

Journalism And The War On Terrorism:

Final Report on the Aftermath of
September 11 and the Implications
for Journalism and Civil Liberties



By Aidan White
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Introduction

In the year since the September 11 attacks on the United States, the world has become a more uncertain and fearful place. The IFJ surveyed the media landscape in the immediate aftermath of the terrorist attacks and our first report, published on October 23 2001, revealed a fast-developing crisis for journalism and civil liberties.

Almost a year on, these fears have been confirmed. The declaration of a “war on terrorism” by the United States and its international coalition has created a dangerous situation in which journalists have become victims as well as key actors in reporting events. This is “war” of a very different kind. There is no set piece military confrontation; there is no clearly defined enemy, no hard-and-fast objective, and no obvious point of conclusion. Inevitably, it has created a pervasive atmosphere of paranoia in which press freedom and pluralism have suffered.

It has also led to casualties among media staff. The brutal killing of Daniel Pearl in Pakistan at the start of 2002 – chillingly filmed by his media-wise murderers – has come to symbolise the appalling consequences of September 11 for journalism and for freedom of expression. Pearl’s murder, together with the deaths of Marc Brunereau, Johanne Sutton, Pierre Billaud, Volker Handloik, Azizullah Haidari, Harry Burton, Julio Fuentes, Maria Grazia Cutuli and Ulf Strömberg in Afghanistan, is a grim indicator of the dangers facing journalists.

In a world hungry for news, people need to understand the context and complexities of this new confrontation. They rely on journalists to provide them with reliable and timely information. During the war in Afghanistan around 3,500 foreign correspondents were roaming the region covering the story.

But war is rarely good news for journalism. While journalists and media staff take terrible risks to get their story, governments on all sides seek to influence media coverage to suit their own political and strategic interests. The post-September 11 media crisis is seen everywhere. From Australia to Zimbabwe, via Colombia, Russia, the United States and Uganda, politicians have rushed to raise the standard of “anti-terrorism” against their political opponents, and have tried to stifle free journalism along the way.

But media need to resist the pressure of politicians who are willing to sacrifice civil liberties and press freedom to win their propaganda battles. The priority must always be the right to publish words and images – however unpalatable – that help people better understand the roots of conflict.

This report covers developments in some 40 countries up to the beginning of September 2002. We draw extensively upon information from IFJ member unions, press freedom groups and human rights bodies at regional and international level. It is not an exhaustive document and is, inevitably, abbreviated but it reveals profound changes in political attitudes and their impact on journalism. It should set alarm bells ringing in newsrooms around the world.

Aidan White
General Secretary

Australia

Media coverage of September 11 has been comprehensive and all pervading and, generally, professional. Journalists in the mainstream media at both the tabloid and broadsheet ends of the market have been responsible in handling issues of tolerance.

However, among some non-journalists – such as radio commentators – there has been a serious increase in, at best, lack of care in handling issues of race and, at worst, open racism against people from Muslim backgrounds. This is partly because the attacks occurred against a pre-existing background of racial tension within Australia generated by the debate over asylum seekers, particularly asylum seekers from Afghanistan and Iraq. By world standards, only a small number of asylum seekers attempt to enter Australia, some 4,500 a year, arriving by boat, usually through Indonesia.

However, the conservative government of John Howard has sought to make its refusal to allow asylum seekers to enter Australian territorial waters or to land on Australian territory a major political issue and, in doing so, has fed uncertainty and fear within the population at large. Polls indicate that more than 70 per cent of people agree with the government's stance.

At the same time, the government has sought to deliberately link asylum seekers with terrorism, claiming that September 11 has justified their approach because there could be “sleeper terrorists” attempting to enter Australia by posing as asylum seekers. This caused tension between much of the media and the Australian community, with supporters of the government – and the government itself – criticising media for being “out of touch” with the majority views of Australia.¹

Since the generation of the asylum seekers “crisis” and the September 11 attacks, the government called a general election, and successfully campaigned on the basis of providing leadership against asylum seekers and terrorist attacks. Relying on the war on terrorism the Federal Government has introduced two legislative packages.

The first package sought to amend the Commonwealth Crimes Act so as to restate the official secrets legislation and to extend it so as to make it an offence for a person to receive leaked information. In other words, a journalist who was leaked information could be charged and face jail of up to two years.

