines".

FREEDOM IN A FEW PLACES

Some governments prefer to allow the status quo to continue on the convenient pretext that they have to deal with situations in which violence can easily be stoked up. They fail to understand that it is injustice that creates the danger. Others, like Benin, Mali, Burkina Faso, Namibia, South Africa, Botswana, Tanzania, Burundi, Ghana, Liberia, the Comoros and Congo-Brazzaville, ensure a satisfactory degree of press freedom despite episodes of violence and harassment. In cases brought before the courts, the law is applied with care and relative fairness. As a result, press offences do not give rise to the international reactions provoked by the imprisonment of a journalist, who whether admirable or mediocre, automatically becomes a martyr. Prison sentences for press offences are disproportionate and counter-productive.

African governments seem to have understood. The 3 August palace revolution in Mauritania brought to power a team who set their goal as creating a democracy to replace the "private domain" of ousted president Maaouiya Ould Taya. It is a mammoth task that includes justice and law reform, in which Reporters Without Borders is actively taking part, alongside journalists in a country that was one of the most repressive on the continent. The situation in Chad has opened up after a dark year for the press. Following an on-the-spot investigation, while four journalists were in prison, Reporters Without Borders suggested an amendment to the law and negotiations between the journalists' union and the government have begun, in a political context that is nevertheless extremely dangerous. In Sudan, where guns still do the talking, the formation of a government of national unity has allowed President Omar al-Bashir to take a historic step – abolishing emergency laws and lifting censorship. Pressure produces results.

But these areas of progress are rare and fragile. Solidarity with Africa is not just a question of food and money. Solidarity should also mean insistence on the rule of law. To close one's eyes to trampled freedoms, to get used to violence, become inured to political murders, is to approve them and accept that there are people deserving of justice and others deserving of oppression. In Gambia, a Reporters Without Borders representative was told by a friend of Deyda Hydara, "If you forget us, they will do what they want with us".

Léonard Vincent
Head of Africa desk

BURKINA FASO

In the “land of men of integrity”, freedom of the press has become a reality over the years. There is a generalised climate of outspokenness. There were few judicial cases for press offences. A robust satirical press comes out regularly without suffering any particular difficulties. But blood was shed before this new climate came about. The 1998 murder of journalist Norbert Zongo, in which there were strong suspicions against the brother of President Blaise Compaoré, was never cleared up. Reporters Without Borders had a further

meeting with the examining magistrate in the case, Wenceslas Ilboudo, in September 2005. He explained that, despite his efforts, the key witnesses in the case were refusing to talk. One of the most important suspects, a former sergeant in the presidential guard, Marcel Kafando, although sick and sentenced for the murder which Norbert Zongo was investigating when he was killed, lives peacefully at his home in Ouagadougou. This state of affairs did not prevent President Blaise Compaoré from being comfortably re-elected, in November.

BURUNDI

At the beginning of summer 2005, the power handover from former president Domitien Ndayizeye and the new, Pierre Nkurunziza, from the ranks of the Hutu rebellion, proved painful for one journalist. After the intelligence services ques-

tioned him as if he were a crook, he spent eight days in prison for having annoyed the head of state. He was only released as a result of international pressure. Despite recurrent tensions, press freedom in the country is genuine if fragile.

CAMEROON

In the country of Paul Biya, re-elected president in 2005, the situation is simple: draconian laws regularly put journalists behind bars. Five journalists, including an Australian reporter and the Reporters Without Borders' correspondent spent time in prison. In this hostile climate, several quality titles cling on to survival in a country that is mired in corruption. But in both Yaoundé and Douala, there is a profusion of privately-owned newspapers, but this is no guarantee of quality or integrity. The

courts, frequently prompted by the powerful or the corrupt acting with complete impunity, strike without distinction at journalists who are courageous, those who are badly trained and some who are simply malicious. Harsh jail sentences are systematically handed down. During the year, Reporters Without Borders tried to persuade the government to de-criminalise press offences to help Cameroonian journalists to become more responsible and professional. This has so far been in vain.

CENTRAL AFRICAN REPUBLIC

If proof were needed that de-criminalising press offences were beneficial to democracy, this country provided it. Under pressure from local journalists and international organisations, the Central African Republic, land of coups and guerrilla conflict, did just this at the end of 2004 and is better for it. The presidential election took place against a tense but responsible climate. The media were both protected and under surveillance.

There were none of the abuses that often occur in the region. Judicial procedure was observed in defamation cases and editors of newspapers stopped working when they were threatened with imprisonment.

However political hatreds have a way of lasting and Central African journalists were sometimes targeted by "short-tempered" elements within the army.

CHAD

If the press is pluralist in N'Djamena, it is also very poor and subject to ethnic turmoil that regularly destabilises the neighbouring Darfur region of Sudan. Left more or less in peace by the government despite the existence of draconian legislation, it was put to a rude test in 2005. Local radios in particular were often targeted by the powerful and politically motivated suspensions are not unusual. Controversial constitutional reform, repeated political crises, a powerful political police and exacerbated intercommunity tensions created an explosive cocktail that put four journalists in prison in July 2005. The crisis

between the government of President Idriss Déby and an often critical private press, reached its apogee.

Reporters Without Borders carried out an in the field investigation at the end of September and helped restore dialogue between the two sides. The journalists were released and a new draft law was proposed, but the country is so destabilised by armed groups, desertions and clan struggles that democratic reform proved difficult to put into effect. Tensions are still running high and real press freedom has yet to be won.

CÔTE D'IVOIRE

The Ivorian press suffers from a number of ills and presents many problems. Journalists working in Abidjan have to deal with numerous and dangerous challenges. They face death threats, are admired or hated by supporters of whichever camp, forced underground or into exile and stunned by political violence that has destabilised the country for more than five years. Some have turned themselves into obedient servants of those who give orders, the political actors who know how to manipulate a fragile press and journalists who are either underpaid or unpaid altogether. A few others are waiting for better days, while others battle to save their profession, in a way that makes the front page of newspapers often look more like a political tract than the first page of a news service. Otherwise, the national sport to be found in Abidjan each morning consists of "street parliaments" which debate the huge eye-catching headlines on the front pages of the dailies.

In the north of the country, which is held by the former rebels of the New Forces (FN), the public media frequency has been pirated by a propaganda radio and television and there is limited newspaper distribution. Laurent Gbagbo's government considers the international press, and in particular *Radio France Internationale (RFI)*, as an enemy voice. It has therefore completely suspended its FM broadcasts, diminishing still further the Ivorian media landscape.

On the eve of the adoption of a new resolution by the UN Security Council in May 2005, Reporters

Without Borders released a mission report entitled, "Time to disarm minds, pens and microphones". As the country headed for presidential elections at the end of October, the organisation proposed a series of measures to remove the challenge of "hate media" which poison a political climate that is already violent enough.

Against this backdrop of outrage, French-Canadian journalist Guy-André Kieffer, who was kidnapped in April 2004, is still missing. A French examining magistrate has travelled to Abidjan four times to interview the chief witnesses and to carry out investigations. He questioned the last man known to have seen Kieffer alive, Michel Legré, brother-in-law of the wife of the head of state, Simone Gbagbo. He was charged with abduction and holding a hostage and spent more than a year in custody in Abidjan, before being released provisionally at the end of 2005. To counter the climate of intimidation in which he was forced to conduct interviews, the French magistrate asked to be allowed to transfer the suspect to France. So far he has been unsuccessful, his request held up at the office of the head of state, whose mandate has been extended by the international community, since it has not been possible to organise elections. The most likely lead, given by Michel Legré, is that involving the entourage of President Gbagbo and in particular his minister of economy and finance, Paul Bohoun Bouabré. Before he was kidnapped, the journalist was investigating embezzlement of money in the cocoa trade, the Cote d'Ivoire's main resource.

DEMOCRATIC REPUBLIC OF CONGO

The vast spread of the former Zaire reflects the problems that confront journalists in this country. In Kinshasa, where the press is abundant, polemical and unruly, a black year for press freedom has been characterised by death threats, abusive arrests and police brutality. At the end of 2005, one of the capital's most respected journalists, Franck "Ngyke" Kangundu and his wife, Hélène Mpaka, were murdered in horrible circumstances. The outcry within the profession should have forced the authorities to react in a credible manner. Instead the police, despite the evidence, appeared to follow a lead of a common-law crime. After this, the leaders of Reporters Without Borders' partner organisation in the

country, Journalist in danger (JED), which had been outspoken in the case, were targeted for death threats which forced them to abandon their work.

The situation is hardly any better in the provinces. In areas infested with armed groups with vague political aims, journalists are at very serious risk. One, working for *AFP*, Acquitté Kisémbé, went missing in Ituri in 2003 and it appears that he was murdered by militiamen in the area. A well known journalist on *Radio Okapi* narrowly escaped death in Katanga, while in Bukavu on the border with Rwanda there has been an appalling climate of fear since the murder there of Pascal Kabemgulu Kibembi, an investigator for a local human rights NGO.

EQUATORIAL GUINEA

Monochrome and monotonous, news dish-
ed out to the citizens of Teodoro
Obiang Nguéma's country is thin stuff. The
country has no privately-owned publications,
apart from in exile. The few journalists working

for the international media or agencies are put
under surveillance, warned and threatened. It is
not done to criticise the president, his family or
his clan and the state media takes good care
not to.

ERITREA

Africa's youngest country is still the continent's largest prison for journalists. Thirteen of them, including most of the newspaper's editors from before 2001, are being secretly held, somewhere in the country, without ever going before a court, see a lawyer or speak to their families. The government, which controls the country with an iron fist, claims that they are traitors to the country, Ethiopian spies or deserters. It is not known if they are still alive.

In November, the disturbing episode of the two-day release of the founder of the weekly *Setit*, Dawit Isaac, served as a reminder of the extent to which President Issaias Afeworki is pitiless towards those he considers his opponents. The journalist was released on 19 November and was able to phone his wife and friends who are in exile in Sweden to tell them he would be joining them. But the Eritrean government, for unknown reasons, decided to throw him back in prison two days later, to general bewilderment.

ETHIOPIA

The extremely volatile political situation in this electoral year that saw a spectacular boost for the opposition, struck a heavy blow to the privately-owned press in Addis Ababa. The state media continue to display the same servility towards the government. While some private Amharic-language weeklies tried to provide serious coverage of fast-moving events, others gave themselves over to partisan journalism or propaganda. The occasion was too tempting for Meles Zenawi's government. Arrests, suspensions and threats were handed out at the least trouble.

After the riots in November, a major crackdown in the ranks of the opposition also pulled in around a score of newspaper owners and their editors. Facing "treason" charges along with the leaders of the coalition that contested the results of the 15 May legislative elections, they face the death penalty. Some have managed to flee abroad but others have not. The "moderate" private press still manages to appear, despite major printing and distribution problems and the extreme touchiness of an unstable government, which believes itself confronted by a revolutionary opposition, supported by an unbridled and irresponsible media.

GABON

The government of Omar Bongo Odimba and the powerful state press spend a lot of energy in discrediting not only opposition parties but also the independent press. The presidential election in the autumn was seized on as a chance for a campaign to vilify and systematically discredit

the opposition. Despite this outrageous imbalance, with little money and facing police brutality the few privately-owned publications in Libreville continued to provide news to Gabonese citizens without singing the praises of the doyen of African heads of state.

GAMBIA

For several years, Reporters Without Borders has been trying unsuccessfully to alert international opinion to the state of press freedom in the Gambia of President Yahya Jammeh. Neither the African Union, nor the United States or the UK appear to have taken seriously the agonised appeals from journalists in this small English-speaking country surrounded by Senegal. As a result, the situation worsens year by year.

The year 2005 began with a bereavement. Deyda Hydara, one of the most respected figures in Gambian journalism, correspondent for Reporters Without Borders and *AFP*, was cold-bloodedly murdered on 16 December 2004. Many people, rightly or wrongly, saw the hand of the government in the killing that was carried out by hit men. After two investigations in the field, Reporters Without Borders found that the killing had been part of a series of attacks against journalists and other figures who were seen as "troublemakers". Each time there was the same method of operation, use of cars without license plates and the prior issuing of death threats. The first ever murder of a Reporters Without Borders correspondent, since it was founded in 1985, fitted into the

pattern of many press freedom violations recorded in Gambia over several years, in which the intelligence services are the main suspects or those designated to carry it out. Reporters Without Borders has finally uncovered the fact that Deyda Hydara was threatened and under security services surveillance just a few minutes before he was killed, a few hundred metres from a police barracks.

Despite evidence of a political crime, the official investigation went nowhere. In June, the intelligence services published a "confidential report" on its investigations, complacently going into the journalist's private life and building up absurd theories about the motives for the killing. In fact, it was used to denigrate Hydara and to create a diversion.

The year ended on a scandal. After refusing to allow a representative of Reporters Without Borders into Gambia, the government sent an armed police riot squad unit to block access to the scene of the crime to Hydara's friends and family, who had planned to pay tribute to him there on the first anniversary of his death.

GUINEA

The aging regime of Lansana Conté does not hide its irritation with insolent journalists. The privately-owned Guinean press has won a hard fought right to criticise the government or head of state. The satirical press, battered, threate-

ned and attacked, has become very powerful, even though, when the police are sent out on shabby crackdown operations, they don't make any exceptions. Every year journalists are beaten up or treated as though they were gangsters.

KENYA

Political change in December 2002, gave rise to much hope for the fight against corruption, nepotism, abuse of power and poverty. But the socio-economic situation has scarcely changed and the private press, which is in the vanguard of democratic demands, often pays a high price for it.

An incident pitting the first lady against the private press is revealing of the simmering tensions between the government and journalists. On 2 May 2005, shortly after midnight, the wife of President Mwai Kibaki, Lucy, accompanied by her body guards and Nairobi's police chief stormed into the offices of the leading press group, the Nation Media Group. Lucy Kibaki staged a sit-in at the office for several

hours during which time she insulted and threatened the journalists whom she said had been "unfair" and demanded their immediate arrest. The altercation, which received wide media coverage, ended badly. A cameraman was brutally attacked by the president's wife. The case ended up in the courts.

In this large democracy, economic and political platform of East Africa, press freedom is a reality, even though journalists are exposed to all kinds of public and political violence. Even if press offences are no longer punishable with prison sentences, fines slapped on newspapers by judges appointed by the president on the basis of their "loyalty" can reach disproportionate levels.

LIBERIA

One of West Africa's most damaged countries is undergoing a relatively peaceful democratic transition, under the watchful eye of the international community. But roaming child soldiers, endemic poverty, criminals still at large and profiteers of every stripe remain a threat. Independent journalists are on occasion under threat of political and public violence.

Between the two rounds of the presidential elections in October and November, journalists who had taken a critical line with one candidate, George Weah, were attacked by uncontrolled militants of the Congress for Democratic Change (CDC). The party leadership's humble apologies have however allowed a return of a semblance of confidence.

MADAGASCAR

This huge African island enjoys a real pluralism of information and a relative freedom of expression, despite a bad law that has never been reformed. The most serious problem lies elsewhere. Too often, Malagasy politicians use the press as weapons. As a result violent political quarrels between a former and a current minister can be played out there, ending in court, where journalists face prison for defamation.

Reporters Without Borders has constantly stressed the absurdity of this situation. Moreover a new communications law decriminalising press offences which President Marc Ravalomana has been promising for five years, has never been put before parliament. The reform is in such a muddle, according to one Malagasy journalist that "the press no longer knows what law it is controlled by".

MALAWI

A curious press case in March 2005 got people talking about this small country pinched between Mozambique, Zambia and Tanzania. The head of state's wounded pride put two journalists through an unhappy episode. Along with many other international media, the correspondent for the *BBC* and one working for *Reuters* reported comments made by the president's religious affairs advisor to the effect that the president had decided to move out of his

official residence, because he heard "strange noises" and "felt a presence prowling around him" at night. The head of state had been "made to look ridiculous", the public ministry said. The journalists were arrested at dawn like bandits, thrown in prison for 24 hours and then charged. In a country that has not imprisoned a journalist since the end of the military regime of Kamuzu Banda, in 1994, this incident was surprising, not to say ridiculous.

MALI

A mysterious assault, apparently linked to a journalist' infamous reputation, should not detract from the fact that Mali is one of Africa's most democratic models. Certainly the law is not perfect, the press is poor and the politicians are sometimes irritable but press freedom is a reality.

MAURITANIA

The banal sounding “1991 law on press freedom” had for nearly 15 years allowed President Maaouiya Ould Taya and his government to order more than 100 seizures of independent Mauritanian newspapers. Arrests of journalists, articles cut out, publications banned, an omnipresent political police, taboo subjects, manipulation of public media, state lies, police brutality were the daily lot of a press proud of its independence, and sometimes its insolence towards an ever more despotic government. Mauritania had become a closed, sealed and tyrannical country towards its journalists and human rights activists.

One August morning in 2005, the police chief peacefully overthrew the regime while the presi-

dent was on a visit to Saudi Arabia. He immediately promised to restore democracy within two years and began by getting voted a law banning him from seeking a mandate at the end of the period of transition, a ban that also extended to his all his ministers. He gathered the opposition, civil society and the press to hammer out a timetable and to set common objectives. In this context, Reporters Without Borders sent the new authorities its recommendations that the reform of the legislature should conform to international democratic standards. During a visit to Nouakchott in October, the organisation persuaded the new head of state to end censorship and resume broadcasts in the capital by *Radio France Internationale (RFI)*. Reporters Without Borders also helped draw up a new press law.

MOZAMBIQUE

The independence of the courts has healed many of the wounds of this large Portuguese-speaking southern African country, scarred by an interminable civil war (1976-1992). Heavy sentences handed down in 2004 to the killers of journalist Carlos Cardoso, gunned down in the street on 22 November 2000, contributed to an improvement in working conditions for reporters, even if there are still occasional episodes now and then. Only the escapes from prison, as spectacular as they were suspicious, by the sus-

pected leader of hired killers "Anibalzinho", cast a shadow over this case which so deeply marked Mozambican society. But the man was rearrested while seeking political exile in Canada and sent back to Maputo to face his judges. At the start of December 2005, Anibalzinho abruptly changed his line of defence, denying any involvement in the Carlos Cardoso murder, despite the evidence, confessions of accomplices and his own confession, in 2003, to a representative of Reporters Without Borders.

NIGER

The famine that hit the country, one of the world's poorest, destabilised the government. As a result, in spring 2005, journalists taking part in the widespread public demonstrations, fell foul of the law and were imprisoned, in a country

that is however relatively stable in terms of press freedom. However the frequent promises to decriminalise press offences made by President Mamadou Tanja, but never kept, look more and more like election slogans.

NIGERIA

Nigerian journalists, accustomed to cruel military juntas and police raids, have good reason to be disappointed. The restitution of power to a civilian government, in 1999, under former military figure President Olusegun Obasanjo, has not protected them from political persecution or abuses by the infamous State Security Service (SSS). Around 20 journalists suffered physical attacks in 2005, around a score spent time in prison. The hospital or the police station are often a forced part of a Nigerian journalist's rounds.

Meanwhile, the head of state, holding the rotating presidency of the African Union (AU), promoted

himself to be the continent's "peace-maker". Deaf to the appeals of international organisations for greater democratisation, unmoved by repeated press freedom violations, he is a poor manager of a diverse federation made up, among others, of an oil-rich delta in the south and a northern region now under the sway of fundamentalist imams.

The privately-owned press is robust, pluralist and populist. It does not mince its words about the powerful. Its outspokenness, won through years of "guerrilla journalism", secret meetings and under-the-counter distribution, is general.

RWANDA

The “land of a thousand hills” was deeply traumatised by the genocide of the Tutsis in 1994 and in particular by the disturbing role played by Hutu “hate media”. As a result, Paul Kagame’s government keeps under surveillance, punishes, harasses and threatens all defiant voices. In consequence, the Rwandan press has become extremely nervous, even servile. The few critical publications, such as the privately-owned weeklies *Umuseso* and *Umuko*, suffer harassment, protracted trials, and outright seizures. It is not unusual for Rwandan journalists, who have upset the “barons” of the Rwandan Patriotic Front (FPR), to flee the country.