In January and February 2002, the Media, Entertainment and Arts Alliance, media employers and press freedom supporters ran a major campaign against this legislation and, after the non-government parties in the Australian senate agreed to block the legislation, the government announced it was withdrawing the bill.

¹ Further information from Media, Entertainment and Arts Alliance. <http://www.alliance.org.au/>

A second security bill has also been introduced. This would enable the government to proscribe organisations which threaten the security of Australia or of other countries. It also increased the power of security organisations to detain suspects, suppress information and intercept emails and other information. This bill has been criticised by a Senate committee and after attacks from its own back bench, the government has agreed to redraft the bill to meet civil liberty concerns.

In a related development, an ABC journalist was arrested outside a refugee detention centre in South Australia on January 26 and charged with trespass on Commonwealth land. After extensive protests, the government agreed to drop the charges.

These experiences illustrate two things: First, that the government is prepared to use the war on terrorism to expand its scope of investigation and to restrict press freedom and other civil rights. Second, that concerted campaigns in support of civil liberties still attract bipartisan political support and can be successful.

In Australia coverage of the war has become inextricably linked with the debate over asylum seekers, many of whom are Afghan or Iraqi refugees. Generally, professional journalists have handled these issues with compassion and sensitivity. However, among other areas of the media, there has been a rising intolerance which, it has to be said, attracts some public support. This often puts the mainstream media in conflict with majority views. For a perspective on this, see the article by Mike Steketee in the most recent issue of *The Walkley magazine*².

Canada

As in all western countries, Canadian coverage of the September 11 events was extensive and largely professional, but freedom of expression groups responded angrily when the federal government announced the preparation of a package of anti-terrorism legislation for introduction in Parliament. Canadian journalists called on the government to reject curbs on free expression or proposals for increased surveillance that would trample basic citizens' rights and obstruct the work of reporters.

“We believe an effective counter-terrorism campaign demands not only the preservation of fundamental liberties but also the vigorous assertion of their importance,” said Canadian Journalists for Free Expression (CJFE) president Arnold Amber. Amber is also director of The Newspaper Guild Canada and a member of the IFJ Executive Committee.³

The introduction of Bill C-36, the Anti-terrorism Act, aroused an unprecedented debate about its impact on civil liberties and freedom of expression. Under public pressure the government made a number of positive amendments to the original bill which the Senate passed on 18 December 2001. However, according to CJFE, it still contains language that could lead to serious assaults on freedom of expression.

² <http://www.alliance.org.au/>

³ Full details from <http://www.cjfe.org/>

The group says the bill provides for greater limits on access to information and raises the prospect of prosecution for anyone who publishes information the government is "taking measures to safeguard," even if unclassified. It also increases the surveillance powers of the state and encroaches on the private communications of individuals. Another concern is that those who peacefully exercise their right to free expression in the service of a cause or in defence of the rights of the accused could be prosecuted under the act because of provisions concerning the facilitation of terrorism.

Meanwhile, unbeknownst to most Canadians, two other proposed bills aimed at curbing political dissent at international meetings are proceeding quickly through Parliament.

Bill C-35, currently before the Senate, introduces amendments to the Foreign Missions and International Organisations Act. Civil liberty groups say Bill C-35 widens the definition of "internationally protected persons," those foreign dignitaries who are granted diplomatic immunity when they visit Canada. The new definition now includes "representatives of a foreign state that is a member of or participates in an international organisation." Cross-referenced with Bill C-36, which defines "interference with protected persons" or the threat of interference as acts of terrorism, the legislation gives the government wide-ranging powers to clamp down on those who wish to exercise their legitimate right to protest at international gatherings, groups say. Indeed, some critics believe passage of the bill is timed to quell protests before the convening of an upcoming summit of G-8 leaders in Alberta.

Bill C-35 also gives the police wide discretion in "controlling, limiting or prohibiting access to any area to the extent and in a manner that is reasonable in the circumstances." However, the Canadian Civil Liberties Association (CCLA) says the bill does not provide any clear definition of what "reasonable in the circumstances" might mean. CCLA counsel Alan Borovoy argues that police should not be given powers to determine citizens' rights to free expression. "The usual role of the police in a democracy is to enforce the judgments made by others, not to make such judgments themselves."

The Canadian Association of University Teachers has voiced concerns over Bill C-42, saying it contains provisions directed at suppressing political dissent, particularly protest activity. It says universities and colleges, as "centres of dissenting opinion" (from students in particular), and often located close to international gatherings, are likely targets.

Colombia

According to human rights' groups, Colombia's worsening internal armed conflict affects virtually every part of the country and has taken the lives of more than 60,000 people since 1985 - currently around 20 people every day. Journalists are among the victims, with more than 80 killed in the past ten years.

Thousands of civilians live in fear of being kidnapped, killed or "disappeared"; thousands

are forced to flee their homes, their lands, their livelihood, as warring factions refuse to guarantee their safety and their right not to be drawn into the conflict. Around 80% of victims are civilians, killed outside combat. Killings, threats and intimidation of members of human rights organizations, trade unionists and other vulnerable sectors of civil society form part of a campaign by sectors of the Colombian security forces and their paramilitary allies to weaken the work of human rights defenders.

The civilian population, caught in the crossfire between military and their paramilitary allies on one side and armed opposition groups on the other, is not receiving the human rights and humanitarian protection it urgently needs. Each month, thousands of people are being displaced as they flee from areas of armed conflict and huge numbers are victims of human rights violations committed by the Colombian security forces and their paramilitary allies, as well as by armed opposition groups.

Impunity persists, as the vast majority of perpetrators of human rights violations continue to evade accountability in Colombia.

Following the events of September 11 the United States administration strengthened its contribution to the “anti-terrorist” effort of the authorities and there are fears that the internal conflict will, as a result, deepen.

The deterioration of the human rights situation continues to intensify and spread throughout the country and has reached an even greater level of urgency since the breakdown of the peace process between the Colombian government and the *Fuerzas Armadas Revolucionarias de Colombia* (FARC), Revolutionary Armed Forces of Colombia, in February 2002.

The IFJ has opened up a new help centre for journalists to provide safety assistance for Colombian media staff. This office in Bogotá will be operational from October 1st 2002.

The UN Commission on Human Rights has condemned the persistence of impunity in Colombia with regard to violations and abuses of human rights and international humanitarian law; has expressed its concerns regarding alleged links between the Colombia's armed and security forces and paramilitary groups; and has also deplored attacks against human rights defenders. The Colombian government should undertake full and prompt implementation of UN recommendations as a step towards tackling impunity and addressing the human rights crisis.

Alvaro Uribe, who has been elected the new President of Colombia, is under pressure to make human rights concerns the centerpiece of his agenda.

Cyprus

While media coverage has been generally extensive and well informed, there has been no problem of intolerance in reporting. Although the Attorney General announced the preparation of a new anti-terrorism bill that may create some dangers for free speech and

civil liberties, the only relevant law introduced was one ratifying the International Convention of the United Nations on the Suppression of Financing of Terrorism. The authorities say they will not impose anything that endangers press freedom, but the Union of Cyprus Journalists has said it will follow the situation closely.

Denmark

As in many countries, September 11 turned the media world upside down. Papers which for centuries had been steadfastly domestic in their front-page news coverage opened themselves to extensive coverage of international news for several weeks. The reporting in general was balanced.

Attempts to blame all Muslims for what happened have been few and Muslim representatives in Denmark have been asked their views frequently in the media. There have been, however, in the first days after September 11 episodes where people from different ethnic backgrounds were attacked or had their shops damaged.

In the media the question of how to define a terrorist has been much discussed. This has also focused on local connections. For example, the current vice-chairman of the large Danish liberal party in the early 1980s volunteered to take part in the struggle in Afghanistan following the intervention by the Soviet Union, supporting Taliban. Photographs of him and three Taliban-supporters, all four in typical Afghani-clothes and with guns, have been printed over and over again as a constant reference point for this debate.

Although the government says it will “do what is needed” to stop terrorism, no national legislative initiatives that could be seen to influence the working conditions of the press have been introduced, but controversy did accompany the national process for ratifying the European Union regulations covering the establishment of a European-wide arrest warrant. (See Below).

European Union

In the weeks and months after September 11 European Union states quickly formed a joint approach on counter-terrorism actions with the United States. Many of these undermine traditional standards of civil liberties.