In one particularly sickening case in 2005, Belgian priest Guy Theunis, former editor of the magazine *Dialogue* produced in Rwanda before the genocide and former Reporters Without Borders’ correspondent, was in September dragged before the courts and accused of being an “instigator” of the

genocide. His accusers claimed, among other things, that he had published extracts from extremist publications. An investigation by Reporters Without Borders proved that the charge against Theunis was completely fabricated. It appeared that a handful of individuals, motivated by personal or political grudges, had crudely framed him. Theunis had been the victim of a personal vendetta by some government supporters who took advantage of his visit to Rwanda to make him pay for his religious commitment, condemnations of human rights abuses committed by the FPR, or simply for personal score-settling. Thanks to pressure from the international community, he was transferred to Belgium two months after his arrest.

At the same time, a journalist on *Umuko*, who made the mistake of condemning the poor running of a gacaca, had to face the “parody of justice” organised by the judge whom he had exposed.

SENEGAL

Faced with an outcry over the imprisonment in 2004 of journalist Madiambal Diagne, President Abdoulaye Wade promised to reform the press law. Senegalese journalists are still waiting and the situation has not improved. Quite the contrary.

Early on the morning of 17 October 2005, a police commando raided and closed *Sud FM* radio in Dakar and arrested everyone present in its offices and studios. The radio's correspondents were arrested in Ziguinchor in the south and at Saint-Louis in the north. All the relay stations were taken off air. What "crime" had *Sud FM* committed?

It had broadcast an interview it carried out with a leader of a rebel group active in Casamance.

The case of Idrissa Seck, former prime minister who was ousted, taken to court and thrown in prison for alleged financial misdeeds, also contributed to the deteriorating climate between the press and the government. Some investigative journalists with contacts in the case were summoned, questioned and threatened. In these circumstances, the independent press which had thoroughly applauded the changeover of political power when President Wade took office in 2000, became more and more wary or to put it another way more and more critical.

SIERRA LEONE

The year 2005 began with a journalist in prison. During the summer his acting editor at the weekly *For di People* died from injuries suffered when he was beaten up by henchmen sent by a deputy in the ruling party. At the end of the year, Paul Kamara, the founder of *For di People* was finally released after spending 14 months in jail. Sierra Leone, which has barely recovered from a horrendous civil war (1991-2002) largely fails to provide its journalists with peaceful working conditions. Not only is the country, under UN supervision, painfully attempting to build a democratic frame-

work, but a cruel law allows journalists to be thrown in prison on the basis of vaguest of accusations. In these conditions, an impoverished and disparate written press has to deal with a society mired in corruption, a heavy legacy of violence and draconian laws.

At yearend there were some signs of hope: President Ahmad Tejan Kabbah said he was ready to reform press law, which if he sticks to his promise could be a first encouraging step towards a genuine improvement in press freedom in Sierra Leone.

SOMALIA

A nation without a state, a collection of territories in the grip of warlords, Somalia has been a sea of anarchy for almost 15 years. In these circumstances, the privately-owned media, in a country that is mostly poor and illiterate, often find themselves the playthings of the powerful. Beatings, harassment and arrests were their lot again this year, from Puntland in the north-east to Kismaayo in the south-east. The warlords who give the orders have absolute command of their regions. Even if a transitional government was set up, in Nairobi at the end of 2004, under international supervision, freedom of the press in Somalia is a flickering and endangered beam.

Two women journalists were cold-bloodedly shot dead during the year. Kate Peyton, 39, a special correspondent for the *BBC*, and Duniya Muhiyadin

Nur, 26, a journalist on privately-run *HornAfrik* radio. In both case, the killers are still at large.

The warlords, at the head of their little armies, allow no criticism of their clan, sub-clan, financial interests or national ambitions. Journalists who offend them can expect several days or hours in solitary confinement followed by banishment from the town. At least four journalists have been treated in this way on a whim of the authoritarian governor of Middle Shabelle province, Mohamed Dhere. He has however the ear of the new prime minister, to the extent that the transitional administration has chosen to set itself up in his town of Jowhar. In the secessionist regions of Somaliland and Puntland, the local civil administrations do not balk at making up new rules with the sole objective of silencing their critics.

SUDAN

The year 2005 was noteworthy for an extremely rare event: the official lifting of censorship. On 11 July, in front of a gathering of several African presidents, the UN Secretary General, Kofi Annan, and numerous US and European officials, President Omar al-Bashir lifted the emergency laws. However overnight on 5-6 August, Sudanese security forces burst into printers for two Arabic-language dailies, ordered a halt to printing and seized all the available copies. As in the censorship era, the agents gave no official reasons for their actions. That said, no act of censorship has been recorded since. What was previously routine for Sudanese journalists, has become an exception.

The long civil war that tore Sudan apart for 21 years was characterised by tight surveillance of the press. One example of this permanent harassment, was the English-language daily the *Khartoum Monitor*, which tended to favour the southern rebels, paid the price of the rage of a sensitive government up until the final days of the emergency laws. The newspaper frequently suffered “very special treatment” – arrests, censorship, seizures – from a state security which closely monitored and punished the private media according to the interests of the government.

TANZANIA

There is genuine press freedom in Tanzania, despite the extreme susceptibility of some politicians or businessmen with a weakness for litigation for defamation. The media sector is large and mostly

responsible. One black spot is Zanzibar. The government on the semi-autonomous island often attacks the independent press, accusing it of being “a threat to national unity” at the first sign of criticism.

TOGO

From a dictatorial situation in which the mildest criticism of the regime was seen as a crime of state, the country of President General Gnassingbé Eyadéma slowly began to evolve. Under European Union pressure, Togo decriminalised press offences. Even if the government remained extremely sensitive and had no hesitation in attacking disobedient journalists, unfair arrests, abusive suspensions and death threats were less common. The death of the patriarch, on 5 February 2005, after 38 years in power, followed by a “velvet coup” by his son Faure, seriously

shook up the political landscape and a private press that was looking to become more radical. As a result, the election campaign was marred by street violence and police blunders of which journalists were often the targets. Order was finally restored but the gulf between the media and government deepened. Critical journalists say that they are still under surveillance and sometimes punished, in a throwback to the times of dictatorship. The press is often politicised and for some, self-censorship amounts to a survival reflex.

UGANDA

Pluralist and serious, Uganda's written press is the sounding board of the country's political crises. The *Daily Monitor*, belonging to the Aga Khan's powerful Nation Media Group, largely dominates the media landscape. As a result, it has been the target of attacks from President Yoweri Museveni who, despite his new civilian mode, has not lost his old authoritarian habits. This was the case after the death of south Sudan leader John Garang on board a Ugandan presidential helicopter. Radio stations, which host popular debates, were caught up in the political tensions. Journalist Andrew Mwenda, who discussed the day's burning

news issues and raised the questions ordinary people were asking, faced a court accused of "sedition".

Since the airwaves were liberalised in the 1990s, Uganda's press and radio have displayed their independence and provided thoughtful coverage of the news. The success of phone-in talk shows and "ebimeeza", live public debate, is based on a respect for journalistic ethics and a striking a balance in political views expressed. This rigour has allowed the privately-owned media to acquire credibility with its listeners and to be capable of defending itself effectively.

ZAMBIA

As so often in Africa, the Zambian press has been an easy scapegoat whenever the political climate deteriorates. In Zambia, where press offences come under criminal law, government partisans can use unfair laws to throw any journalist in prison at whim. In consequence, criticising the head of state is a high risk exercise for editorialists. In June, a radio commentator was questioned for having read out a fax containing a reader's complaints and newspaper-sellers have been bru-

tally attacked by militants in the presidential party. One of the most renowned journalists on the country's sole privately-owned daily, *The Post*, Fred M'membe, was the subject of a 24-hour police manhunt after the head of state took legal action against him. He had published an editorial in which he questioned the capacity of Levy Mwanawasa to govern the country more seriously, condemning the president's "foolishness, stupidity and lack of humility".

ZIMBABWE

Since 2002, southern Africa's former "bread basket", has sunk into an unprecedented economic crisis but also into tyranny. The anti-western obsession of the government has pushed it into annually sharpening its already draconian legislative arsenal. Control mechanisms systematically crush even the slightest hint of criticism. Excessive sentences - 20 years in prison for "publishing false news" - are laid down for all those who fail to respect the rules imposed by the all-powerful ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF).

In 2005, as one might expect, the situation worsened still further for independent journalists. The electoral campaign for the 31 March legislative poll was a model of injustice for the opposition, while the government used its new cooperation with China to scramble the signal of the *SW Radio Africa*. Arrested and threatened with harsh prison

sentences, staff on independent media and correspondents for the foreign press, are often taken before the courts or flee the country, even temporarily, to avoid prison.

The Media Information Commission (MIC), in the guise of a media self-regulation body, is in reality the government's control and censorship office. Chaired by an associate of Robert Mugabe, it has the power to grant or cancel media licences, to issue or withdraw journalists' accreditations. Those found in contravention face two years in prison.

In these conditions, 2005 was a new year of struggle for the *Daily News*, once the country's most popular paper. Today, unlicensed and with dwindling resources, it continues to defend itself before every possible judicial body in a bid to be allowed to reappear.



2006 Annual Report

AMERICAS

A PERILOUS CONTINENT, BOTH NORTH TO SOUTH

Seven journalists and one media assistant were killed while doing their job in 2005 in the continent, which remained a dangerous place for the media even though the right to inform the public is recognised in every country except Cuba – still the world's second biggest prison for journalists after China since a crackdown on dissidents in spring 2003.

Twenty journalists arrested then are still imprisoned in very poor conditions and the regime jailed three more in summer 2005. Independent media continue to be hounded by state security agents and the police. If they are not thrown in prison, Cuban journalists are faced with close surveillance or exile.

Press freedom in other countries remains weak. Colombia is still in the grip of its 40-year civil war and drug trafficking seriously hinders journalists' freedom of movement and expression in Mexico. Physical attacks and threats are increasing in Peru and the Venezuelan government now has a range of laws that have made journalists censor themselves. A journalist was imprisoned in the United States for the first time for refusing to reveal her sources.

Mexico replaced Colombia as the continent's most deadly country for journalists and in the first week of April 2005 two were murdered and a third vanished. Alfredo Jiménez Mota, of the daily *El Imparcial* in Hermosillo (in the northwestern state of Sonora) went missing on 2 April. Gunmen fired 8 bullets at Dolores Guadalupe García Escamilla, a journalist with radio station *Estéreo 91 XHNOE* in Nuevo Laredo (Tamaulipas state), in front of the station on 5 April and she died 11 days later. Raúl Gibb Guerrero, publisher of the regional daily *La Opinión*, was chased by gunmen in two cars in Papantla (in the eastern state of Veracruz) on 8 April and shot dead a few yards from his home. This brought to 16 the number of journalists who have been killed or have disappeared since 2000.

In Colombia, the media hesitates to mention topics such as pervasive corruption, drug trafficking or violence by armed groups. The country's civil war also affects the media and journalists are hounded by guerrillas (mainly the Revolutionary Armed Forces of Colombia – FARC), paramilitaries and drug-traffickers who all try to use the media for their own propaganda. Eight journalists were forced to flee their region and sometimes the country during the year. The murder of Julio Palacios Sánchez, of *Radio Lemas*, on 11 January in Cúcuta, once again highlighted the fact that being a journalist in Colombia is a matter of life and death.

GROWING LAWLESSNESS

Physical attacks and threats and harassment of journalists in Peru increased to more than 80 during the year, often involving officials or government employees.

The Haitian media enjoyed a degree of freedom after the fall of President Jean- Bertrand Aristide in February 2004, but his supporters are still aggressive. The presence of US peacekeepers (MINUSTAH) has not curbed rising lawlessness, especially kidnappings, among them the seizure and murder in July of Jacques Roche, cultural editor of the daily *Le Matin*. His kidnapping began as a routine affair but changed when the kidnappers realised who he was and that he had once been involved with the anti-Aristide Group of 184.

The investigation into his death made rapid progress, but those into the murder in 2000 of Jean Dominique, boss of *Radio Inter*, and Brignol Lindor, of *Radio Echo 2000*, in 2001, remained stalled, suggesting deeply-rooted impunity.

The political and media battle in Venezuela between supporters and opponents of President Hugo Chavez seemed to calm down in 2005 but this was mainly due to a new measures restricting the media. A referendum in August confirmed Chavez in power, divided his opponents and leaving him free to settle scores with the privately-owned media he accused of being behind his brief overthrow in April 2002.

He promulgated a law in December 2004 about the media's "social responsibility," giving the national telecommunications commission, Conatel, power to ban radio and TV stations that "encourage, justify or incite war, criminal offences or disturbance of the peace."

Amendments to the criminal code that came into force in March 2005 expanded the range of media offences and increased penalties, including between six months and two and a half years in prison (up from just three months) for offending the president, with a 30% higher penalty if the insult was made publicly. So far the government and courts have not applied the new penalties but they have led the media to censor themselves.

Press freedom was also undermined in North America, where the privacy of journalistic sources became the centre of judicial battle that is not yet over. In Canada, several court decisions threatened sources and in the United States, *New York Times* journalist Judith Miller spent three months in prison for defending it. Her jailing on 6 July was a drama in a country whose constitution says nobody shall be prosecuted for their opinions or writings. Miller had not even written anything about the case involving Valerie Plame, a CIA agent who was illegally named in the press in 2003. Miller had won a similar case before a New York court on 24 February. So far, 31 US states have recognised the right to privacy of sources, but federal authorities do not. Two bills to defend it were introduced in Congress in February and remain to be debated.

The press freedom record was mixed in Brazil, where investigative journalist José Candido Amorim Pinto, who worked for a community radio station in the northeastern state of Pernambuco and was also a town councillor, was murdered on 1 July after exposing corruption. But the seven convictions in the 2002 murder of *TV Globo* journalist Tim Lopes showed that impunity was being rolled back somewhat.

The continent's media still face abuses of power by central governments, as in Argentina, where its relations with President Néstor Kirchner are tense. South America's two biggest countries are still attached to "gag laws." Brazil's 1967 press law, a holdover from the 1964-85 military dictatorship allowing prison terms for press offences, has still not been repealed and is sometimes used against provincial media investigative journalists.

A bill was debated by Argentina's chamber of deputies to only release official information of "legitimate interest" and carrying civil and criminal penalties for institutions and officials, including the media.

The continent's "good" countries for press freedom are not the most obvious ones. Despite chronic political instability and few solid democratic habits, attacks on press freedom are still rare in Bolivia, Ecuador and Paraguay and in Central American countries only recently recovered from civil wars. Uruguay also still has its reputation as the "Switzerland of Latin America" despite physical attacks on investigative journalists.

Benoit Hervieu
Head of Americas desk

ARGENTINA

The provincial media still faces much pressure and official abuses and at national level relations are tense between the press and the government, which uses distribution of public advertising as a weapon. Press freedom may also be undermined by a proposal to limit access to public information.

President Néstor Kirchner prefers to deal directly with people, through dialogue and action, rather than through the media, the Inter American Press Association noted in March 2005 after a fact-finding mission to Argentina. The president strongly criticised the report as being inspired by the country's major press groups, notably *La Nación*, which has been condemned for its complicity with the 1976-83 military dictatorship.

The media complains the government does not

invite some journalists to cover official voyages, releases very little official information, puts pressure on government officials and uses distribution of public advertising as a political weapon.

The situation is not good in the provinces. Mariano Saravia, of the Córdoba daily *La Voz del Interior*, who wrote a book about police behaviour during the dictatorship, was frequently threatened and legally hounded. Leandro López, of the daily *El Sol*, in Concordia (in the eastern province of Entre Ríos), was beaten up on 10 October in a police station where he had gone investigate a road accident. Journalists elsewhere were beaten by officials who were not punished.

A bill was debated by the federal chamber of deputies to only release official information of "legitimate interest" and providing for civil and criminal penalties for institutions and officials, including the media.

BOLIVIA

Political and social unrest in 2005 saw the forced resignation of President Carlos Mesa in June, in a row over nationalisation of gas reserves, and his replacement by former supreme court judge Eduardo Rodríguez until the December election of coca farmers' leader Evo Morales. The media was not affected by this instability and

remained free. However, *Bolivisión* TV cameraman José Luis Conde was beaten on 28 April by officers of the La Paz military college where he had gone to film a ceremony, and reporter Freddy Calderón, of the TV station *ATB canal 9*, was physically attacked in Oruro on 22 July by drug traffickers he disturbed during a road accident.

BRAZIL

One journalist was killed and another survived a murder attempt during 2005. The media, especially outside big cities, is still ruthlessly targeted when it does investigative reporting. Though rarely applied, the harsh 1967 press law continues to give rise to unjustified prosecutions.

Reporting on sensitive topics is still risky in several Brazilian states. José Cândido Amorim Pinto, who presented an investigative programme on *Rádio Comunitária Alternativa* and was also a town councillor, was shot dead on 1 July in Carpina (in the northeastern state of Pernambuco) after escaping an earlier attempt to kill him on 21 May. He had exposed corruption and nepotism by the mayor of Carpina and a member of parliament. Mauricio Melato Barth, owner and editor of the paper *Infobairros* in Itapema (in the southern state of Santa Catarina), was seriously wounded on 23 March when two masked men waiting outside his home fired at him at close range. He too had angered local politicians by his reporting. A driver for two journalists on the regional daily *Diário do Nordeste*, José Maria Ramos da Silva, was shot dead

on 26 October in the northwestern city of Fortaleza.

Journalists are often targeted by officials and the owner/columnist of the weekly *Primeira Pagina* (in the central state of Tocantins), Sandra Miranda de Oliveira Silva, was threatened by the state governor, whose actions she had criticised.

Although Brazil signed the 1994 Chapultepec Declaration on freedom of expression, the 1967 press law passed under the 1964-85 military dictatorship has never been repealed. It says "insults" and "libel" are crimes and punishes press offences with prison sentences, which can be increased if a public official has been targeted.

José de Arimatéia Azevedo, editor of the website *Portal AZ* in Teresina (in the northeastern state of Piauí), was arrested under this law and held two days for "insults" and "trying to influence a legal matter." The law was also used in 18 lawsuits brought against editor Lúcio Flavio Pinto, of the fortnightly *Jornal Pessoal* in Belém (in the northern state of Pará), who had criticised local officials in connection with drug trafficking, deforestation and corruption.

CANADA

Press freedom is in generally good shape despite several court rulings that threatened the secrecy of journalistic sources, including one case where a journalist was declared in contempt of court. 2005 was also marked by a brutal attack by three Iranian embassy security agents on

Canadian-Iranian documentary filmmaker Masoud Raouf in Ottawa on 17 June while he was trying to cover the Iranian presidential election activity inside the embassy. During the year, one journalist was briefly arrested and then released with apologies by police.

CHILE

The Chilean media continues to be one of the freest in Latin America. However, the offices of the nationwide TV station *TVN* in Valparaiso were daubed with swastikas and death threats to its journalists on 15 July 2005 from neo-Nazis after a programme about them was broadcast. Fifteen years after the fall of the Pinochet dictatorship (1973-90), the authorities have still not reco-

gnised the rights of the Mapuche indigenous minority and their spokesman, Pedro Cayuqueo Millaqueo, editor of the magazine *Azkintuwe*, was sentenced on 2 June to spend 41 nights in prison. This was for not paying a fine imposed in 1999, when he was jailed for 61 days for occupying land that had been seized from the Mapuche. Some thought his magazine was the real target.

COLOMBIA

The country is still one of the region's most dangerous for journalists, with constant threats and pressure, including from guerrilla groups. Among taboo subjects are corruption, the guerrilla war and drug trafficking. More journalists fled into exile in 2005 after getting threats.

News is a key commodity in Colombia's civil war that all sides try to control by monitoring, threatening or punishing journalists. Hernán Echeverri Arboleda, of the fortnightly magazine *Urabá Hoy*, kidnapped in January 2005 by the Revolutionary Armed Forces of Colombia (FARC) guerrillas, was released in April after his family and colleagues agreed to publicise a FARC message condemning the "excesses" of the authorities in the Antioquia region. No ransom was asked for, as the only aim

was to get the message out.

Other attacks on journalists included with the 11 January murder of Julio Palacios Sánchez, of *Radio Lemas*, in Cúcuta, many death threats to editors of regional papers during the local election campaign in Cartagena and the flight from their region, and sometimes into exile abroad, of eight journalists, including Daniel Coronell, of the TV station *Canal Uno*.

The southwestern province of Valle del Cauca is typical of conditions for the country's journalists. The media there are under pressure from the FARC, the paramilitaries, drug traffickers and local politicians objecting to investigations into their doings, editorial opinions or failure to put out certain news items. For every word they write or broadcast, journalists risk being accused by one side of favouring the other.

CUBA

Press freedom worsened in 2005 with a new crackdown on dissidents during the summer that included three journalists, who joined 20 others imprisoned since the wave of arrests in March 2003.

Cuba is still the world's second biggest prison for journalists. Seven were freed in 2004 and two in 2005, but the past year saw the arrest of Oscar Mario González Pérez, of the independent news agency *Grupo de Trabajo Decoro*, in Havana on 22 July. He was charged under law 88 on protection of "the Cuban economy and national independence" but was not tried. A few days earlier, Roberto de Jesús Guerra Pérez, who worked for the websites *Payolibre* and *Nueva Prensa Cubana* as well as *Radio Marti*, was jailed for "disturbing the peace."

Albert Santiago Du Bouchet Fernández, of the *Havana Press* news agency, was sentenced to a year

in prison on 9 August for "civil disobedience" and "resisting arrest." The same day, Lamasiel Gutiérrez Romero, of *Nueva Prensa Cubana*, was given a seven-month suspended jail sentence. He was imprisoned on 11 October when he resumed working.

The mental and physical health of many of the 20 journalists jailed since the March 2003 crackdown seriously declined in 2005. They were being held in poor conditions and most were very demoralised. Poet and journalist Raúl Rivero, freed in November 2004, wrote an article in the Spanish daily *El País* supporting them. Victor Rolando Arroyo Carmona staged a 25-day hunger strike, showing the increasing desperation of the imprisoned journalists. Independent journalists in Cuba are constantly hounded by the regime, by beatings, eviction from their homes and frequent summonses by the police when for several hours they are insulted and threatened with imprisonment.

ECUADOR

The media suffered in 2005 from the major political crisis that led to the overthrow of President Gutiérrez.

The fall of President Lucio Gutiérrez in April took a toll on the media, with which he had a very tense relationship. Chilean freelance photographer Julio Augusto García died while covering a demonstration calling for the president's resignation. The offices of *Radio La Luna*, which strongly opposed

Gutiérrez, were attacked twice and also fired on. Daniela Kraemer, correspondent of the Spanish daily *El País*, was roughed up by a crowd demonstrating against the new president, Alfredo Palacio. The media remains under pressure from the new regime, with the tapping of the phones of local TV station *Teleamazonas* reporters Milton Pérez and Maria Fernanda Zavala and also the hounding of Paco Velasco, of *Radio La Luna*, by opposition MP Alfonso Harb.

GUATEMALA

The 1960-96 civil war still affects people's attitudes and behaviour and since 2002, former paramilitaries involved in many rights violations have demanded extra compensation from the government for "services to the country." The media has several times been victim of their anger. On 1 March 2005, Erwin Silva, Carlos García, of the TV station

Telediario, and Carla Solórzano, of *Radio Universidad*, were beaten by shovels and machetes during a demonstration by ex-paramilitaries in the capital on 1 March. Rolando Hernández and Arnulfo Ortiz, of the TV station *Vanguardia Informativa*, and Edwin Paxtor, of *TV Enfasis*, were similarly attacked in the southeastern town of Chiquimula on 11 July.

HAITI

The shock of the July 2005 murder of journalist Jacques Roche, literary columnist for the daily paper *Le Matin*, marred the fairly good prospects for the media since the fall of President Aristide, even though his supporters have not disarmed and the interim government has not ended impunity.

The record of the interim government that replaced President Jean-Bertrand Aristide in February 2004 has not been encouraging. Corruption has continued, along with impunity and increasing lawlessness that UN peacekeepers (MINUSTAH) have not managed to curb. Between May and October 2005, \$6 million was paid out to kidnapers and some 200,000 illegal weapons are in the hands of the population. Kidnappings were often by Aristide supporters who retain control of some parts of the capital. The media has also been victim of this situation.

A shootout between UN troops and Haitian ex-soldiers in the town of Petit-Goâve on 20 March killed radio journalist Laraque Robenson, of *Tele Contact*. Richard Widmaier, owner of *Radio Métropole*, escaped a bid to kidnap him on 11 June and five days later, Nancy Roc, presenter of the station's programme "Metropolis," fled abroad after getting telephoned kidnapping threats for a week.

Journalist Jacques Roche, cultural editor for the daily *Le Matin*, was kidnapped on 10 July in Port-au-Prince and his tortured body found four days later in the street. The kidnapping began as a routine affair but changed when the kidnapers realised who he was and that he had once been involved with the anti-Aristide Group of 184.

The investigation into his death made rapid progress, but those into the murder in 2000 of Jean Dominique, boss of *Radio Inter*, and Brignol Lindor, of *Radio Echo 2000*, in Petit-Goâve in 2001, remained stalled. Despite promises made to a Reporters Without Borders fact-finding mission in 2004, nobody has been punished in these two cases.

After nearly a year's gap, a new judge was named on 3 April 2005 to investigate the Dominique murder, five years to the day after the killing, but he had no resources. Three suspects in the case escaped from prison in February and the masterminds have never been arrested.

The Lindor murder case-file has been pending before the supreme court since 21 April 2003. One of the suspected killers was arrested by local people on 30 March 2005 and handed over to police but for another offence.

MEXICO

The country became the most dangerous in Latin America for journalists in 2005, with two murdered and a third who vanished, all in early April. Impunity reigns despite apparent efforts by the federal government.

Gunmen fired 8 bullets at Dolores Guadalupe García Escamilla, a journalist with radio station *Estéreo 91 XHNOE* in Nuevo Laredo (Tamaulipas state), in front of the station on 5 April and she died 11 days later. Raúl Gibb Guerrero, publisher of the regional daily *La Opinión*, was chased by gunmen in two cars on 8 April in Papantla (in the eastern state of Veracruz) on 8 April and shot dead a few yards from his home, apparently by hired killers. He had recently written about drug trafficking and petrol smuggling.

Alfredo Jiménez Mota, of the daily *El Imparcial* in Hermosillo (in the northwestern state of Sonora), has been missing since 2 April 2005. He specialised in security and drug-trafficking matters and was due to meet a contact, a federal official, when he disappeared.

Sixteen journalists have been killed or have vanished while doing their job since 2000. Three others were killed in 2005 but not apparently

because of their work. Benjamín Fernández, a commentator with *Radio Loma*, survived an attempt to kill him on 6 November in Loma Bonita (in the southern state of Oaxaca). Relations between the media and the authorities are very tense in Oaxaca, where allies of Governor Ulises Ruiz Ortiz frequently obstructed the operations of the local daily *Noticias de Oaxaca* from June 2005 onwards.

Organised crime, often linked with corrupt local officials, is the main reason for worsening press freedom in Mexico, especially along the border with the United States, where smugglers reign. Many journalists, seeing colleagues killed, choose self-censorship to avoid being the target of reprisals.

Since the June 2004 killing of Francisco Javier Ortiz Franco, of the weekly paper *Zeta* in Tijuana, on the northwestern border with the US, federal officials have formally been in charge of investigating murders of journalists. However, a special prosecutor's office to handle crimes against the media promised by the federal government has never been set up, so the murder enquiries have made no progress and impunity has increased.

NICARAGUA

Press freedom improved in 2005, starting with the jailing for 25 years of former El Ayote mayor Eugenio Hernández on 27 January for killing the local correspondent of La Prensa and Hoy, María José Bravo, on 9 November 2004. But Heberto Jarquín Manzanares, of La Prensa, was

threatened by an ex-paramilitary he reported had links to the lumber industry mafia. The magazine *Trinchera de la Noticia*, which backs currently-jailed former president Arnoldo Alemán, was shut down on 15 June, officially for “tax evasion,” showing that political tension is still high.

PARAGUAY

Press freedom is satisfactory despite civil liberties still not being taken for granted after 35 years of dictatorship (1954-89). The few attacks on the media mostly target provincial community radio stations that criticise local officials.

The offices of the station *Quebracho Poty*, in the northeastern town of Puerto Quebracho, were burned down on 2 August 2005 in a petrol bomb

attack. The station *Nemity FM*, in the northern town of Capiibary, was shut down the same month and its equipment seized by order of the local prosecutor for supposedly broadcasting illegally. Nicolás Sotelo, head of *FM San Juan*, in the southern town of San Juan del Paraná, was physically attacked and threatened with a revolver at the station on 10 October by Aldo Lepretti, a local politician who had been criticised on the air.

PERU

The authorities appear little interested in freedom of expression and physical attacks and obstruction of journalists have significantly increased.

More than 80 physical attacks and threats against journalists were recorded in 2005 (a dozen more than the previous year), many of them involving unscrupulous officials and politicians trying to silence reporters investigating their activities.

José Antonio Simons Cappa, editor of the magazine *El Huinsho* (in the central-northern town of Yurimaguas), was attacked by two town officials on 2 March. Hugo González Hinostrroza, of the daily *Expresión* (in the western town of Huaraz), received death threats on 6 August apparently from allies of the ex-mayor of Yungay, Amaro León León, whose involvement into the February 2004 murder of reporter Antonio de la Torre Echeandia, of the local radio station *Orbita*, he had been investigating. Bettina Mendoza, of *CPN Radio*, was also physically attacked in Lima by Peru's ambassador to Spain, Fernando Olivera Vega, on 28 April.

Peruvian courts did not punish these violators of press freedom, preferring to convict journalists for defamation. Julio Jara Ladrón de Guevara, managing editor of the daily *El Comercio* in the southern city of Cuzco, and radio journalist Luis Aguirre Pastor, were given suspended prison sentences of

one and two years respectively. A former regional government official, Rafael Córdova Paliza, had sued Ladrón de Guevara after his paper suggested he was a crook. Aguirre Pastor was sued after he said local officials were involved in gold and timber smuggling.

These court rulings clearly violated article 11 of the freedom of expression declaration of the Inter-American Human Rights Commission that says public officials must expect closer scrutiny by society and that laws punishing criticism of them violate freedom of expression and the public right to information.

Journalists in some regions where local authorities were contested were obstructed by indigenous communities that attacked radio and TV reporters. Luis Alberto Peña Vergaray, of *Radio Nieva Televisión*, and his interpreter-guide Eduardo Arrobo Samaniego were kidnapped on 6 May in the Amazonian province of Condorcanqui while investigating the 21 April murder of four health ministry officials in Pampa Entsa. Miguel del Carpio Tananta, of the local *Frecuencia 5* municipal TV station and *Radio Marginal*, in the northwestern town of Tocache, was forced to flee the town on 5 April after getting death threats from coca farmers who accused him of being a government agent.

UNITED STATES

The imprisonment of reporter Judith Miller was an unprecedented setback for press freedom in the United States and a milestone in the long legal battle to protect the privacy of journalistic sources. Two measures ensuring such protection at federal level are awaiting consideration by Congress.

New York Times reporter Judith Miller was jailed on 6 July 2005 for refusing to reveal her sources in a case involving the Bush administration. After more than three months she agreed to reveal them. This latest episode in the fierce legal battle over privacy of sources was a serious setback for press freedom in the country where two *Washington Post* journalists forced President Richard Nixon out of office 31 years earlier. Miller's imprisonment was unprecedented but another journalist, Jim Taricani, was released from four months house arrest on 9 April for refusing to reveal sources and during which he was also banned from giving interviews or using the Internet.

Miller and *Time* magazine reporter Matthew Cooper were each sentenced by a federal appeals

court to 18 months in prison for "contempt of court" because of their refusal to reveal their sources to a grand jury investigating the case of Valerie Plame, who had been illegally named as a CIA agent in the media in 2003. Federal Judge Thomas F. Hogan gave the pair one week on 29 June to disclose their sources. *Time* and Cooper immediately agreed and handed over notes and tapes, but the *New York Times* refused and Miller spent three and a half months in prison until she changed her mind. Yet she had not actually written a word in the paper about the Plame case.

The case illustrated the confusion in the United States over privacy of sources. Miller won a similar case before a New York court on 24 February. So far, 31 US states have recognised the right to privacy of sources, but federal authorities do not. Two bills were introduced in Congress in early February to protect sources but are still to be debated. Meanwhile, the District of Columbia federal appeals court on 3 November upheld a \$500 a day fine on four journalists as long as they refused to reveal their sources in another leak case also involving the federal government.

URUGUAY

The country kept its good regional reputation for press freedom in 2005 but investigative journalism was still a risky business.

The “Switzerland of Latin America” has still not fully investigated the years of dictatorship (1973-84), when the media was supposed to “serve the national interest” and opposition journalists disappeared. Things were supposed to change when left-wing President Tabaré Vasquez took office in February 2005 with a promise to open the old files.

Physical attacks and threats against journalists are rare but two of the three such incidents during

the year involved Marcelo Borrat, co-presenter of the programme “The Hippocratic Oath” on the radio station *AM Libre 1410* and the station *TV Libre*.

He and a colleague, Gustavo Martínez, received many telephoned death threats in May and on 24 May got an e-mail warning them there would be “no more threats, but results.” The two journalists were making a programme about privately-owned mutual insurance companies suspected of embezzling health service funds. Borrat was briefly kidnapped by hooded men in Montevideo on 17 October, insulted, beaten and documents and a mobile phone stolen. He was received by the interior minister and given a bodyguard.

VENEZUELA

The media battle between supporters and opponents of President Chavez subsided a little in 2005 but unfortunately mainly because of a new law about the media's "social responsibility" and amendments to the criminal code, both curbing freedom of expression and encouraging self-censorship. However, the government and the courts did not make use of the new measures.

"Here we have freedom of opinion but not longer freedom of expression," is how one Venezuelan writer who switched from supporter to opponent of President Hugo Chavez, summed up the tension or contestatory atmosphere. Chavez won his gamble to marginalise the opposition by winning an August 2004 referendum with 60% approval (on 70% turnout). But his opponents continued their six-year battle largely through the media.

Chavez promulgated a law on 7 December 2004 defining the "social responsibility of the media," giving the national telecommunications commission, Conatel, power to ban radio and TV stations that "encourage, justify or incite war, criminal offences or disturbance of the peace" and provides for heavy fines and cancellation of broadcasting licences.

Amendments to 38 articles of the criminal code came into force on 16 March 2005, five of them directly concerning press freedom. The new article 148 provides for between six months and two and a half years in prison (up from just three months) for offending the president, with a 30% higher penalty if the insult is made publicly.

The definitions of offences are vague. The new article 297A provides for between two and five years in jail for news likely to "create panic" put out by the media but also by phone or e-mail. Article 444, on defamation, punishes by between one and three years in prison material that exposes anyone to "public contempt or hatred." Article 446 punishes "damage to the reputation" of anyone by between six months and a year in prison, and up to

two years if this is done through the media.

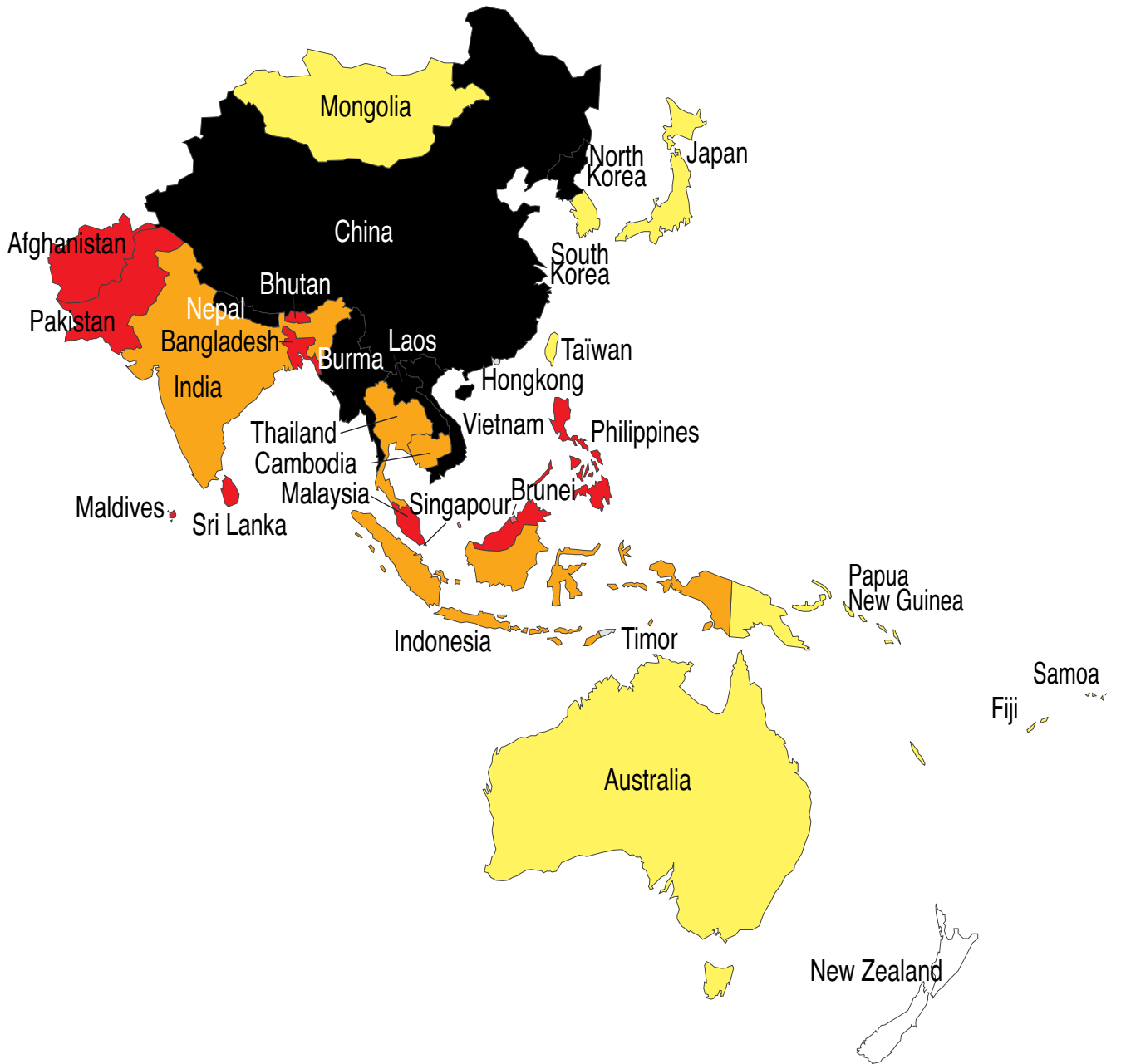
So far the government and courts have not applied the new penalties but they seem to have subdued the media and cancelled out its role as a counter-balance to government power.

Conatel officials and soldiers entered the offices of *Radio Alternativa 94.9 FM* in Caracas without warning on 10 May 2005 and seized broadcasting equipment, saying the station had no permission to broadcast. The frequency had been reassigned to another station in September 2004 after *Radio Alternativa*, on the air since 2000, had tried in vain to get a licence. Conatel however broke the law by not making an administrative investigation before taking action.

Other government hounding of the media included the violent arrest by apparent military intelligence officers of two journalists of the daily *Ultimas Noticias* near the presidential palace on 29 June because they had not received permission from a senior pro-government official to take pictures. Another photographer, from the daily *El Nuevo Pais*, was beaten and taken away in a military jeep the same day for the same reasons and freed eight hours later in the middle of the night.

Violence and harassment of the media also came from students, who burned the offices of the daily paper *Frontera* in Mérida on 12 June and kidnapped staff of the daily *Notitarde* in Valencia on 28 October.

No progress was meanwhile made in the case of the September 2004 murder of Mauro Marcano, of *Radio Maturín* and columnist for the local daily *El Oriental*, in Maturín (in the northeastern state of Monagas), who had exposed links between Colombian drug traffickers and top Venezuelan police and military officers, who have not been questioned in the case.