Cooperation was demonstrated most dramatically one day after the attacks on the World Trade Center and the Pentagon when NATO activated its never-before-invoked Article 5, which declares an attack on one to be an attack on all. European combat forces, aircraft and ships were committed to support the U.S. strike on Afghanistan.

Within three months, the European Union had a common legal definition of terrorism, a list of suspects closely in line with Washington's and more than 100 million dollars in assets frozen. They also adopted a common arrest warrant to prevent suspected terrorists from evading arrest by crossing the EU's largely unchecked internal borders.

Joint meetings in December 2001 and June 2002 between European and US officials sought to co-ordinate policy. List of terrorists groups were agreed. US targets left off Europe's terrorist list in December, including the PKK Kurdish rebels in Turkey, the Shining Path group in Peru and the Revolutionary Armed Forces of Colombia, were included on an expanded list in June. The June update also added five Palestinian groups, including the Holy Land Foundation for Relief and Development, a U.S.-based charity that has been accused of channeling money to Hamas, which has carried out dozens of deadly attacks in Israel.

However, the EU differentiates between the political and military wings of Hamas. And the Iran-backed Hezbollah, which targets Israel from Lebanon, is considered a terrorist organisation by Washington but not by the EU.

The European Council, representing 15 nations, put forward controversial proposals on October 9th 2002 for a package of measures to "improve the European Union's response to terrorism." The proposals included more cross-border co-operation between police forces and the establishment of a European-wide arrest warrant. Civil liberty groups have been particularly concerned over the adoption of the EU-wide definition of "terrorism" which they say threatens to include people taking part in recent violent protest demonstrations over globalisation. The changes broaden the scope of what constitutes a terrorist offence by including actions that "seriously affect" (rather than "seriously alter") the political, economic or social structures of a country or "an international organisation." This brings in international organisations such as the World Trade Organisation, or the World Bank, into the picture.⁴

"The actions by the European Union are a deliberate attempt to broaden the concept of terrorism to cover protests such as those in Gothenburg and Genoa," says Tony Bunyan, the Editor of Statewatch, a civil liberties watchdog. "Draconian measures to control political dissent only serve to undermine the very freedoms and democracies legislators say they are protecting"

On May 30th 2002 the IFJ among others protested when the European Parliament agreed to amend the 1997 European Directive on the Protection of Telecommunications Data and Information to allow member states to pass laws that will give the authorities regular access to people's telephone and Internet communications. This will, said the IFJ, "open the door to the snooping society in which people's private communications will become subject to official monitoring."⁵

Giving the police, customs, immigration and intelligence services access to people's electronic communications goes far beyond existing rules whereby data can only be retained for a short period for "billing" purposes (i.e.: to help the customer confirm usage details) and then it must be erased.

⁴ Full details of the proposed new laws are available to <http://www.statewatch.org/news/index.html>

⁵ IFJ Press Release May 27th 2002

“This amendment to policy would have been unthinkable before September 11. Politicians are using public uncertainty and security concerns to undermine people’s rights and liberties,” said the IFJ.

While Brussels bureaucrats argue that it will be up to each government to decide how to respond to the amended law, the IFJ has been informed that EU governments are planning to adopt a Framework Decision that will bind all member states to introduce the retention of data.

This situation was confirmed in August 2002 when details of a binding framework decision were revealed that will mean personal data traffic will be kept throughout the EU for up to two years.

The IFJ says that putting telephone calls, e-mails, faxes and Internet usage under official surveillance will undermine data protection as will the capacity of journalists to monitor the apparatus of state and to store information. “The citizen’s right to private space and for the press to investigate and scrutinise the authorities without intimidation are freedoms that distinguish democracies from authoritarian regimes,” says the IFJ, “They must not be given up lightly.”

However the waiving of Europe's strict data protection laws has also been done to allow complete sharing of information between Europol and US investigative agencies as part of the process in which European leaders have worked together, and in coordination with the United States, to craft a military, judicial and financial crackdown on terrorism. A US-EU working group is now looking for guidelines to allow protected personal data to be exchanged among American and European law enforcement agencies on a general basis, rather than under emergency exemption.

France

The tone of the French media coverage says the SNJ-CGT can be summed up by the September 12th editorial of *Le Monde*: We are all Americans Now. While one cannot talk of intolerance, much of the coverage was lacking in analysis of American policy. Unfortunately, many journalists committed errors of ignorance by confusing the terms, Arab, Muslim and Islamic and they strengthened the view of many in France that “Muslim” equals “terrorist”. The SNJ-CGT published a press release criticising this approach. It was not reported.