2006 Annual Report

ASIA

King Gyanendra of Nepal demonstrated in 2005 the full force of hatred a head of state can harbour towards the press. The Himalayan monarch, who is drawn to absolutism, was responsible for more than half of all recorded censorship cases worldwide. The royal administration censored news in the country's many publications and on independent radio stations a total of 567 times. Journalists who resisted him by streets demonstrations and in the courts forced him to back down to some extent. This unprecedented campaign even ended in a general strike after an independent radio had its broadcast equipment seized.

The picture in Nepal typifies the struggle throughout Asia with the old demons of totalitarianism. North Korea, a graveyard for freedom, is still in the grip of numbing propaganda from its leader Kim Jong-il. In Burma, the military tries to keep everything under control by imposing relentless advance censorship. While China, a burgeoning power, keeps its journalists in a state of servitude to bias. In Laos, journalists have been turned into bureaucrats with no chance of contradicting the line of the sole ruling party.

But Asia is also a region of democracy. India is a fine example of pluralism of information. Tens of thousands of privately-owned dailies, radio and TV stations provide news for a billion inhabitants in ever greater freedom. Indonesia is also a land of freedoms, but few media yet risk in-depth investigation into the corruption that is undermining the country. New Zealand is flourishing at the head of Asian countries in the World Press Freedom Index established yearly by Reporters Without Borders, while many Australian journalists feel themselves under threat from a draft anti-terror law introduced by the government in September 2005. Journalists would be at risk of penalties of up to five years in prison if they cover a police operation or speak about the detention of a suspect under the law without permission.

In South Korea, despite a new law on newspapers that imposes a duty of "social responsibility" on the media, the government respects pluralism. In Taiwan, President Chen Shui-bian has given way to the temptation to impose some controls on opposition media. But the right to inform the public on the island, threatened by a forced reunification by Beijing, remains a reality.

JOURNALISM NOT WELCOMED

From Kabul to Bangkok, press freedom was violated in 2005 by elected leaders, incapable of accepting criticism or that the law should be paramount. Afghan President Hamid Karzai has allowed the editor of a women's magazine to languish in jail for nearly three months, accused of blasphemy by the conservative judiciary. In Thailand, Prime Minister Thaksin Shinawatra, who is allergic to criticism, has lodged multiple defamation suits, both criminal and civil, against independent journalists and press freedom activists. In Indonesia, the press group *Tempo* is being harassed by businessman Tomy Winata who is trying to obtain a hefty sum in damages.

India is gradually consolidating its position as the Asian press freedom giant. The diversity of its media, both written and broadcast, is matched by a zeal for investigative journalism. This year a privately-owned TV channel brought down around a score of deputies after trapping them in a corruption case. While the country's 40,000 newspapers play a vital role in the exposure of abuses and social problems. However, violence in Kashmir and the north-eastern states makes work difficult for many reporters.

Its neighbour Pakistan remains attracted to control and censorship. Omnipresent military secret services continue to harass investigative journalists, while the Urdu-language press is closely watched. Under an onslaught from the Jihadists, the president, Gen. Pervez Musharraf, has stepped up pressure on the most radical media. At the same time he has closed an FM radio accused of relaying a BBC World Service Programme on last October's earthquake.

The Afghan press has been given a rough ride. On one side, the Taliban have stepped up attacks on the media. A young radio journalist died when he was blown up by a mine and the presenter of a religious programme was seriously injured. On the other side, the conservatives, linked to the president of the Supreme Court, hound the independent press with fatwas and threats, particularly the privately-owned *Tolo TV*, winner of a 2005 Reporters Without Borders - Fondation de France press freedom award.

In Bangladesh, Jihadist terror has been added to the already serious existing threats. At least 55 press correspondents have been the target of harassment for articles deemed "non Islamic". Militants of the

ruling parties are not to be outdone. Engaging in threats, beatings, burnings and abusive judicial complaints, deputies and ministers will go to any lengths to silence the press.

The return of tension in Sri Lanka, where a covert state of war exists, has struck a hard blow at Tamil journalists, targets of groups both favourable and opposed to the Colombo government. Media that carry out investigations, like *The Sunday Leader*, have suffered constant threats and bombings.

In Bhutan, the king announced that he wanted to abdicate in favour of his son after the first democratic elections set for 2008. In the meantime, the royal administration authorised the foundation of private publications. Other kingdoms like the Sultanate of Brunei and Tonga, have little time for an independent press.

WIND OF CHANGE STILLED IN CHINA

China, a "cancer on the democratic body" in Asia, has piled up mass violations of freedom of expression. The political police have attacked Chinese journalists working for foreign media. Zhao Yan, 2005 Reporters Without Borders laureate, and Ching Cheong face the death penalty based on unfounded charges. President Hu Jintao and the Department of Publicity (formerly propaganda) have continued to crack down on the liberal media. After taking on the Nanfang press group in Guangdong, the communist party turned its fire on the daily *Beijing News*. At the same time, Internet censorship was rationalised, with the resolve to purge the web of any news of social unrest. As one editor put it: The government gives us permission to "entertain and to encourage consumption". Despite promises to the contrary, foreign correspondents are still tightly controlled when they raise sensitive issues. Police have manhandled at least 16 of them.

Hong Kong and Macao still benefit from their special status, even though issues considered sensitive for Beijing are avoided by a press that is mainly owned by press groups that invest elsewhere in China. The editor of an independent newspaper in Hong Kong was the victim of a mysterious murder attempt.

The press enjoys relatively good conditions in Mongolia, even though the public media are tightly controlled by the government. In Japan, freelance journalists and foreign correspondents suffer from discrimination by the "kisha" clubs.

17 JOURNALISTS MURDERED

For the third year in succession, the Philippines, with seven murders, ranked after Iraq on the sad list of the world's most dangerous countries for the press. Despite the arrest and conviction of some killers, particularly the police officer who murdered Edgar Damalerio in 2002, journalists are always at risk when they expose corruption or trafficking.

Similarly, in Bangladesh (2), Sri Lanka (2), Nepal (2) and Pakistan (2), press killings have been perpetuated because of a climate of impunity. In Bangladesh, two provincial correspondents for national media were murdered. In Sri Lanka, the renowned Tamil journalist Sivaram, head of the online site tamilnet.com, was murdered in Colombo in April. He knew he was under threat because of his coverage of the political-military situation. Relangi Sevaraja, presenter of a TV programme critical of the Tamil Tigers was shot down in a street in the capital. No group admitted responsibility for these murders and the police have never identified those responsible. In Nepal, the editor of a local newspaper was murdered because of his articles about businessmen. Another journalist died in prison for lack of proper medical treatment. Two reporters working for western media were killed in Pakistan in an ambush in the tribal area of South Waziristan in which the *AFP* correspondent was wounded. Taliban groups and the security forces blamed the other for the killings.

A constant barrage of death threats and physical attacks make life impossible for hundreds of journalists. Threats arrived by text message in the Philippines, while in Bangladesh, armed groups send duly stamped letters to journalists and press clubs. The 583 cases of physical attack and threats in Asia represented more than half the cases of this kind recorded throughout the world in 2005.

The authorities and businessmen increasingly use defamation cases to try to restore their good name after the publication of compromising investigations or to hamstring media that are too free. Less serious than violence, this new tendency in Asia is however no less a threat to the right to inform the public. In

the overwhelming majority of countries, prison sentences are imposed for defamation cases. In Singapore, journalists and opposition figures live in fear of being ordered to pay swingeing amounts in damages.

Big gaps have opened up in Asia when it comes to press freedom. The continent has still not rid itself of the most authoritarian heads of state, but journalists, who are often in the front line in the fight for democracy, have this year demonstrated how much they care about their duty to keep the public informed.

Vincent Brossel
Head of Asia desk

AFGHANISTAN

The Afghan media played a crucial role in the run-up to September 2005 legislative elections, the first since the fall of the Taliban. At the same time, there was an escalation of violence and harassment towards the press throughout the country. A young reporter was killed and a score of others assaulted.

Religious conservatives, who stress the "Islamic" nature of the 2004 Constitution, attempt to silence all critical voices. In this way, editor of the magazine *Haqq-e-Zan* (Women's Rights) Ali Mohaqiq Nasab was sentenced by a court in Kabul to two years in prison after being found guilty of blasphemy at a biased trial after carrying articles condemning archaic practices such as stoning.

The Supreme Court and the Council of the Ulemas, both bastions of conservatism, are the main bodies resisting the emergence of pluralism in news and information. Throughout the year, they have campaigned against cable television, the Internet and women journalists. In March the President of the Supreme Court, Fazl Hadi Shinwari, demanded a ban on TV stations deemed anti-Islamic, particularly the privately-run terrestrial *Tolo TV*, winner of a 2005 Reporters Without

Borders – Fondation de France press freedom award.

For their part, the Taliban, who are very active in the south-east, secretly re-launched *The Voice of the Sharia*, the sole radio that had been allowed to operate under their regime. Supporters of Mullah Omar and some warlords' henchmen struck at members of the press. A young reporter was killed in a bomb attack, while the presenter of a religious programme escaped a murder attempt and several offices housing media were blown up.

Although these attacks have not forced the Afghan media to drop its forthright tone, the upsurge in violence has hampered coverage of news, particularly in some regions. Moreover, the jumpiness of the international armed forces, particularly the Americans, has made the job of foreign and Afghan reporters even more difficult.

In a country in which nearly 65 % of the population is illiterate, TV and radio have strategic importance. There are now at least 59 FM radio stations, while the written press has been weakened by constant financial problems. Many publications are financially dependant on political parties, NGOs or religious groups.

AUSTRALIA

The re-election of conservative John Howard as prime minister was immediately followed by the preparation of new laws that could turn out to be a threat to freedom. The anti-terror law proposed by the government in September 2005 bans coverage of a police operation, referring to the detention of a suspect or invoking protection of sources in terrorism cases. Journalists face prison sentences of up to five years for violating the new law.

Australia does have a pluralist press, despite recurrent problems of media concentration, but it is also facing the challenges to press freedom inherent in a democracy.

Two journalists on the *Herald Sun* are at risk of prison for refusing to reveal their sources. Several reporters were prevented from investigating conditions in prisons and detention camps for asylum-seekers.

BANGLADESH

A wave of Islamist and Maoist bombings struck a harsh blow against a country already mired in endemic political violence. Once again this year the press was not spared. Three journalists were killed and at least 95 physically attacked. The ruling conservative alliance accuses the independent press of every ill.

The government – an alliance of conservatives and Islamists - which for a long time played down the presence in the country of Jihadist groups, has been forced to recognise the extent of the danger. After a series of suicide bombings against judges, police officers and journalists, the Interior Minister Lutfuzzaman Babar acknowledged that it represented a “challenge”. However it was this minister and his predecessor who led a crackdown against journalists and human rights activities who were investigating this new threat.

Elsewhere, 55 news correspondents were singled out for harassment for writing articles considered “non Islamic” by armed groups. Militants of ruling parties were also not to be outdone. Engaging in

threats, beatings, burnings and abusive judicial complaints, deputies and ministers will go to any lengths to silence the press. Threats forced more than 70 journalists to flee their local areas during the year.

Despite the violence and harassment, the media, particularly the national dailies, continue to investigate the corruption and nepotism that undermine society. Outside of the *BBC World Service*, there are few independent FM radio stations. The country has four privately-owned TV channels, but keeping their licences depends on their demonstrating a certain compliance with the government.

Violence against the press is particularly virulent in the south-western Khulna region where Maoist armed groups attack “class enemies”. Two journalists were murdered there in 2005.

Journalists themselves are not exempt from criticism, particularly over the politicisation of some media and corruption linked to the low salaries journalists receive.

BURMA

Burma's generals for mysterious reasons transferred the country's capital to Pyinmana, an isolated city in the mountains near the centre of the country. But the junta renewed its attacks against the democratic movement, by keeping Aung San Suu Kyi under house arrest and several thousand political prisoners, including renowned journalist Win Tin, in prison.

Seven journalists had sentences reduced during the wave of prison releases in January and July 2005. Among them was Sein Hla Oo, detained in harsh conditions for nearly 11 years. On the other hand, Win Tin whose name appeared on a list of those freed was not released by the authorities, apparently wary of the influence of this close adviser to Aung San Suu Kyi, sentenced to 20 years in jail. The 75-year-old has not been allowed to read or write in his prison cell in Insein jail for the past 16 years.

Burma is also a paradise for censors. Scissors in hand, the agents of the Press Scrutiny and Registration Division check every article, editorial, cartoon, advertisement and illustration ahead of

publication. In 2005, they even began going through death notices placed in Burmese newspapers. They strike out all references to the United Nations, accused of wanting to overthrow the government. More seriously, the authorities censor all independent news on the bird flu epidemic. Diplomats in the region are concerned that there is a blackout of information on this H5N1 virus.

In Burma, a journalist can earn a seven year prison sentence simply for having an unauthorised fax, video camera, modem or a copy of a banned publication. It is also forbidden to watch Burma's top independent channel *DVB TV*, which is broadcast from Norway by satellite.

International pressure on Burma has increased the paranoia of the military government that has ruled since 1988. On the occasion of the national day holiday at the end of November, Gen. Than Shwe urged his compatriots to be "extremely vigilant", because the western powers were trying to dominate others through the media and human rights. The number of visas issued to foreign journalists was drastically cut back in 2005.

CAMBODIA

It was a bad year for press freedom. Prime Minister Hun Sen, who likes to dismiss journalists as “frog hunters”, attacked the most critical voices. The head of government harassed journalists who investigated the signing of a controversial border agreement with Vietnam.

The arrest in October 2005 of Mam Sonando, head of one of the country's very few independent radio stations, provided a signal about the intentions of the government. Accused of having defamed the prime minister in an interview with a French-based opposition figure on the border question, the founder of *Sombok Khmum* (Beehive FM 105), faces charges of

“broadcasting false reports” and “incitement to a crime”. As of 1st January 2006, Mam Sonando was still in prison and suffering harsh conditions.

After this, associates of Hun Sen threatened to have arrested two correspondents for international radios *Voice of America* and *Radio Free Asia*, who were forced to flee the country.

In 2005, *Radio France Internationale*, in particular its programmes in the Khmer language, was allowed to broadcast in the capital on FM. Meanwhile, the French-language daily *Cambodge Soir* celebrated its tenth anniversary.

CHINA

Faced with growing social unrest, the government has chosen to impose a news blackout. The press has been forced into self-censorship, the Internet purged and foreign media kept at a distance.

Arrests of journalists, particularly Chinese contributors to foreign media, continued in 2005. Ching Cheong, a Hong Kong reporter with a Singapore daily was imprisoned for "espionage". While Zhao Yan, contributor to the *New York Times*, winner of a 2005 Reporters Without Borders - Fondation de France press freedom award, is to be tried for "disclosing state secrets". In Tibet, five monks were arrested for working on an underground publication, while in Muslim Xinjiang, the editor of a literary magazine was sentenced to three years in prison. As of 1st January 2006, at least 32 journalists were in prison throughout the country.

Every day, Chinese editors receive a list of banned subjects from the Propaganda Department, renamed the Publicity Department. These include demonstrations by peasants, the unemployed or Tibetans - nothing escapes the censors who stoke up a climate of fear within editorial offices. When the army opened fire on villagers in December, draconian measures were put in place: The press was banned from carrying anything but reports from the official *Xinhua* news agency, foreign reporters were persona non grata in the region and every reference to the village was erased from the Internet.

In the same way, the announcement of the death of former prime minister Zhao Ziyang, ousted in

1989, was banned by the government, his name missing from television, discussion forums and search engines. In December the press was banned from publishing a single word on the death in exile of journalist Liu Binyan, dubbed the "conscience of China".

At least 16 foreign journalists were arrested by police in 2005 while investigating sensitive issues. China has given no promises to guarantee their freedom to work ahead of the 2008 Olympic Games.

Television and radio are subjected to even greater control than the written press. The propaganda department imposed sanctions on *Guangdong TV* presenters seen as exercising too much freedom. Foreign channels are not accessible to most citizens and are censored if they refer to human rights, Taiwan or the Falungong spiritual movement.

One newspaper editor put it like this: The government gives us permission to "entertain and to promote consumption". It is precisely in these sectors that foreign press groups are permitted to invest. Despite promises announced when it joined the World Trade Organisation, China has never opened its market to foreign news media.

Journalists remain free in Hong Kong, although a poll revealed that nearly half the population believes they operate self-censorship. The authorities have so far proved incapable of clearing up a murder attempt with a letter bomb against the editor of the daily *Ming Pao*.

EAST TIMOR

The government of Mari Alkatiri, visibly angered by media independence, tried to bring the privately-owned daily *Suara Timor Lorosae* in line in February by calling for a boycott of the newspaper and evicting it from its offices.

In December, the prime minister initiated a reform of the criminal code, penalising press offences. Journalists will face up to three years in prison for

defamation of anyone in a public authority role, a backward step that was condemned by many journalists. This tougher line came after various voices were raised to condemn poor governance of the country. In 2005, the bishop of Dili said that the country was mired in corruption and lack of openness. President Xanana Gusmao and the UN tried to defuse tensions between the authorities and the press, but without much success so far.

INDIA

The media, particularly new media, has been able to take advantage of a favourable climate for press freedom to boost its development. In regions shaken by armed separatist or Maoist movements, journalists are regularly caught in the crossfire.

Around a dozen deputies were forced to resign in December after being filmed by journalists on the privately-owned TV station, *Aaj Tak*, in the act of accepting bribes. The investigative press remains marginalised, but is not afraid to tilt at the powerful.

After years of protectionism, the government in New Delhi has allowed foreign press groups to buy shares in Indian media. A sprinkling of licences has also been granted to private radios.

In Kashmir, despite the ongoing peace process, the violence has still not ended. Around a score of reporters have been physically attacked by police during 2005. At least five others have been wounded in blind bomb attacks by radical separatists. The editor of the daily *The Great Kashmir* has been the victim of judicial harassment by the local authorities.

In Andhra Pradesh state in the country's south-east, the government has launched an offensive against Maoist groups. N. Venugopal, editor of a regional bi-monthly, spent two weeks in prison on the basis of unproven accusations of intellectual support for this armed movement,

Journalists who may have covered Maoist activities can be jailed for up to three years, under a security order passed in the neighbouring state of Chhattisgarh.

INDONESIA

Despite his statements in support of press freedom, President Susilo Bambang Yudhoyono took no serious steps to act on them. On the contrary, the penalties laid down by the criminal code for press offences were strengthened and a new anti-terror law gave far-reaching powers to the security forces.

Although relatively secure from the violence that scars the country, the press still had to contend with an escalation in defamation claims. Two journalists on a weekly on the island of Sumatra were imprisoned for nine months. Despite a recommendation from the president of the Supreme Court, the magistrates prefer to try journalists under the criminal code rather than under the more liberal press law.

Businessmen and politicians sometimes mobilise crowds of supporters to harass the media. Sulawesi island's main daily, *Radar Sulteng*, was forced to suspend publication in June 2005 after several thousand people demonstrated in front of its offices.

The government started a reform of the criminal code to include heavier prison sentences for press offences, particularly defamation and disclosing state secrets. Security forces were given new powers, especially monitoring of communications in response to terror attacks by Jemaah Islamiya. A number of sources confirmed that this surveil-

lance was frequently extended to the Jakarta-based foreign press.

The earthquake and tsunami that devastated Aceh, in the north of Sumatra, in December 2004, paradoxically led to the province being opened up to the foreign press. Despite some restrictions imposed by the army, which resulted in around six journalists being arrested or expelled, the international spotlight broke a news blackout in the region that had lasted more than one year. The media in Aceh, particularly the daily *Serambi Indonesia*, raised their profile by providing information to survivors of the tsunami about the aid provided by international organisations and the government.

Further, the August 2005 peace agreement between the government and the guerrillas in Aceh had beneficial effects for press freedom, as the media were less and less targeted by the security forces and the separatists.

In a country, mired in corruption, the press has not been spared. The Alliance of Independent Journalists (AIJ) launched a campaign against corruption within the profession in December. It accused officials and companies of earmarking funds to buy positive reports and accused colleagues of practising "envelope journalism". For its part, the government once again postponed adoption of a law on access to information that would make it easier for the press to investigate corruption.

LAOS

Nothing changes in Laos. The press, under the direct control of the Ministry of Information and Culture, serves up the propaganda of the sole party. Only the English-language Vientiane Times and French-language Le Rénovateur occasionally carry news that diverges from the official line. A majority of the people gets its news from Thai or international radio that put out programmes in Lao.

The security forces try to stop the foreign press from coming into contact with the isolated groups of Hmong guerrillas. A report put out in 2005 by

France 2 produced a wave of sympathy for these peoples who have been decimated by the Laos army. Broadcast of this programme by TV5 was interrupted in Laos.

Two Hmong are still imprisoned in Vientiane for having served as guides in 2003 to Belgian journalist Thierry Falise and French cameraman Vincent Reynaud. Thao Moua and Pa Phue Khang were sentenced on 30 June 2003 for “obstructing justice” and “possession of arms” after a trial condemned as unfair by Amnesty International to 12 and 20 years in prison.

MALDIVES

Faced with demonstrations for political and social change, President Maumoon Abdul Gayoom chose to react with force, using police crackdowns and news censorship. In this climate, democratic leader and journalist Mohamed Nasheed was arrested a few weeks after his return from exile. The management of the daily *Minivan*, launched in July 2005 by people close to the Maldivian Democratic Party, have suffered repeated lawsuits and arrests.

The sentencing of journalist Jennifer Latheef to ten years in prison marked a new stage in a crackdown against the opposition press. *Minivan*, which employed her, was forced to appear in August in photocopied form after its printer was threatened

by the security services. Previously two of its journalists and a photographer were arrested. In total, five journalists on *Minivan* are facing some kind of legal action. An arrest warrant has been issued against the editor Aminath Najeeb.

During legislative elections in January, government media, especially the *Voice of the Maldives*, only allocated a very small amount of space to the opposition. The leading newspaper, *Haveeru*, is controlled by the former minister for youth and sport. The daily *Aafathis* is owned by the brother-in-law of President Gayoom, while the third daily, *Miadhudaily*, is directly controlled by the head of state. Information minister, Ahmed Abdullah, heads the editorial team.

NEPAL

With his coup on 1st February 2005, King Gyanendra tried to forcibly erase 15 years of press freedom. But the independent media, although severely censored and harassed, put up a resistance. For their part, the Maoists continued their policy of intimidating journalists who condemn their abuses.

On 1st February 2005, the king, tempted by a return to absolute monarchy, declared total war against the press. The army invaded newspaper offices to impose censorship and FM radios were banned from putting out any news. The government also cut all communications. The lifting of the state of emergency at the end of April did not really improve the situation. In 2005, Nepal was alone responsible for more than half of all cases of censorship worldwide. Reporters Without Borders counted 567 instances, while 145 journalists were physically attacked or harassed.

Faced with censorship and mass sackings, the media community showed great courage, demonstrating almost every day, despite a crackdown by the security forces. On 16 September alone, 87 journalists were arrested, around a score of whom were clubbed by police. A general strike was called at the end of October after police raided the offices of independent radio *Kantipur FM*.

The government used every possible means to try to bring the privately-owned press to its knees, including interfering with editorial independence (Some 15 journalists were sacked under pressure), unfair allocation of public advertising, increases in franking costs for newspapers, disruption of distribution, threats of non-renewal of TV and radio licences and so on.

The media defended their rights before the courts. The Supreme Court found in favour of press freedom, demanding the release of journalists and defending the right of radio stations to put out the news. On the other hand, the same court approved a new media law, promulgated in October that set up tight controls on journalistic work and media ownership. Fines for defamation were multiplied by ten.

Journalists were particularly exposed in zones held by Maoists, making up almost half the country. The rebels continued to destroy media infrastructure such as public television offices near Nepalgunj, in the south. Under threat of reprisals by Maoists or the security forces, more than a dozen journalists took refuge in the cities.

NORTH KOREA

In 2005, the government invited a handful of foreign journalists to cover the national team's qualifying matches for the 2006 World Football Cup. But the North Koreans still live under the yoke of propaganda devoted entirely to the personality cult of Kim Jong-il and national socialism.

Kim Jong-il features on the cover of a manual for journalism students as "the great journalism professor". It says that "the Dear Leader is always at the side of journalists and teaches them in detail how to resolve their problems. The Dear Leader encourages them to write excellent articles that win the approval of the masses."

The entire North Korean press, particularly the *Rodong Shinmun* (The Worker's Newspaper), the *Korean Central News Agency*, national television *JoongAng Bang Song*, is under the direct control of Kim Jong-il. Each journalist is indoctrinated so as to be able to render, without mistakes, the grandeur of the late president Kim Il-sung and of his son Kim Jong-il. The press is also responsible for demonstrating the superiority of North Korean socialism over bourgeois and imperialist corruption. A typing error can be very expensive: dozens of North Korean journalists are sent to "revolutionary" camps for a simple spelling mistake.

Elsewhere, Song Keum-chul, of state television was put in a concentration camp at the end of 1995, for having set up a small group of critical journalists. Nothing has been heard of him since.

The official news agency announced in November 2005 that the US network *CNN* had "dug its own grave" after broadcasting a report on human rights in North Korea, which showed a public execution. The authorities in Pyongyang threatened to ban the Atlanta-based network access to the country. On the other hand, in May a team from the American network *ABC* was given permission to film a report on economic reform.

Media headed by North Korean exiles have set up in South Korea. The online daily *Dailynk.com* and the radio *Freedom NK* do their best to provide news to their compatriots, despite the extremely limited spread of the Internet and scrambling of the airwaves.

Despite police campaigns to check radios (every radio, once sealed up, can only be tuned to official radio frequencies) a growing number of radios do enter by the Chinese border, allowing some people to listen to broadcasts from South Korean radio or to *Radio Free Asia*.

PAKISTAN

President Pervez Musharraf alternately directed his ire on the media challenging his alliance with the United States and the investigative press that exposes corruption and abuse of power. The work of journalists in the tribal zones and Kashmir remains as dangerous as ever.

In May 2005, parliament adopted contradictory amendments to the law on electronic media. They liberalised the sector, but gave the authorities the right to seize equipment, withdraw licences, initiate investigations and to make arrests without a warrant. Any infringement of the law could mean up to three years in prison. In November police applied the law, closing *Mast FM 103* radio for relaying a special programme on the earthquake from the Urdu service of the *BBC World Service*.

Although badly shaken by Jihadist terrorism, Pakistan has a dynamic and pluralist press. The English-language publications are freer of control than the popular Urdu newspapers. But investigative journalists are constantly targeted by military security services, which have no hesitation in harassing anyone they find troublesome. This was the case with Rashid Channa, a journalist with the daily *Star*, kidnapped for several hours in Karachi.

On the other hand, a special court in Quetta dropped charges in March against journalist Khawar Mehdi whom the army had held secretly and tortured for several weeks for having accompanied two French reporters to the Afghan border in 2003. Gen. Musharraf accused the journalist,

who was forced into exile, of having betrayed his country for a few dollars.

Two correspondents for the foreign press were killed in the tribal zones and the murder investigation has gone nowhere. Journalists must deal both with threats from the Taliban and the surveillance and the obstruction of the military. In December, a correspondent for two national dailies was abducted in mysterious circumstances in Waziristan, after he contradicted the official version of the death of an al-Qaeda leader.

The local press operates with difficulty in Kashmir, which was shaken by a major earthquake on 8 October 2005. After largely facilitating access for hundreds of Pakistani and foreign journalists, the army in December imposed restrictions on the movement of reporters and a *BBC* team was sent back from a remote region.

More generally, the authorities take a dim view of investigations by foreign journalists. In August, three film-makers, two Swedes and one Briton of Afghan origin, were held for two weeks for filming near a military base. Despite a thaw in relations with India, a journalist from New Delhi was expelled in July.

Confronted by a radical press that fosters jihadism, the authorities launched a major operation in Karachi in July to shut down hate media. But searches and arrests also affected less radical journalists.

PHILIPPINES

Journalists in the Philippines pay a high price for their outspokenness, with the year marked by seven murders and as many murder attempts. Despite throwing more resources into the battle against this violence, the government is struggling to rebuild confidence. President Gloria Arroyo, weakened by a series of scandals, tried to stop the press from doing its job of safe-guarding democracy.

Former police officer Guillermo Wapile was on 29 November 2005 sentenced to life imprisonment for the 2002 murder of journalist Edgar Damalerio. This triumph over impunity was overshadowed by the murder three days later of young radio journalist George Benaogan on Cebu island.

After Iraq, the Philippines is the most dangerous country for journalists. They are murdered, as was Marlene Esperat in March, for investigating corruption, but also for their forthright criticism of local authorities. The journalist Philip Agustin was shot down on the orders of the mayor of Dingalan who had had enough of his attacks.

These murders are often preceded by text message threats or the sending of macabre packages. The publisher of a political magazine, Glenda Gloria, had a funeral wreath delivered to her home in August with the message, "From your faithful friends".

Politicians and officials exposed by the local press use other less radical methods to silence their critics. In 2005, at least five journalists, including Raffy Tulfo, writer of the "Shoot to kill" section of a local newspaper, were given prison sentences for defamation. Elsewhere four media were closed, like *dxVR FM* radio which had its licence withdrawn in July by the mayor of a town on Mindanao island.

Grappling with communist and Islamist guerrillas, the government, under pressure from the army, included a ban on press interviews with "terrorist groups" in its controversial anti-terror legislation.

SINGAPORE

More than a year after coming to power, Prime Minister Lee Hsien Loong, son of the country's strong man, Lee Kuan Yew, had not begun any liberalisation of the media. Despite statements in support of an "open" society, the ruling party still does not brook any criticism.

Questioned by the international press about Singapore's position in the 2005 World Press Freedom Index (140th out of 167), senior minister Goh Chok Tong called it a "subjective measure computed through the prism of western liberals". He also defended the Singapore model for controlling the media, saying that a press that was too free was "not necessarily good for the entire country".

Relatively independent for regional and international news, when it comes to domestic politics Singapore's press, still controlled by associates of Lee Kuan Yew, is in the grip of a rigorous self-censorship. The government threatens journalists, foreign media and opposition with defamation suits seeking dizzying amounts in damages.

The government uses around a score of draconian laws, particularly those on the granting of licences for publications, on films, religious and political website managers and on national security, to stifle any criticism.

Freelance film-maker Martyn See was accused of breaking the law on films by putting out a "partisan" documentary, "Singapore Rebel", a portrait of an opposition figure Chee Soon Juan. In August police seized all copies of the film and the videotapes on which it was recorded. The film puts See at risk of a penalty of up to two years in prison or a fine of almost 500,000 euros.

In 2005, Hong Kong-based financial website FinanceAsia.com, apologised and agreed to pay compensation after the authorities threatened a lawsuit against it over an article it posted on a Singaporean investment company with links to the government.

SOUTH KOREA

Besides the adoption, in July 2005, of a new law containing repressive articles that impose “social responsibility” on the media, Roh Moo-hyun’s government carried out no major offensive against the press.

Accused of every ill by supporters of the president, the conservative press, represented by the three dailies *Chosun Ilbo*, *Dong-a Ilbo* and *JoongAng Ilbo*, were particularly targeted by the new press law. Forced to set up internal “publication committees” of salaried staff and to reform their sales arrangements, these papers continue to more or less dominate the market.

In July the TV station *MBC* revealed the existence of secret phone tapping during the 1990s, inclu-

ding of journalists. But the author of the scoop, Lee Sang-ho, found himself summoned by the prosecutor’s office for violating the privacy of those whose phones were tapped by the secret services.

The case did however confirm that the secret services regularly mount surveillance on journalists. In August, the management of the daily *MoonHwa Ilbo* complained that its journalists’ phones were being tapped after it published an investigation into corruption within a department of the secret services.

Finally, the law on national security still allows the government to censor publications and block access to websites deemed favourable to North Korea.

SRI LANKA

The dormant war between security forces and the Tamil Tigers (LTTE) has had harmful consequences for the safety of journalists, particularly Tamils. Murders, arrests, threats and bombings have again become the daily lot for many reporters, particularly in the north and east of the country.

The election as president of left-wing nationalist, Mahinda Rajapakse, at the end of November 2005 and the appointment as prime minister of Ratnasiri Wickremanayaka, who has a radical stance on relations with the LTTE, have cast a new shadow over the peace process. During the campaign, the LTTE forced the Tamil population to boycott the poll after silencing opposing voices within the community.

Violence between Tamil factions, sometimes manipulated by the security forces, has had particularly

bloody results. The renowned Tamil journalist Dharmaratnam Sivaram "Taraki", head of the news website *TamilNet* and editorialist on the *Daily Mirror*, was gunned down in Colombo in April. After arresting one suspect, police abandoned the investigation.

Four months later, the TV presenter Relangi Sevaraja was murdered in the capital. She produced programmes that were critical of the LTTE, broadcast on a public channel.

The most independent media have not been spared. In October, arsonists attacked the printers of the press group publishing *The Sunday Leader* and *Irudina*, near Colombo. A few weeks earlier, an ultra-nationalist leftist deputy, a member of the coalition government, called the editor of the *Sunday Leader*, Lasantha Wickremetunge a "terrorist".

TAIWAN

Increasingly buffeted by the opposition, President Chen Shui-bian tried to intimidate some critical media, but Taiwan, a zone of freedom in East Asia, is blessed with a pluralist press.

In July 2005, a government body cancelled the licence of a pro-opposition TV channel *EETVS*, on the pretext that it was putting out too much news. The authorities also invoked its relaying of footage of singer Janet Jackson's bared breast at the final of

the US superbowl. In November, the government fined another pro-opposition channel *TVBS* after trying to get it shut down on the grounds that it was majority owned by foreigners.

Since journalists on the island are banned from attending all events organised by the United Nations, in particular the World Health Organisation, Taiwan, in April withdrew accreditation from two correspondents from China.

THAILAND

Prime Minister Thaksin Shinawatra, who is intolerant of criticism, launched political and judicial harassment against some of the country's more independent commentators. There were at least eight cases of censorship 2005 and as many abusive defamation complaints.

A defamation trial brought by the company, Shin Corps, owned by the family of the head of government, against press freedom activist, Supinya Klangnarong, illustrated Thaksin Shinawatra's hounding of critics. Risking a prison sentence and a heavy fine, Supinya Klangnarong demonstrated to the judge that all he had done was point up a conflict of interests for Thaksin as head of government and of a company.

In September, family members of the prime minister, unleashed another offensive against press owner, Sondhi Limthongkul. After getting his political talk show pulled from the programmes of a national channel, several defamation complaints were lodged against him. Limthongkul hit back against his old ally, Thaksin, through people power and with the support of the King Bhumibol Adulyadej, who wields great power in the country,

managed to get the prime minister to back down and cancel his court actions.

Infuriated by its critics, the government in June closed two community radios and blocked several critical websites. Fm9225.com, which puts out several radio programmes online, was accused of endangering "the country's unity and security". All this without any legal basis.

Confronted by a bloody rebellion in the Muslim-majority south, the government swung between crackdown and dialogue. The press was not really directly affected, but the adoption of emergency law in July gave the security forces the right to monitor all communications and to censor news.

Two journalists were murdered in 2005, and police proved themselves unable to uncover either the motives or the perpetrators of the crimes. In the south, a journalist who was fiercely critical of some local figures was killed in February. The editor of a newspaper was murdered in November in the tourist centre of Pattaya. His colleagues said he had been threatened after publishing reports on prostitution rings.

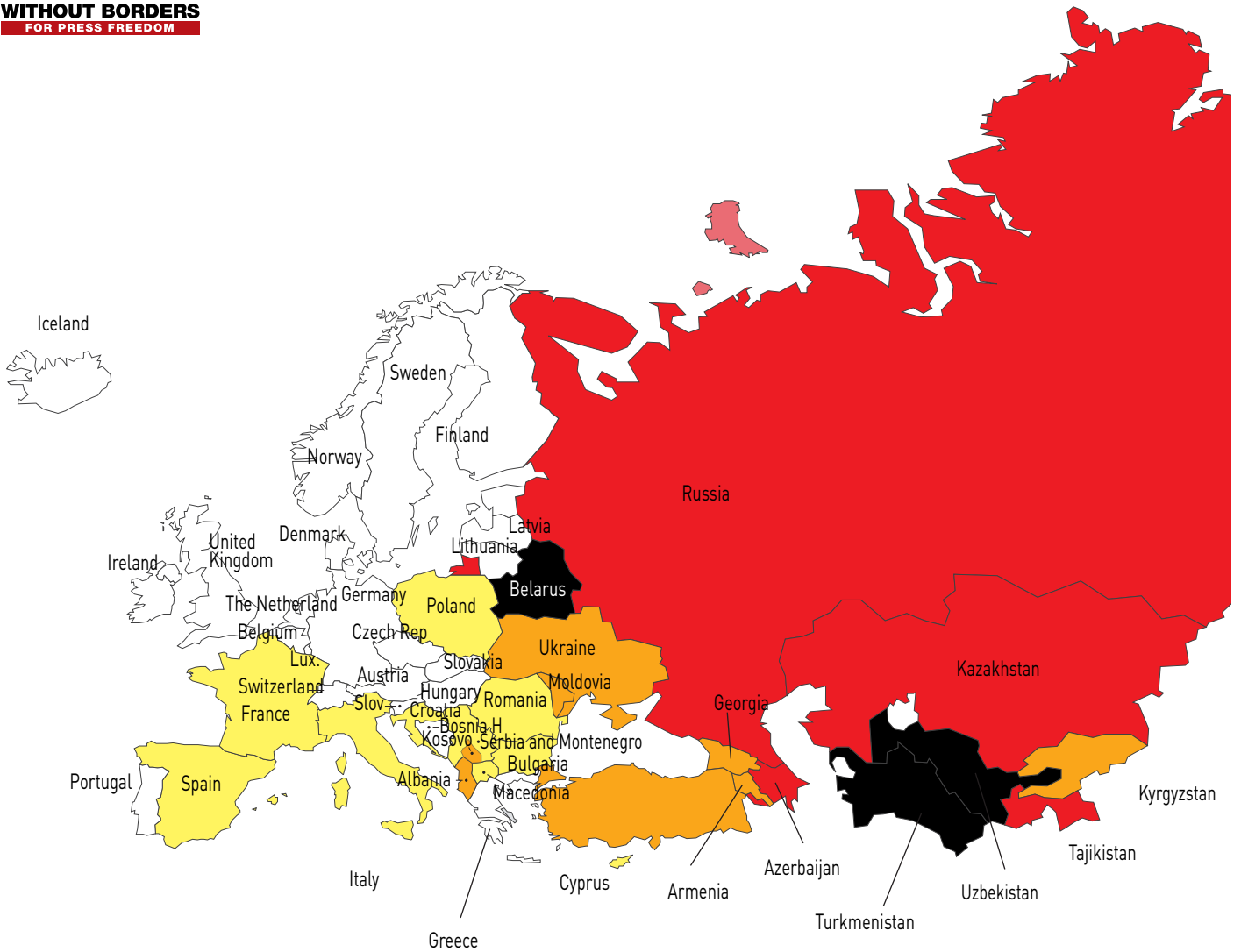
VIETNAM

One section of the press does its best to push at the limits of censorship imposed by the sole party, at times to its cost. In January an investigative monthly was closed. In July a new law was adopted to bring the online press to heel.

The old guard of the Vietnamese Communist Party (VCP) is unrelenting: it still considers the media to be propaganda organs. The official newspapers praise the party's actions and laud the virtues of socialism. While a more liberal press, including the daily *Tuoi Tre* (Youth), covers social issues, political self-censorship still holds sway in newsrooms. In 2005, a journalist on *Tuoi Tre* was accused of divulging state secrets for having copied an official memo about illegal practices in a pharmaceutical company.

At the start of the year, the Culture and Information ministry closed the monthly *Nha Bao va Cong Luan*, which in its first numbers challenged powerful figures. An article on popular discontent about a tourist development provoked the authorities' particular anger.