The union reports that many media organisations have taken advantage of the uncertain times to announce cutbacks (job losses, salary cuts) in the days immediately after the terror attacks.

The government announced new anti-terrorist legislation, including surveillance and tracking of Internet messages. Many journalists fear that under the pretext of the urgency of the situation and the tracking of terrorist networks, the government is preparing to

adopt, without much debate or dialogue, measures which could have serious implications for press freedom and civil liberties.⁶

Unions and press freedom groups condemned these moves and are demanding that there is full public debate and examination of proposed legislative measures that have been announced concerning Internet controls, encryption and the retention of data. But there are fears that, under the cover of the "emergency of post-September 11", measures already included in the Information Society Bill (projet de "loi sur la société de l'information", LSI) will be added to the "Daily Security Bill" (projet de "loi sur la sécurité quotidienne").

Examined at the beginning of the summer by the National Assembly, and currently being reviewed in the Senate, this text will therefore be amended to include the anti-terrorist measures presented by the Prime Minister in his October 3 speech to the Assembly. These measures may also be included in a distinct "post September 11" bill, but will in any event be adopted "in a form responding to the immediate urgency," according to Jospin's remarks.

The measures aimed at regulating the use of encryption technologies limit Internet users' ability to send their messages securely on the network. Despite the many promises to "completely liberalise" encryption technologies, the ownership and use of appropriate software will continue to be limited by the regulations included in the LSI Bill (Articles 41, 42 and following). In the context of legal proceedings, the text calls for recourse to the defence services in order to break encryption keys.

The measures that concern the retention of Internet users' data, that is to say, the traces of the use of different public networks (mobile, land, etc.), are aimed at introducing the principle of "preventive retention" of data into French law. A decree is likely to determine what types of data are targeted by this measure, which is scheduled to be applied for a twelve-month period. In the context of the LSI, these measures would probably not have been adopted until spring 2002, after being reviewed by the CNIL.

The LSI was, in fact, expected to serve as a legal framework for all Internet-based activities in France. Potentially repressive measures included in the first draft of the bill, such as the criminal responsibility of Internet service providers, or the CSA's control of Internet content, were dropped from the final version. However, the bill announced the creation of an Internet "co-regulatory" body, the "Forum of Internet Rights" ("Forum des droits de l'Internet"), which is to include private and public sector representatives, as well as regular Internet users. This new regulatory body's rights are poorly defined.

On 28 May 2001, RSF, which campaigns for complete freedom regarding Internet controls and content, denounced the creation of such a surveillance body. In early April, the government submitted a nearly final draft version of the bill to four consultative groups representing citizens' interests. However, these institutions were expected to submit comments prior to presentation before the Council of Ministers and the vote in the

⁶ Details available from Reporters Sans Frontieres at <http://www.rsff.fr/>

National Assembly. The last minute inclusion of the LSI Bill's controversial measures in the legislative plan on fighting terrorism renders the four independent authorities' exercise of their consultative role more difficult.

Finland

Although it is difficult to be precise, coverage was extensive and detailed. The very first media assumptions were that the attack was linked directly to the conflict between Israel and the Palestinians. These were supported by pictures showing triumphant Palestinians on television. However, accusations against Palestinians ceased after the news about Osama bin Laden's role became clearer. Nevertheless, certain media still identify the root cause as the long-lasting conflict between Israel and the Palestinians, as well as the support given to Israel by the US.

The media follow-up has been to the point and professional with extensive media coverage of Islam and how widely it is spread around the world. There have been illuminating discussions on television and radio with Islamic people living in Finland, people representing other religions, as well as researchers and specialists in politics. The Finnish audience has been provided with a fairly comprehensive information package on Islam within a short period of time.

At the same time, coverage has been tempered with numerous newspaper articles and at least one television documentary about the distressing situation of the civil population of Afghanistan and the military situation there. There are no reports of limitations on the work of journalists.⁷

This is the moment to strengthen the work of the International Media Working Group Against Racism and Xenophobia (IMRAX) which was launched some years ago by the IFJ. The only way in which journalists can effectively influence matters is by raising awareness and reducing suspicion and racist attitudes. The Union of Journalists in Finland has suggested that the IFJ should reach out to journalists from all cultures and traditions to promote professional solidarity and organise a global conference or regional events on these issues.