But the security apparatus concentrated its crackdown on the Internet, seen as a tool of economic development but also as a means of spreading "reactionary" ideas. At least six cyberdissidents and Internet-users were still imprisoned in the country on 1st January 2006. The government, in July 2005, stepped up its controls of cybercafés.



2006 Annual Report

EUROPE AND THE FORMER SOVIET BLOC

GAP WIDENS BETWEEN GOOD PERFORMERS AND BAD

Press freedom generally deteriorated in this region in 2005, with five journalists murdered because of their work (up from two the previous year) and growing repression in several former Soviet bloc countries. Some rulers resorted to the old methods in their efforts to silence all dissidence and working conditions for journalists worsened in Uzbekistan, Belarus, Russia and Azerbaijan, whose governments took steps to ward off the kind of uprisings seen in Georgia (2003), Ukraine (2004) and Kyrgyzstan (2005).

The gloomy picture was lightened by Ukraine, where President Victor Yushchenko took office in January and seemed more in favour of press freedom than his predecessor Leonid Kuchma. The killers of journalist Georgy Gongadze, murdered in 2000, were identified and due to be tried early in 2006, but those who ordered his execution remain to be arrested and punished.

Belarusian President Alexander Lukashenko worked to shut down his country's few independent newspapers as the March 2006 presidential election approached, crippling them with huge fines and blocking printing and distribution. Several key papers in the capital, such as *BG Delovaya Gazeta*, were doomed. Journalists, especially those from the Polish minority, who reported on opposition demonstrations were tried and imprisoned.

Violence against journalists in Russia was frequent and impunity prevailed in a country where news is still closely controlled by the government. Two journalists were killed and a third escaped being murdered in 2005. More than a year after the death of editor Paul Khlebnikov of the Russian edition of the US magazine *Forbes*, the authorities closed their investigation and said Chechen independence militant Kozh-Akhmed Nukhayev had ordered the killing. The government steadily took control of all the country's TV stations and stepped up pressure on the few independent papers, seriously threatening news diversity. Chechnya remained a void for news and journalists could not go there freely.

Repression of independent journalists became routine in Uzbekistan after the bloody uprising in Andijan in May 2005. President Islam Karimov's witch-hunt featured the arbitrary arrest of three opposition journalists and a broad government drive to discredit journalists. Foreign media were accused of fomenting the rebellion and some, such as the international press freedom group *Internews*, *BBC TV* and *Radio Free Europe/Radio Liberty*, were forced to close their Tashkent offices.

These media working conditions moved closer to the situation for journalists in Turkmenistan, where President Saparmurad Nyazov has abolished freedom of expression and installed total censorship. State media employees there are banned from having contact with foreigners and a privately-owned press does not exist. Foreign journalists were virtually banned from the country and some appeared to be on a "black list."

Press freedom sharply declined in Azerbaijan, where the murder of independent journalist Elmar Husseyinov in March 2005 illustrated the violence and threats faced by the media. Another journalist died in June, six months after police beat him up. Attacks on press freedom increased before, during and after the 6 November parliamentary elections.

MORE EFFORT NEEDED IN WESTERN EUROPE

Police in European Union (EU) countries, especially France, Italy, Belgium and Poland, were busy in 2005 searching journalists' homes and demanding they reveal their sources of information. The European Court of Human Rights considers privacy of sources a cornerstone of press freedom, but several member-states stepped up their violations of this key to independent investigative journalism.

Violence against journalists remains rare in EU countries, but in France, nine were physically attacked or threatened in 2005 during a trade union dispute in Corsica and during the nationwide urban riots in November. News diversity in Italy was still being undermined by prime minister and broadcasting mogul Silvio Berlusconi's conflict of interests (he controls the public media and much of privately-owned broadcasting) but the situation was unique in the EU.

The countries that joined the EU in 2004 have made impressive advances in press freedom. The Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Slovakia and Slovenia are havens of freedom

of expression along with northern European countries. The only blot was in Poland, where a journalist could still be heavily fined, as one was in 2005, for writings deemed to offend the pope.

Serious threats to press freedom persist in the Balkans and the rest of Eastern Europe and laws in Croatia, Romania and Bulgaria (which will all join the EU in 2007) remained well below European standards. Violence against journalists has not entirely disappeared in these regions and one was murdered in Kosovo, four threatened with death in Serbia-Montenegro and one physically attacked in Albania.

Turkey, which also hopes to join the EU, amended many of its laws but some in fact increased restrictions on journalists. The vagueness of several articles of the new criminal code that came into force on 1 June 2005 left the way open to unjustified prosecutions and very wide interpretation by judges. Press freedom violations were much fewer during the year but self-censorship remained strong and some tricky topics, such as Kurdish and Armenian affairs, continued to cause legal problems for journalists who reported on them.

Europe desk

ALBANIA

Self-censorship, difficult access to supposedly-public information and politically-inspired distribution of government advertising are the main obstacles to growth of a genuinely free media. Defaming government officials still carries a two-

year prison sentence. The poor relationship between politicians and the media in recent years was shown by the physical attack by the mayor of Korca on a journalist from a major TV station on 26 June 2005.

AZERBAIJAN

The sharp rise in violence against journalists included the murder of editor Elmar Husseyinov in March 2005.

Elmar Husseyinov, editor of the opposition weekly *Monitor*, was shot dead on his way home from work on 2 March. The country has no broadcast media diversity and the written press is fiercely divided between opposition and government mouthpieces.

Police physically attacked 26 journalists in the run-up to parliamentary elections in November, beating up 14 during a demonstration by the Azadlig opposition coalition in Baku on 9 October despite their having press badges. Two were seriously injured and hospitalised. A dozen more were beaten during a 26 November opposition protest against electoral fraud and calling for the government's resignation.

Photojournalist Alim Kazimli, of the main opposition daily *Yeni Musavat*, died of a brain haemorrhage in June as a result of a beating by police in Baku on 28 December 2004.

The authorities continue to directly and indirectly pressure independent media by restricting access to supposedly public information, obstructing newspaper printing, distribution and advertising and by excessive use of libel actions and huge fines.

The country's press law is still way below European standards and journalists face up to three years in prison for defamation (article 147.2 of the criminal code) and up to six for "insulting the reputation and dignity" of the president (article 148).

BELARUS

The government keeps a tight grip on the state media in this former Soviet republic shunned by the international community and persecutes the few independent outlets that fight to survive.

Seventeen journalists from the country's Polish minority were arrested over three months in 2005 and two of them were given jail sentences for "taking part in an illegal demonstration" while covering a protest by small business owners for an opposition website.

The regime is increasing its pressure on the independent media as the July 2006 presidential election approaches.

The only independent daily, *Narodnaya Volya*, already crippled by fines from losing libel suits, had its accounts frozen on 20 September. Minsk city authorities seized all copies of the weekly *Den* in August and then forced it to close by striking its publishers, Denpress, off the official register of publications. The country's main independent paper, the twice-weekly *BG Delovaya Gazeta*, was being financially strangled with enormous fines imposed in libel cases.

With all opposition papers now forced to print in neighbouring Russia, the monopoly state post office, Belposhta, said it would stop handling subscriber copies of a dozen independent papers from 1 January 2006, ensuring their probable closure.

Vassili Grodnikov, of *Narodnaya Volya*, was found dead in his apartment in a Minsk suburb on 18 October with mysterious head injuries. He had been investigating gangs involved in swindling elderly apartment tenants.

Official investigators into the death of journalist Veronika Cherkasova, of the weekly *Solidarnost*, at her home on 20 October 2004, still insisted it was probably a love or family murder, even though just before she was killed, she was investigating arms sales by Belarusian officials to Iraqi President Saddam Hussein when he was in power.

The enquiry into the July 2000 disappearance of cameraman Dmitri Zavadski, of the Russian TV station *ORT*, possibly involving top government officials, is still making no progress.

CYPRUS

Press freedom improved in 2005 but obstacles to the free flow of news between the northern and southern parts of the island still weigh heavily on journalists and their work. One example was the refusal of the Greek-

dominated Republic of Cyprus, which joined the European Union in May 2004, to allow journalists working in the Turkish Republic of Northern Cyprus who wanted to cover a football match in the south.

DENMARK

Denmark has one of the world's best records for press freedom and came first in the Reporters Without Borders worldwide index in 2005. This freedom extended to the September 2005 publication by the country's biggest daily paper, *Jyllands Posten*, of cartoons of the Prophet Mohammed, setting off strong reaction in the local Muslim community and, in early 2006, in majority Muslim countries, where depicting Mohammed is forbidden.

A paper in Egypt reprinted the cartoons without penalty however in October. But two *Jyllands Posten* cartoonists received death threats that month. Editor Carsten Juste hired security guards to protect them and they were forced to go into temporary hiding.

The cartoons row had unexpectedly big consequences – a major crisis between Denmark and the Arab/Muslim world in 2006 and stormy debates in Europe about freedom of expression.

FRANCE

The right to keep journalistic sources private, the key to freedom of expression, was at the centre of discussion in 2005.

Judges ordered searches of the main offices of the magazine *Le Point* and the daily papers *L'Equipe*, *Berry Républicain* and *Le Parisien* and eight journalists were asked by police to disclose their sources of information. Five were charged with involvement in publishing legally confidential material about a case of alleged drug use by the European cycling team Cofidis.

Reporters Without Borders, the French Federation of News Agencies (FFAP) and the Right to Information group met a senior justice ministry official, Laurent Le Mesle, on 28 January and gave him a memorandum seeking to strengthen the right to protect sources for investigative journalists.

Two cameramen for TV stations *France 2* et *France 3* and *Agence France-Presse* photographer Olivier Laban-Mattei were roughed up in late September

after violent demonstrations in the Corsican city of Bastia against the privatisation of the Corsican ferry company SNCM. Jean-Marc Plantade, head of the economics desk at *Le Parisien*, received telephoned death threats after the paper ran an article on 17 October saying SNCM employees were stealing the proceeds of on-board sales.

At least five French and foreign journalists were physically attacked while covering urban riots at the end of the year. A *France 2* team was set upon in the Paris suburb of Aulnay-sous-Bois on the night of 2-3 November by dozens of youths who forced the journalists out of their car, which they then overturned and set fire to.

*France 3*TV reporter Mady Diawara was hit in the face by a stone while filming the end of Ramadan in the Paris suburb of Montfermeil on 4 November. The next day, a reporter for the state-owned South Korean TV station *KBS*, Mihye Kim, was attacked by five youths in Aubervilliers, near Paris, while interviewing local people near a warehouse that had been burned down the day before.

ITALY

The independence of the country's media is threatened, uniquely in Europe, by the fact that the prime minister, Silvio Berlusconi, owns the three main privately-owned TV stations, through the broadcasting company Mediaset, and indirectly controls the three *RAI* state-owned TV stations. Six

journalists were threatened in 2005 after they investigated corruption in the Genoa football team. The right to privacy of journalistic sources, guaranteed in article 10 of the European Convention on Human Rights, was once more violated by a search of the offices of the daily paper *Corriere della Sera* in May.

KAZAKHSTAN

The regime sharply increased pressure on the media in the run-up to the 4 December 2005 presidential election, filtering opposition Internet websites, obstructing printing and distribution of independent newspapers and seizing those considered too critical of President

Nursultan Nazarbayev and his associates. Journalists were often physically attacked, threatened and abused. Batyrkhan Darimbet, editor of the opposition weekly *Azat*, died in very suspicious circumstances and may have been killed because of his work.

Kosovo

2005 was marred by the killing of journalist Bardehul Ajeti, who had reported on organised crime in the newspaper *Bota Sot*. Journalists are still strictly censoring themselves because of a general failure to punish criminals that exposes

them to such reprisals. Relations are still tense between Serbs and Albanians in the province, which has been run by the United Nations since 1999 and where talks on its future status are due to start soon.

KYRGYZSTAN

The authorities routinely hounded the country's few independent media outlets in the run-up to parliamentary elections on 27 February 2005, fearing a general uprising as thousands of demonstrators protested against the exclusion of some opposition candidates. The "Tulip Revolution" overthrew President Askar Akayev on 24 March after 14 years in power in the former Soviet republic and the media scene was transformed.

The arrival in power of opposition leader Kurmanbek Bakiyev in July raised the media's hopes, but the situation changed little. Self-censorship is still common and criticism of the president rare. The new government is trying to regain control of privately-owned TV stations by purchasing shares in them through private investors.

POLAND

Poland was the European Union member-state that least respected press freedom in 2005. One journalist was heavily fined for writing an “offensive” article about the pope, which is against the law. An investigative journalist

with the satirical weekly *Nie* faced between three months and five years in prison for refusing to reveal his sources. His computer hard-drive was confiscated in June, preventing him from working.

ROMANIA

The tapping of the phones of two Romanian journalists working for foreign media by the secret police illustrated the weakness of the right to privacy of sources in 2005 as well as the bad relations between politicians and the media.

Politically-inspired distribution of government advertising, problems of access to public information and news diversity threatened by huge debts to the government by privately-owned TV stations remained other serious threats to press freedom.

RUSSIA

Working conditions for journalists continued to worsen alarmingly in 2005, with violence the most serious threat to press freedom. The independent press is shrinking because of crippling fines and politically-inspired distribution of government advertising. The authorities' refusal to accredit foreign journalists showed the government's intent to gain total control of news, especially about the war in Chechnya.

Pavel Makeev, cameraman for the TV station *Puls d'Azov* (in the Rostov-on-Don region) and Magomedzagid Varisov, a reporter for the weekly *Novoe Delo* in Makhachkala (capital of Dagestan), were murdered for doing their job in 2005 and the head of a press group escaped an attempt to kill him in the southwestern city of Samara. Eight journalists were physically attacked and eight others arrested during the year.

The murder of Paul Khlebnikov, a US citizen and editor of the Russian edition of the US magazine *Forbes* who was shot dead in July 2004, has still not been solved. The fate of Ali Astamirov, *Agence France-Presse* (AFP) correspondent in Ingushetia and Chechnya, kidnapped in July 2003, is also still a mystery. Neither the official investigators in Moscow or the local prosecutor's office in Nazran

(Ingushetia) have made any progress. The growing violence, which is fed by a climate of total impunity, forces journalists to broadly censor themselves.

The lack of broadcasting diversity and closure of several independent newspapers crushed by huge fines is alarming. The government tightly controls distribution of state advertising, which amounts to blackmailing independent papers that dare to discuss the war in Chechnya. TV stations, now all controlled by the Kremlin or government associates, are also subject to very strict censorship. The foreign ministry said on 2 August that the work permits of journalists of the US ABC TV network would not be renewed. Five days earlier, ABC had broadcast an interview with Chechen warlord Shamil Bassayev by Russian journalist Andrei Babitsky.

Russia's press laws remain very far below European standards. Freelance journalist Edvard Abrosimov was sentenced to seven months at hard labour for libel by the Saratov (southwestern Russia) regional court on 23 June. Nikolai Goshko, deputy editor of the weekly *Odintovskaia Nedela*, was given a five-year forced labour sentence for libel on 19 August but was later freed after pressure from international organisations.

SERBIA-MONTENEGRO

Press freedom declined in 2005, with unjustified prosecutions against the media, one journalist beaten up, four others threatened with death and a repressive new law undermining the

independence of TV stations. Milan Milinkovic, former editor of the weekly *Podrinski Telegraf*, was given a year-long suspended prison sentence for libel.

SPAIN

Violence in the Basque Country once again affected journalists there in 2005, especially in the "Spanish" part of the region. They remained targets of the armed separatist group ETA and had to have round-the-clock protection.. Journalists who refused to back the ETA's demands were considered enemies and put on a blacklist. One the organisation's latest targets was the publicly-owned radio station EITB, in

Vitoria, which was threatened with reprisals on 26 February 2006.

Reporter Tayssir Alluni of the pan-Arab satellite TV station *Al-Jazeera* was sentenced to seven years in prison in September 2005 for allegedly helping the terrorist group Al-Qaeda. He was tried along with 23 other people accused of links with the group. He is appealing against the verdict.

TAJIKISTAN

Tax authorities sealed the offices and equipment of the country's last independent TV station, *Somonien*, in Dushanbe, on the orders of the state broadcasting committee. Iskandar Firouz, correspondent for the Persian service of the *BBC*, was physically attacked by a political party official in

the capital on the eve of parliamentary elections. Jumaboy Tolibov, jailed for two years after writing three reports in the daily paper *Minbari Khalk* and in the parliamentary paper *Sadoi Mardum* criticising the Sogd regional prosecutor, was freed on 16 December 2005 after international pressure.

TURKEY

The country's new criminal code, designed to help Turkey gain membership of the European Union, came into force on 1 June 2005 and imposes new restrictions on journalists. The vagueness of some parts of it allows judges to unfairly imprison them.

Journalists are still at the mercy of arbitrary court decisions that continue to send them to prison and fine them heavily. Sinan Kara, of the fortnightly *Datça Haber*, was jailed for nine months and fined €350 for "insulting in the media" (article 125 of the new criminal code) the sub-prefect of Datça. Burak Bekdil, a columnist with the English-language *Turkish Daily News*, was given a suspended 20-month prison sentence for "insulting state institutions."

Prime minister Recep Tayyip Erdogan won a libel suit against Fikret Otyam, of the weekly *Aydinlik* and a well-known painter, who was ordered to pay him €2,835 damages. It was at least the fourth time since December 2004 that Erdogan had sued a journalist.

Some parts of the new criminal code, far from bringing Turkish laws on freedom of expression into line with Europe's, could encourage new pro-

secutions of journalists and increase self-censorship habits that undermine press freedom. Article 305 punishes with between three and 10 years imprisonment actions considered harmful to "basic national interests," including claims concerning the "Armenian genocide" and calls for withdrawal of Turkish troops from Cyprus. Article 301 provides for between six months and three years in jail for "belittling Turkishness, the republic and state bodies and institutions."

Sandra Bakutz, a reporter for Austrian radio station *Orange 94.0* and the German weekly *Junge Welt*, spent six weeks in prison before being acquitted of "belonging to an illegal organisation," for which she risked between 10 and 15 years in jail.

The country's Kurdish and Armenian minorities remain under great pressure. Editor Hrant Dink, of the bilingual Turkish-Armenian weekly *Agos*, was given a six-month suspended prison sentence for "insulting Turkishness" (article 301-1 of the criminal code). Five journalists from pro-Kurdish media outlets were arrested in 2005 and four of them arbitrarily held for questioning in Gülec (eastern Anatolia), where they had gone to report on the release of a Turkish soldier by activists of the Kurdistan Workers Party (PKK).

TURKMENISTAN

Since a privately-owned media and press freedom do not exist, the country's journalists are confined to relaying the propaganda of the President Separmurad Nyazov's regime, which uses psychological pressure, intimidation and constant monitoring of them to silence any criticism.

Turkmenistan is the Central Asian state most closed to foreign journalists, whose requests for visas are routinely turned down. Viktor Panov, of the Russian news agency *RIA-Novosti*, was accused of spying and deported to Russia on 12 March 2005 after spending two weeks in prison in the capital, Ashgabat.

UKRAINE

Press freedom took a turn for the better in 2005 thanks to the victory of the “Orange Revolution” and the arrest of the killers of journalist Georgy Gongadze. But the improvement was significantly offset by many physical attacks on investigative journalists and threats to them.

The state prosecutor’s office announced in early March that opposition journalist Georgy Gongadze, who was murdered in 2000, had been kidnapped outside his home in a car by three policemen and the former head of the interior ministry’s intelligence service, Gen. Olexi Pukach, who strangled him and buried his body in the Tarashcha Forest.

A probable key witness in the case, ex-President Leonid Kuchma’s interior minister, Yuri Kravchenko, died in suspicious circumstances, supposedly shooting himself in the head. Prosecutor-general Sviatoslav Piskun declared the Gongadze case closed on 8 August and policemen Valery Kostenko, Mikola Protasov and Oleksandr Popovych were

accused of kidnapping and killing the journalist. Gen. Pukach is being sought by Interpol. But the prosecutor’s office has still not said who ordered the killing, despite President Viktor Yushchenko’s repeated promises.

Eight journalists were physically attacked during the year for doing their job. Natalia Vlassova, of the TV station *Kanal 34*, was badly beaten up in the eastern city of Dnepropetrovsk on 4 October after exposed corruption in local political parties. The owner-editor of the independent weekly *Oberih* received a death threat after investigating embezzlement in the city government of Pereyaslav-Khmelnytsky, south of Kiev.