Germany

The coverage in Germany of September 11 was uniform and, like most countries, provided continual repetition of the incidents with pictures from CNN used by German private channels. According to some newspapers, the incidents brought journalism and public closer because the very surprise and shock of the terror attacks did not require additional "sensational" reporting. It was one of those few events that speaks for itself. Pictures and information about the attacks have been distributed and exchanged between media without the usual fierce competition and dealing between news outlets.

⁷ Further information from the Finnish Union of Journalists <http://www.journalistiliitto.fi/inenglish/>

The public service broadcaster ARD had the largest audience followed by private RTL network and then ZDF, the second public broadcaster, although there was little between them all in terms of content. As in many other countries, advertisements were taboo in the first hours.

In the immediate aftermath the “power of images” was felt in the sudden gulf of understanding that appeared between Western perspectives and those of the Arab world as media showed people celebrating the attacks: as one commentator put it, “years of efforts toward mutual comprehension have been destroyed in one day”.

So far there have been no official anti-terrorist measures that affect media. Laws are very general “safety laws”: fingerprints for foreigners, analysis of bank-accounts, restriction on freedom of association for religious beliefs, more possibilities for German justice to investigate in foreign countries.

The President of the German Federation of Journalists (DJV) speaking in 2001⁸ said that there was not enough background information and analysis in the media (about fundamentalism and terrorism *before* the attacks). He also criticised the use of pictures from Palestine of “celebration,” this was emotional and very local, and did not reflect at the entire Arab world in general. He said the fact that some channels had *exactly* the same programme shows how the private sector is concentrated.

Great Britain

As in many other countries the coverage of the September 11 events was saturation. In terms of intolerance covering ethnic/religious differences, the UK press has not performed badly. There have been riots in some British cities in recent times between white racist youth and particularly Asian Muslim youth, and there is a real fear of ethnic conflict that has forced government and press to pull back from racist coverage.

The NUJ reports that UK media follow the government slavishly in such times. Television, especially the BBC, is even more loyal than the papers. “The BBC goes straight into “Ministry of Information” mode”, says the NUJ, “imagining at some level of its collective consciousness that it is holding the nation together in the face of a Nazi invasion.”⁹

The government has been assiduous in cultivating ethnic and religious minorities, especially Muslims. The Prime Minister has held meetings with Muslim leaders and the message – “we are at war with terrorism not Islam” - has been widely covered. There have not, says the NUJ, been anything like the level of assaults and harassment of Asians in the UK that there has been in the USA - but perhaps it is just not being reported.

But there is another kind of intolerance – that of dissent. The media hardly cover the anti-war movement (which might be small but is at least of interest) and are full of unpleasant

⁸ Siegfried Weischenberg, contact through Deutscher Journalisten Verband at <http://www.djv.de/home.html> see

⁹ Further information from Tim Gopsill at <http://www.gn.apc.org/media/nuj.html>

comment articles attacking anyone who questions the US, often in violently abusive terms. The underlying reason is the British government's support for US policy, so one cannot blame only editors, but the intolerance displayed is distasteful and goes against the traditional grain of the British press.

The NUJ reports a general clampdown on civil liberties, though not specifically targeted at freedom of expression. Measures introduced by the government include speeding up extradition, tightening restrictions on granting asylum, removing the right to jury trial in some cases (though this was being done anyway), steps against money-laundering – the clandestine movement of money by people suspected of "terrorism" – and acceptance of the Euro-warrant. A new crime of incitement to religious hatred is to be introduced.

It is an offence already for a journalist (like anyone else) to fail to tell police of any activity by organisations deemed to be terrorist. There is a list of such organisations, although some are not terrorist groups (for instance, liberation organisations of Kurds, Tamils etc).

Though no-one questions steps to prevent terrorism, there is concern about the application of anti-terrorist laws, which do affect journalists. This anxiety is vividly illustrated by the protest and criticism of civil liberty groups that greeted the UK government's Anti-Terrorism, Crime and Security Act 2001, which passed into law in December 2001. It went through Parliament very quickly, as such measures, introduced in a panic induced by government propaganda, usually do.