Volodymyr Lutiev, editor of the weekly *Yevpatoriskaya Nedelia*, was arrested for no official reason in Sebastopol on 30 June after criticising a contested election. He was still being held at the end of the year, despite staging a 47-day hunger strike.

UZBEKISTAN

Independent journalists were targets of systematic repression in 2005 in the wake of the bloody uprising in the town of Andijan in May. President Islam Karimov's witch-hunt featured the arbitrary arrest of many opposition journalists and the hounding of foreign media for supposedly provoking the rebellion.

Seven journalists were physically attacked over six months and four of them arrested and threatened for no reason. Seven others were threatened and forced to flee abroad.

More journalists received prison sentences for bogus reasons during the year. Sabirjon Yakubov, of the weekly *Hurriyat* was arrested in Tashkent on 11 April for "challenging constitutional order" and "belonging to an extremist religious organisation" (article 159 of the criminal code) and faces up to 20 years in prison. Nosir Zokirov, correspondent for *Radio Free Europe / Radio Liberty* in Namangan province, was sentenced to six months in jail for "insulting a government official" (article 140 of the criminal code) after reporting on the 13 May storming of Andijan prison.

The regime keeps a very tight grip on the media and any sign of independence is punished. The four nationwide TV channels are under presidential censorship and the only criticism is to be found on a few Internet websites. Independent journalists who covered the events in Andijan were called "traitors to the country" and "liars" by most media outlets.

All impartial news has been blocked since the Andijan uprising and cable relay of the US, Russian and British TV networks *CNN*, *NTV* and *BBC* have been cut off. Access to independent Russian websites www.lenta.ru, www.gazeta.ru and www.fergana.ru, as well as several Uzbek sites, has been blocked inside the country.

All foreign and local journalists were expelled from Andijan during the night of 13-14 May and two Russian TV crews, from *REN-TV* and *NTV* were turned back.

The government then accused foreign media, during a nationally-televised sham trial, of organising the rebellion. The 15 presumed leaders of the uprising claimed Western journalists encouraged them to "stage a peaceful revolution so as to create chaos."

THE INTERNET "BLACK HOLES"



2006 Annual Report

INTERNET

EVERYONE'S INTERESTED IN THE INTERNET – ESPECIALLY DICTATORS

The Internet has revolutionised the world's media. Personal websites, blogs and discussion groups have given a voice to men and women who were once only passive consumers of information. It has made many newspaper readers and TV viewers into fairly successful amateur journalists.

Dictators would seem powerless faced with this explosion of online material. How could they monitor the e-mails of China's 130 million users or censor the messages posted by Iran's 70,000 bloggers? The enemies of the Internet have unfortunately shown their determination and skill in doing just that.

China was the first repressive country to realise that the Internet was an extraordinary tool of free expression and quickly assembled the money and personnel to spy on e-mail and censor "subversive" websites. The regime soon showed that the Internet, like traditional media, could be controlled. All that was needed was the right technology and to crack down on the first "cyber-dissidents."

The Chinese model has been a great success and the regime has managed to dissuade Internet users from openly mentioning political topics and when they do to just recycle the official line. But in the past two years, the priority of just monitoring online political dissidence has given way to efforts to cope with unrest among the population.

The Internet has become a sounding-board for the rumblings of discontent in most Chinese provinces. Demonstrations and corruption scandals, once confined to a few cities, have spread across the country with the help of the Internet. In 2005, the government sought to counter the surge in cyber-dissidence. It beefed up the law and drafted what might be called "the ten commandments" for Chinese Internet users – a set of very harsh rules targeting online editors. The regime is both efficient and inventive in spying on and censoring the Internet. Other governments have unfortunately imitated it.

THE INTERNET'S JAILERS

Traditional "predators of press freedom" – Belarus, Burma, Cuba, Iran, Libya, the Maldives, Nepal, North Korea, Saudi Arabia, Syria, Tunisia, Turkmenistan, Uzbekistan and Vietnam – all censor the Internet now. In 2003, only China, Vietnam and the Maldives had imprisoned cyber-dissidents. Now more countries do.

A score of bloggers and online journalists have been thrown in jail in Iran since September 2004 and one of them, Mojtaba Saminejad, has been there since February 2005 for posting material deemed offensive to Islam. In Libya, former bookseller Abdel Razak al-Mansouri was sentenced to 18 months in prison for making fun of President Muammar Gaddafi online. Two Internet users have been jailed and tortured in Syria, one for posting photos online of a pro-Kurdish demonstration in Damascus and the other for simply passing on an e-mailed newsletter the regime considers illegal.

A lawyer has been in jail in Tunisia since March 2005 for criticising official corruption in an online newsletter. While a UN conference was held in Tunis in November 2005 to discuss the future of the Internet, this human rights activist was in a prison cell several hundred kilometres from his family. A grim message to the world's Internet users.

Censorship of the Web is also growing and is now done on every continent. In Cuba, where you need permission from the ruling party to buy a computer, all websites not approved by the regime are filtered.

The situation has worsened in the Middle East and North Africa. In November 2005, Morocco began censoring all political websites advocating Western Sahara's independence. Iran expands its list of banned sites each year and it now includes all publications mentioning women's rights. China can now automatically censor blog messages, blanking out words such as "democracy" and "human rights."

Some Asian countries seem about to go further than their Chinese "big brother." Burma has acquired sophisticated technology to filter the Internet and the country's cybercafés spy on customers by automatically recording what is on the screen every five minutes.

COMPLICITY OF WESTERN FIRMS

How did all these countries become so expert at doing this? Did Burma and Tunisia develop their own software? No. They bought the technology from foreign, mostly American firms. Secure Computing, for example, sold Tunisia a programme to censor the Internet, including the Reporters Without Borders website.

Another US firm, Cisco Systems, created China's Internet infrastructure and sold the country special equipment for the police to use. The ethical lapses of Internet companies were exposed when the US firm Yahoo! was accused in September 2005 of supplying the Chinese police with information used to sentence cyber-dissident Shi Tao to 10 years in prison.

China is now passing on its cyber-spying skills to other enemies of the Internet, including Zimbabwe, Cuba, and most recently Belarus. These countries will probably no longer need Western help for such spying in a few years time.

Democratic governments, not just the private sector, share responsibility for the future of the Internet. But far from showing the way, many countries that usually respect online freedom, now seem to want to unduly control it. They often have laudable reasons, such as fighting terrorism, child sex and cyber-crime, but this control also threatens freedom of expression.

Without making any comparison with the harsh restrictions in China, the Internet rules recently adopted by the European Union are very disturbing. One of them, requiring Internet service providers (ISPs) to retain records of customers' online activity, is presently being considered in Brussels and seriously undermines Internet users' right to online privacy.

The United States is also far from being a model in regulation of the Internet. The authorities are sending an ambiguous message to the international community by making it easier to legally intercept online traffic and by filtering the Internet in public libraries.

Julien Pain
Head of Internet freedom desk

BAHRAIN

Except for pornographic sites, Bahrain does not censor the Internet much. But it has unfortunately begun to regulate it in ways that endanger freedom of expression. The government said in April 2004 that all online publications, including

forums and blogs, must be officially registered. Loud protests led to suspension of the measure but it is still on the books. Three editors of a forum were held for nearly two weeks in March 2005 for allowing "defamation" of the king to be posted.

BELARUS

The regime uses its monopoly of the communications system to block access to opposition websites when it chooses, especially at election time.

President Alexander Lukashenko dislikes criticism, as shown by the harassment in August 2005 of youngsters who were posting satirical cartoons online.

BURMA

This country is among the very worst enemies of Internet freedom and in many ways its policies are worse than China's. The price of computers and a home Internet connection is prohibitive so Internet cafés are the target of the military regime's scrutiny. As in neighbouring Vietnam and China, access to opposition sites is

systematically blocked, in this case with technology supplied by the US firm Fortinet. Burma's censorship is special – Web-based e-mail, such as Yahoo! or Hotmail, cannot be used and all Internet café computers record every five minutes the screen being consulted, to spy on what customers are doing.

CHINA

China was one the first repressive countries to grasp the importance of the Internet and of controlling it. It is also one of the few countries that has managed to “sanitise” the Internet by blocking access to all criticism of the regime while at the same time expanding it (China has more than 130 million users). The secret of this success

is a clever mix of filter technology, repression and diplomacy. Along with effective spying and censorship technology, the regime is also very good at intimidating users and forcing them to censor their own material. China is the world's biggest prison for cyber-dissidents, with 62 in prison for what they posted online.

CUBA

President Fidel Castro's regime has long been good at tapping phones and these days is just as skilled when it comes to the Internet. The Chinese model of expanding the Internet while keeping control of it is too costly, so the regime has simply put the Internet out of reach for vir-

tually the entire population. Being online in Cuba is a rare privilege and requires special permission for the ruling Communist Party. When a user does manage to get connected, often illegally, it is only to a highly-censored version of the Internet.

EGYPT

The government has taken steps since 2001 to control online material. Though censorship is minor, some criticism of the government is not welcome. The government seems unsure what to

do about the explosion of blogs, being more used to pressuring the traditional media. A blogger was arrested for the first time in late October 2005 because of the content of his blog.

EUROPEAN UNION

The EU is responsible for regulating the Internet and rulings often apply to member-states. A European directive on 8 June 2000 about e-commerce proved a threat to freedom of expression, by making ISPs responsible for the content of websites they host and requiring them to block any page they consider illegal when infor-

med of its existence. This creates a private system of justice, where the ISP is called on to decide what is illegal or not. Technicians thus do the job of a judge. The EU is now studying a proposal to oblige ISPs to retain records of customers' online activity. The proposal could limit Internet users' right to privacy.

IRAN

The information ministry boasts that it currently blocks access to hundreds of thousands of websites, especially those dealing in any way with sex but also those providing any kind of independent news. A score of bloggers were thrown in pri-

son between autumn 2004 and summer 2005. One of them, Mojtaba Saminejad, 23, has been held since February 2005 and was given a two-year sentence in June for supposedly insulting the country's Supreme Guide, Ayatollah Ali Khamenei.

KAZAKHSTAN

The media here, including the Internet, are under official pressure and control of online publications has become a key issue because many government scandals have been exposed on websites. President Nursultan Nazarbayev's regime

added new sites to its blacklist in January 2005, including that of a democratic opposition party. In October, an opposition site was forced to give up its national domain name (.kz) after officially-inspired legal action.

LIBYA

With nearly a million people online (about a sixth of the population), Libya could be a model of Internet expansion in the Arab world. But it has no independent media, so the Internet is controlled, with access blocked to dissident exile sites by filters installed by the regime, which is also

now targeting cyber-dissidents, with the January 2005 arrest of former bookseller Abdel Razak al-Mansouri, who posted satirical articles on a London-based website. He was sentenced in October to 18 months in prison for supposed "illegal possession of a gun."

MALAYSIA

Government intimidation of online journalists and bloggers has increased in the past three years, notably of *Malaysiakini*, the country's only independent online daily whose journalists have

been threatened and its premises searched. Summonses and questioning of bloggers has been stepped up recently, leading to self-censorship that harms democracy.

MALDIVES

The archipelago is a paradise for tourists but a nightmare for cyber-dissidents. The 25-year regime of President Maumoon Abdul Gayoom cracks down harshly on freedom of expression. Several opposition websites are fil-

tered and one of four people arrested in 2002 is still in prison for helping to produce an e-mailed newsletter. A British company, Cable & Wireless, controls Internet access in the country.

NEPAL

King Gyanendra's first reflex when he seized power in February 2005 was to cut off Internet access to the outside world. It has since been restored, but the regime continues to control it and most online opposition publica-

tions, especially those seen as close to the Maoist rebels, have been blocked inside the country. Bloggers discussing politics or human rights do so under constant pressure from the authorities.

NORTH KOREA

The country is the most closed-off in the world and the government, which has total control of the media, refused until recently to be connected to the Internet. Only a few thousand privileged people have access to it and then only

to a heavily-censored version, including about 30 sites praising the regime. Among these is www.uriminzokkiri.com, which has photos and adulation of the "Dear Leader" Kim Jong-il and his late father Kim Il Sung.

SAUDI ARABIA

The government agency in charge of “cleaning up” the Web, the Internet Service Unit (ISU), boasts that it currently bars access to nearly 400,000 sites with the aim of protecting citizens from content that is offensive or violates Islamic principles and

social standards. The sites blocked deal mainly with sex, politics or religion (except those about Islam that are approved by the regime). This censorship regularly affects blogging, and blogger.com was made inaccessible for several days in October 2005.

SINGAPORE

The government does not filter the Internet much but is good at intimidating users and bloggers and website editors have very little room

for manoeuvre. A blogger who criticised the country's university system was forced to shut down his blog in May 2005 after official pressure.

SOUTH KOREA

The country is the fourth most-wired country in the world but it excessively filters the Internet, blocking mainly pornographic sites but also publications that supposedly "disturb public order," including pro-North Korean sites. The

government is very sensitive to political opinions expressed online and punishes Internet users they consider go too far. Two users were briefly detained and then fined in 2004 for posting pictures online making fun of opposition figures.

SYRIA

The accession to power of President Bashar el-Assad in 2000 raised hopes of greater freedom of expression, but these were disappointed. The regime restricts Internet access to a minority of privileged people, filters the Web and very closely monitors online activity. A Kurdish

journalism student is in prison for posting photos on a foreign-based site of a demonstration in Damascus. Another Internet user was freed in August 2005 after more than two years in prison for simply passing by e-mail on a foreign-produced newsletter. Both were tortured in prison.

THAILAND

The government filters the Internet as part of its fight against pornography and has used it to extend censorship well beyond this. The method employed is also sly, since when a user tries to access a banned site, a message comes

back saying “bad gateway,” instead of the usual “access refused” or “site not found.” In June 2005, the websites of two community radio stations very critical of the government were shut down after it pressed their ISP to do so.

TUNISIA

President Zine el-Abidine Ben Ali, whose family has a monopoly on Internet access inside the country, has installed a very effective system of censoring the Internet. All opposition publications are blocked, along with many other news sites. The regime also tries to discourage use of webmail because it is harder to spy on than standard mail programmes that use Outlook. The Reporters Without Borders site cannot be seen inside Tunisia. The government

also jails cyber-dissidents and in April 2005, pro-democracy lawyer Mohammed Abbou was given a three-and-a-half-year sentence for criticising the president online. Yet Tunisia seems well thought-of by the international community for its management of the Internet since it has been chosen the International Telecommunication Union to host the second stage of the World Summit on the Information Society (WSIS) in November 2005.

TURKMENISTAN

No independent media exists here under the dictatorship of megalomaniac Stalinist President Nepharmurad Nyazov. As in Cuba and North Korea, the regime takes a radical attitude to the Internet and keeps virtually all citizens away

from it, with home connections not allowed. There are no Internet cafés and the Web is only accessible through certain companies and international organisations. Even when connected, it is only to a censored version of the Internet.

UNITED STATES

US policy towards the Internet is important because it is the country where the Internet began. But its laws about interception of online traffic do not provide enough privacy guarantees for users. Leading US Internet firms such as Yahoo!, Cisco Systems and Microsoft are also wor-

king with censorship authorities in China, thus throwing doubt on the US commitment to freedom of expression. The United States, home of the First Amendment, the Internet and blogs, should be a model for respecting the rights of Internet users.

UZBEKISTAN

President Islam Karimov proclaimed the “era of the Internet” in his country in May 2001. Online facilities have expanded rapidly but so has censorship of them. The state security service frequently asks ISPs to temporarily block access to

opposition sites. Since June 2005, some Internet cafés in the capital have displayed warnings that users will be fined 5,000 soms (4 euros) for looking at pornographic sites and 10,000 (8 euros) for consulting banned political sites.

VIETNAM

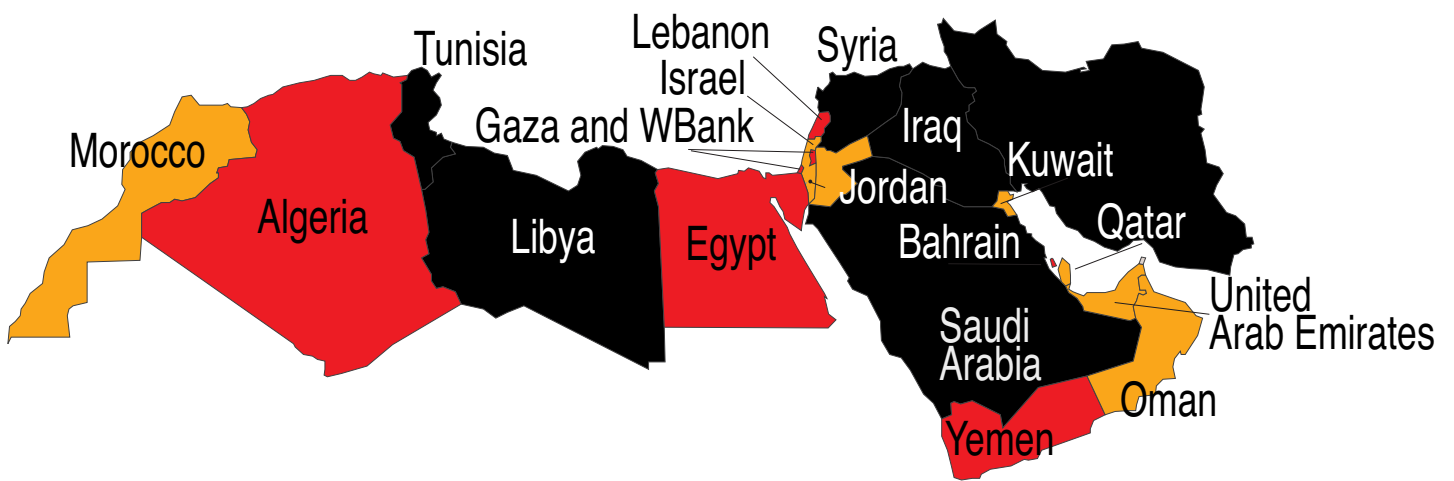
The country closely follows the Chinese method of controlling the Internet, but though more ideologically rigid, the regime does not have the money and technology China has to do this. It has Internet police who filter

out “subversive” content and spy on cybercafés. Cyber-dissidents are thrown in prison and three have been in jail for more than three years for daring to speak out online in favour of democracy.

ZIMBABWE

The local media says the government is about to take delivery of Chinese equipment and technology to spy on the Internet. The state telecoms monopoly TelOne asked ISPs in June 2004 to sign contracts allowing it

to monitor e-mail traffic and requiring them to take steps to stop illegal material being posted. Since political opposition seems to be regarded as illegal by President Robert Mugabe, this is bad news for the country's Internet users.



2006 Annual Report

MIDDLE EAST AND NORTH AFRICA

NO IMPROVEMENT IN PRESS FREEDOM AMID WARS AND DICTATORSHIPS

The freedom and safety of journalists in the region were under heavy siege in 2005 as violence increased with the war in Iraq and the Israeli-Palestinian conflict. The authoritarian regimes in most countries have little respect for basic freedoms and crack down harshly on the media with repressive laws. Heads of state, ministers, security agents and police targeted the media and its representatives throughout the year.

Their excuses were states of emergency (Syria and Egypt), the "fight against terrorism" (Morocco and Saudi Arabia) and "the Islamic threat" (Tunisia). Attacks, threats and imprisonment of journalists are routine in this mixed bag of countries stretching from Algeria to Iran. During the year, 104 media workers were attacked or threatened, up from 73 the previous year. In Iran, prison often means torture as well. In Algeria, just a cartoon can land its author in jail. In Saudi Arabia and Yemen, taboo subjects such as corruption, Islamism and religion can also lead to prison for those who write about them.

Self-censorship or exile is often the only solution for Arab journalists. Most countries still have state monopolies of radio and TV and two-thirds of the 120 satellite TV stations broadcasting in the region are officially subject to government monitoring.

THE WORLD'S MOST DANGEROUS REGION FOR JOURNALISTS

The Middle East and North Africa was, with 27 journalists killed there in 2005, the world's deadliest region for the media. The lawlessness in Iraq was the main reason and 24 of the 63 journalists killed around the world died there. Most were killed trying to report on the activities of the Iraqi guerrillas and the chaos in the country, but terrorists sometimes broke into journalists' houses and killed them in front of their families. US soldiers were also responsible for killing 12 journalists and six Iraqi journalists were arrested by US troops on suspicion of helping the insurgents and detained for many months for no legal reason. They were not allowed lawyers or visits from their families or employers.

Foreign journalists, who are more easily identifiable, remain the chief targets of kidnappers, and seven were seized during the year. Florence Aubenas, of the French daily *Libération*, and her Iraqi guide Hussein Hanoun were held for more than five months before being freed. Fred Nérac, a French cameraman for the British TV network *ITN*, has been missing in Iraq since March 2003.

For the first time since the end of Lebanon's civil war in 1990, two outspoken journalists were killed there – Samir Kassir, of the Arab daily *An-Nahar* and the French station *TV5*, and Gebran Tueni, an MP and managing editor of *An-Nahar*, who were killed by car-bombs. They had taken anti-Syrian stands and were victims of the very volatile situation since the 14 February 2005 murder of former prime minister Rafik Hariri. May Chidiac, star presenter of the TV station *LBC*, was also targeted for assassination and seriously wounded.

Lebanese journalists, who enjoy freedoms almost unheard of in the Arab world, now fear for their lives. Some, whose names are on a blacklist, have fled abroad pending the definitive report of the United Nations enquiry into the Hariri murder, expected in June this year.

A journalist was kidnapped and tortured to death in Libya in mysterious circumstances and the authorities have refused to comment.

CENSORSHIP EVERYWHERE

The governments of Libya, Iran, Syria, Tunisia and Saudi Arabia have total control over news within their borders and are among the world's most repressive regimes. All are ruled by men who deeply distrust the independent media and freely crack down on dissenting voices.

Iran is still the region's biggest prison for journalists. At the end of the year, five were in jail there, including the best-known, Akbar Ganji. Pressure by the international community and human rights organisations have often called for his release, in vain. The accession of hardliner Mahmoud Ahmadinejad to the presidency on 3 August did not make things easier and the last quarter of the year was especially repressive, with at least 32 newspapers suspended.

The police state of Tunisian President Zine el-Abidine Ben Ali, who keeps an iron grip on publicly and privately-owned media, exerts wholesale repression. Journalists who deviate from the official line face an array of harsh laws as well as personal and bureaucratic harassment and police brutality. Hamadi Jebali, editor of the weekly *Al Fajr*, has been in prison since 1991 for libel and “belonging to an illegal organisation.”

Press freedom is also under attack in Algeria and Morocco, whose governments keep constant pressure on critical journalists and whose independent newspapers have a very precarious freedom. The situation worsened in Algeria in 2005 with more than 100 cases of press offences before the courts. The former managing editor of the daily *Le Matin*, Mohamed Benchicou, remained in prison with more than 50 lawsuits against him either completed or under way. He is also in poor health.

Libel prosecutions soared in Morocco. Journalists are fairly free there, but the lines set by the royal family must not be crossed and discussing such things as Western Sahara or goings-on in the palace are still punishable by imprisonment. Two journalists, Anas Tadili and Abderrahman el-Badraoui, were in jail at the end of the year. In a rare move, journalist Ali Lmrabet was banned from working as a journalist for 10 years.

Attacks on journalists increased in Egypt and Yemen, with more than 50 foreign and local media workers hounded, attacked or beaten during Egypt's November parliamentary elections. Egyptian President Hosni Mubarak has still not kept his oft-repeated promise to decriminalise press offences. The Yemeni national constitution guarantees press freedom but the authorities shut down newspapers and arrested and prosecuted journalists. Opposition journalist Nabil Sabaie was stabbed by armed men in Sanaa on 12 November. Libel suits are routinely used to crack down on those who dare to criticise the government or report on forbidden topics such as corruption, Islam or the judiciary.

The record was mixed in Israel, which greatly respects press freedom within its borders but not always in the Palestinian territories it occupies. Lawlessness and impunity in the Gaza Strip, controlled by the Palestinian Authority, helped gangs to kidnap four foreign journalists.

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ALGERIA

Press freedom declined further in 2005, with a record 114 prosecutions of journalists resulting in 111 fines or prison sentences, some suspended. Few cases were dismissed and some are still going on.

Newspapers were always sued for supposed libel and have been hounded since President Abdelaziz Bouteflika's re-election in April 2004, with censorship, repeated police summonses, government prosecutions and biased judges that often oblige journalists to censor themselves. But a few stub-

born journalists battle on, accumulating huge fines and prison sentences while remaining outspoken. Mohamed Benchicou, managing editor of the daily *Le Matin*, was still in prison at the beginning of 2006 despite his worsening health. He has been convicted of (or is being prosecuted for) nearly 50 press offences at the behest of the president, who has not forgiven him and the paper for campaigning against his re-election and writing a book called "Bouteflika, an Algerian sham" on the eve of the election.

EGYPT

President Hosni Mubarak yielded to opposition and US pressure to make reforms and said on 26 February 2005 he had asked parliament to amend the national constitution to allow the first presidential elections by universal suffrage, with candidates from other parties. Since he came to power in 1981 and declared a state of emergency, parliament (dominated by the ruling National Democratic Party, NDP) has chosen a single candidate.

Despite a boycott call by the opposition party Kefaya, which accused Mubarak of being biased, the amendment was made and approved by referendum in May on a 53% turnout. The first election under the new rules, on 7 September, saw Mubarak re-elected against a dozen other candidates.

Mubarak then failed to keep his promises, made in 2004, to amend the 1996 press law and decriminalise press offences. To the contrary, three journalists of the independent daily *Al-Masry Al Youm*, Alaa el-Ghatrifi, Youssef el-Aoumy and Abdel Nasser el-

Zouheiry, were each sentenced on 17 April to a year in prison and fined 1,340 euros for libel. They have appealed.

The regime was also responsible for violence against journalists throughout the year. On the day of the 25 May constitutional referendum, NDP activists and state security agents attacked a large number of women, including 10 Egyptian and three foreign journalists, ripping the clothes of some and groping and humiliating them. Some had to be hospitalised.

Such violence increased during the parliamentary elections held between 9 November and 7 December. More than 50 journalists for local and foreign media, including *Al Jazeera*, *Associated Press*, *the BBC*, *Los Angeles Times*, *CNBC*, *Al-Arabiya*, *Reuters*, *Asharq Al-Awsat*, *Al-Masry Al Youm*, *AFP*, *El Karameh*, *Al Fajr*, were harassed and jostled.

Self-censorship is also a problem in the country's media and religion, the legal system and the person of the president are taboo topics.

IRAN

The country remains the Middle East's biggest prison for journalists and bloggers, with 13 jailed during 2005. Five were still being held at the start of 2006. Threats, interrogation, summonses, arrests and arbitrary detention are sharply increasing. Journalists can often only stay out of prison by paying very high bail. The accession to power of hardline President Mahmoud Ahmadinejad has not improved the situation.

Journalist Akbar Ganji was held in solitary confinement during the year at Teheran's Evin prison despite his failing health. He now weighs only about 50 kgs as a result of a two-month hunger-strike he

began in July. Growing pressure by the international community for his release has still not had any effect.

Other journalists were released but remained under close surveillance. They included Taghi Rahmani, Reza Alijani and Hoda Saber, who were freed in June after two years. Their trials are still in progress however and they can be returned to jail at any time. The regime also uses bans on leaving the country as a weapon against journalists, notably Issa Saharkize, Ali Mazroui and Emadoldin Baghi, who was not allowed to go to France to receive a prize from the official French National Human Rights Commission on 12 December.

IRAQ

For the third year running, Iraq was the world's most dangerous country for the media in 2005. A total of 74 journalists and media assistants have been killed since the start of fighting in March 2003, making it the deadliest conflict for them since World War II. The US army also arbitrarily and illegally arrested journalists. Four were held at Camp Bucca, near Basra, in difficult conditions with no access to lawyers or the right to be visited by their families or employers. US forces have still not presented any evidence they were involved in illegal activities.

More journalists were kidnapped during the year, including seven foreign ones (who were more visible). French reporter Florence Aubenas and her interpreter Hussein Hanoun were freed on 12 June after 157 days and tough negotiations. Giuliana Sgrena, of the Italian daily *Il Manifesto*, was released on 4 March after a month. Three Romanian journalists – Marie-Jeanne Ion, Sorin Dumitru Miscoci and Eduard Ovidiu Ohanesian – kidnapped on 28 March, were freed after 55 days. French cameraman Fred Nérac, who vanished near Basra on 22 March 2003, has still not been found. The body of his Lebanese interpreter, Hussein Osman, was identified in June 2004 from DNA tests by British military police.

However 95% of the media workers killed in 2005 were Iraqis. Terrorist and guerrilla attacks (accounting for 65% of those killed in 2004)

became targeted in 2005. Gunmen broke into media workers' homes and killed them in front of their families, as was the case with Adnan Al Bayati, interpreter and producer for several Italian media outlets, who was murdered in Baghdad on 23 July. A presenter for the state regional TV network *Iraqiya*, Raeda Mohammed Wageh Wazzan, was found dead on 25 February, five days after being kidnapped by masked men.

US soldiers also shot dead three media workers, but military investigations either found no fault or were not yet complete. The army said on 26 April that US troops were not responsible for killing Italian security agent Nicola Calipari and wounding Italian journalist Giuliana Sgrena as she was being freed in March, saying that the rules had been obeyed and that the Italians' convoy had been warned before troops opened fire on it as it went to the airport.

Ahmed Wael al Bakri, an Iraqi producer for the TV station *Al Sharqiya*, was shot dead in his car as he drove too close to a US convoy in Baghdad on 28 June. US soldiers fired on a *Reuters* news agency team covering the death of two Iraqi policemen in Baghdad's Hay al-Adil neighbourhood on 28 August, hitting soundman Waleed Khaled, in the face and chest and slightly wounding cameraman Haider Kadhem. The US army admitted responsibility more than a week later but said the soldiers had acted "appropriately."

ISRAEL

The Israeli media were once again in 2005 the only ones in the region that had genuine freedom to speak out. But the government did not allow such freedom in the Palestinian territories it occupies. Israeli soldiers discriminated against Arab journalists and abuses against them, whether they worked for local media or pan-Arab TV stations such as *Al-Jazeera* and *Al-Arabiya*, increased during the year. The Israeli army hounded, threatened, summoned and arrested them, sometimes without subsequent trial.

Awad Rajoub, a Palestinian journalist with *Al-Jazeera's* website, was arrested on 30 November and was still being held at the start of 2006. The army said his arrest at home in Doura had nothing to do with him being a journalist. A dozen journalists, nearly all Israeli Arabs, were summoned and interrogated about their work and political views

by the Israeli intelligence service, Shabak, which suspected them of having links with the Lebanese Hezbollah movement.

Nabil al-Mazzawi, an *Al-Jazeera* cameraman on the West Bank, was beaten on 4 November by Israeli soldiers and held for several hours after he filmed a demonstration against the wall separating Israel and the Occupied Territories. Majdi al-Arabid, cameraman for the Israeli TV stations *Channel 10*, was wounded in the stomach and the leg by gunfire as he filmed Israeli troops entering Beit Hanoun, north of Gaza.

French journalist Houda Ibrahim, of the radio station RMC Moyen-Orient, who had been sent by the French government to train Palestinian journalists, was refused entry to the West Bank from Jordan on 3 July.

LEBANON

2005 was a sombre year for the media in Lebanon, which has long had the best record for press freedom in the Arab world, and the country's journalists paid a very heavy price for the uncertainty and lawlessness since the 14 February assassination of former prime minister Rafik Hariri. Samir Kassir, columnist with the Arab daily *An-Nahar* and local correspondent for the French TV station *TV5*, was killed by a car-bomb on 2 June and Gebran Tueni, an MP and

managing editor of the paper, was killed by another on 12 December. May Chidiac, star presenter of the TV station *LBC*, was also targeted for assassination by a bomb placed under the seat of her car and was seriously wounded and mutilated. Lebanese journalists remain under pressure and live in fear, some of them fleeing abroad, as they await the definitive report of the United Nations enquiry into the Hariri murder, expected in June 2006.

LIBYA

Press freedom does not exist in the country of the “Brother Leader” Muammar Gaddafi. The media is totally controlled by the regime. Even the official daily, *Al-Zhafa al-Akhdar*, has been suspended several times for printing articles that displeased the regime. Journalist Daif al-Ghazal, 32, was tortured to death on 21 May 2005 in mysterious circumstances. The authorities promised to investigate but said nothing more. Ghazal had posted articles on the London-based opposition website libya-alyoum.com (“Libya Today”) strongly criticising the government and its Movement of

Revolutionary Committees (MRC).

Two journalists were in prison at the start of 2006 – Abdel Razak al-Mansouri, serving an 18-month sentence for posting criticism of the government online, and Abdullah Ali al-Sanussi, who has been held longer than any other journalist in the world (since 1973 without being charged or tried). His state of health and place of detention are not known. Despite Gaddafi’s new attitude to Western countries, which led to economic sanctions being lifted against Libya in 2004, civil liberties continue to be totally ignored.

MOROCCO

The government had made encouraging gestures towards press freedom in 2004 but this did not last into 2005, when two journalists were thrown in prison for supposed libel. One of them, Anas Tadili, editor of the weekly *Akhbar Al Ousboue*, was still in jail at the start of 2006 and a dozen other complaints against him were being considered. The other, Abderrahman el-Badrawi, former editor of the weekly *Al-Moulahid Assiyassi*, was pardoned by the king on 15 December, after three and a half years in prison in harsh conditions.

Other methods were used by the regime to silence dissenting voices. The weeklies *Al Hayat al Maghribia* ("Moroccan Life") and *Asharq* ("The East") were suspended for three months in January 2005. However, Moroccan journalists can work fairly freely as long as they do not cross the lines traced out by the monarchy, which bar discussion of the Western Sahara issue, anything to do with the king and various rackets involving senior government officials.

Ali Lmrabet was banned from working as a journalist for 10 years and fined 50,000 dirhams (€4,500) by the Rabat appeals court on 23 June for writing about Saharans in Tindouf. He has been

constantly hounded and followed by the secret police. Hassan Rashidi, head of *Al-Jazeera's* office in Rabat, was threatened with death after the station put out a report from him about student protests in Western Sahara, where working conditions for both Moroccan and foreign journalists are very difficult. A dozen journalists were physically attacked, arrested or expelled from the region in 2005.

The weekly *Al Jarida Al Oukhra* was officially warned by foreign ministry protocol chief Abdelhak el-Mrini after a 6 April report in the paper about the daily activities of the king's wife, Princess Lalla Salma. Managing editor Nureddin Miftah and journalist Maria Moukrim, both of the weekly *Al Ayam*, were summoned by the royal prosecutor after they ran a report about the royal harem. The paper *Tel Quel* was fined a total of 1,960,000 dirhams (€180,000) by a Casablanca court in two libel cases. An appeal court on 29 December reduced the fine in the first case to 800,000 dirhams (€72,000). Managing editor Ahmed Benchemsi and news editor Karim Boukhari were also given two-month suspended prison sentences.

PALESTINIAN AUTHORITY

Violence against journalists increased in 2005 in the Palestinian territories, with threats, physical attacks and kidnappings. The lawlessness and impunity, especially in the Gaza Strip, included kidnappings of foreigners, some of them journalists, by local gangs often aiming to weaken the authorities.

Mohammed Ouathi, a soundman for the French TV station *France 3*, was kidnapped in Gaza on 14 August and freed nine days later. Lorenzo Cremonesi, of the Italian daily *Corriere della Sera*,

was kidnapped on 10 September for several hours then released.

Reporter Dion Nissenbaum and photographer Adam Pletts, both of the US *Knight Ridder News Service*, were kidnapped by armed men on 12 October in Khan Younes, in the southern Gaza Strip, and freed a few hours later.

The kidnappings were not seriously investigated by the authorities, who also took no steps to prevent their recurrence and see such crimes were punished.

SAUDI ARABIA

The country is one of the world's harshest towards press freedom, with hardline religious elements and the fight against terrorism holding back political reforms. King Fahd died on 1 August 2005, but his successor Prince Abdallah, long the de facto ruler because of Fahd's ill-health, has not continued minor political reforms he himself had begun in 2004.

The media is tightly controlled by the Al-Saud family and the Higher Media Council, chaired by interior minister Prince Nayef, keeps a grip on all

news. Some daily papers are foreign-owned but can only be set up by royal decree and their managers must be approved by the government.

The four TV stations are run by the culture and information ministry. Saudis prefer watching satellite stations, however, and more and more homes have dish-receivers though these are officially forbidden. The pan-Arab satellite TV station *Al-Jazeera* has been banned since 2003 and foreign journalists are rarely granted visas to enter the country.

SYRIA

The country still has no free and independent media and Syrians have no other source of news but the state-run media that recycles official propaganda. President Bashar el-Assad, even more isolated internationally since the assassination of former Lebanese prime minister Rafik Hariri in February 2005, continues to tightly control all news.

All newspapers are read before publication by the censorship office run by intelligence officials of the

ruling Baath Party. Foreign journalists are spied on and rarely get accreditation. The pan-Arab satellite TV station *Al-Jazeera* has still not been allowed to open a bureau in Damascus.

Syria is one of the worst offenders against Internet freedom and censors opposition and independent news websites, barring access to those that deal with Syrian policy, monitors online activity to silence dissident voices, and jailing Internet users and bloggers.

TUNISIA

The United States prematurely welcomed announced the government's press freedom measures in 2005 and France talked of its supposed respect for civil liberties, but the regime of President Zine el-Abidine Ben Ali kept an iron grip on state and privately-owned media and continued a wide-ranging crackdown on journalists with the help of a 130,000-strong police force.

The authorities, who hosted the United Nations World Summit on the Information Society in Tunis from 16 to 18 November, also hit out at human rights activists and opposition supporters.

The national journalists' union, SJT (with more than 150-members), was forbidden on 7 September to hold its founding congress. Yet the national constitution and the 1966 labour law gua-

rantee freedom to form trade unions. The labour law does not say unions must have prior approval of the government. They just have to notify the authorities and provide a copy of their statutes, which the SJT had already done, in vain.

Two journalists were still in prison in 2005. Hamadi Jebali, former editor of the weekly *Al Fajr*, has been in jail since 1991 for libel and "belonging to an illegal organisation." Lawyer Mohammed Abbou was sentenced to 18 months in prison on 28 April for writing an article on an Internet website. Woman journalist and human rights activist Sihem Bensedrine, editor of the online magazine *Kalima*, was targeted by an obscene press campaign. Several pro-government dailies, including *Al-Chourouk*, *Al-Hadith* and *As-Sarih*, used sexual imagery to accuse her of selling her soul.

UNITED ARAB EMIRATES (UAE)

The UAE constitution guarantees press freedom, but the content and political line of newspapers, especially Arab-language ones, is closely monitored. English-language media have more leeway. A 1988 law states topics that cannot be

mentioned and journalists censor themselves in matters of domestic policy, the life of the ruling families, religion or relations with neighbouring countries. The foreign press is censored before it goes on sale.

YEMEN

Press freedom did not improve in 2005. Two opposition newspapers were fined and suspended for supposed libel and four journalists were banned from working from between six months and a year. Many other journalists were arrested, physically attacked or threatened for investigating corruption or sensitive matters involving President Ali Abdallah Saleh or his associates.

Freelance Nabil Sabaie was attacked and stabbed by armed men in a main street of the capital in broad daylight. Khaled el Hammadi, correspondent for the London-based paper *Al-Quds el Arabi*, was beaten by

soldiers and held for more than 30 hours after he investigated the crash of several military planes. Jamal Amer, editor of the independent weekly *Al-Wassat*, was kidnapped and beaten by armed men driving a vehicle belonging to the presidential guard.

The national journalists' union several times voiced concern about these attacks on press freedom. Its secretary-general, Hafez el-Bukari, resigned on 27 November in protest against the government and political parties he said were trying to marginalise the union.