For the first time in peacetime the government has taken power to imprison people without trial. The power applies to foreign citizens seeking asylum or otherwise trying to stay in the UK, against whom there is a suspicion of "terrorist" activities or sympathy. It suspends the traditional right of *habeas corpus*. A few dozen people have been interned for an indefinite period,

To be able to enact this law the government had to declare a "state of national emergency" in order to derogate from Article 5 of the European Human Rights Convention. The convention had only been incorporated into British law a year earlier in the 1999 Human Rights Act. For some people this process demonstrated the hollowness of the UK's hysterical reaction to the imagine threat of terrorism.

There has been no critical media coverage at all of the declaration of the "state of emergency," even though it was patently absurd and there was and is no national emergency. There has been no terrorist activity in the UK since September 11, despite a number of well-publicised official announcements that attacks were imminent.

But the Act is not entirely novel, being merely an extension of a process that UK governments (there is no difference between the main parties) have been following for a long time. The Terrorism Act 2000, enacted before the New York atrocity, contained repressive measures that could specifically be used against journalists.

It established a list of "terrorist" organisations and an offence of failing to notify police of any of their activities. So any journalist in contact with one of these organisations who does not tell police everything he or she knows could be imprisoned. There are about 25 of these organisations. Some have been defunct for years but others are quite well known liberation groups in the UK, with whom journalists work regularly. We must point out that these powers have not yet been used against any journalists. Perhaps the main intention is deterrent.

As everywhere the media tend to follow the general political direction of government, and both were already very pro-American. After September 11 this tendency overrode everything else. Reporting of the war aims of the coalition was uncritical and for a month or two dissenting voices were bitterly attacked.

The problem has been the lack of questioning of the consensus, and not so much regarding reactions to events in the USA as regarding Britain's own military role. The BBC in particular has given completely uncritical coverage.

However, it must be stated that there has been some excellent coverage, and not just in the obvious paper, *the Guardian*, the leading liberal paper. In particular the *Daily Mirror*, the second highest circulating national paper, which had been totally "Blairite", converted itself to a critical position in March 2002 and has run some critical coverage, which has been widely welcomed among journalists.

The Nation Unions of Journalists adopted a series six of resolutions in a special debate on the "War against Terror" at its Annual Delegate Meeting (ADM) in March 2002. These are appended to the report.

Greece

The Journalists' Union of Athens Daily Newspapers, the largest journalists' group in Greece, reports that some media have tried to cash in on the heightened atmosphere of uncertainty and deep public concern. "When the military campaign started and reports of fear and panic came from the United States some newspapers and television channels attempted to increase their audience share and advertising profits at the expense of professional standards," according to a statement from the Union's executive board.¹⁰

An extreme example of this was the action of the television channel *Tempo*, which has been investigated by the board for allegedly fabricating a report said to have come directly from Afghanistan and which the channel claimed as a "world exclusive". The board also condemned the bias of the reporting.

Although there have been concerns over self-censorship and the counter-terrorism campaign that may lead to measures limiting individual freedom, not precise proposals have yet been made. The union has issued a strong appeal to journalists to ensure their

¹⁰ Press release October 12, Athens. See <http://www.esiea.gr/>

reporting is professional and has encouraged the IFJ to lead an international campaign for tolerance and quality in journalism.

Hong Kong, China

The Hong Kong Journalists Association reports that the government published a bill targeting terrorist organisations and financing on April 12th 2002. The Hong Kong government says it is adopting a minimalist approach to the issue, and has refrained from increasing surveillance and detention powers. On preliminary reading, the bill does not appear to be as draconian as feared by many observers.

Meanwhile, the Chinese authorities in Beijing have used the “war on terrorism” to seek international backing for their campaign against Muslim groups seeking independence in the North west of the country. The record of the mainland government in continuing to apply pressure on press freedom advocates, Internet users and its denial of meaningful freedom of expression remain, irrespective of September 11, of great concern to journalists’ and human rights groups in the region.

Hungary

Hungary, a new NATO member, supported President Bush’s call for steps to be taken in order to avoid terrorist attacks like those against WTC and the Pentagon. No special regulations were enforced concerning the activities of the Press, but Parliament adopted a complex motion, which amended statutory provisions to make money laundering difficult.

From January 1st 2002. anonymous accounts were banned cash flow was limited, banks were compelled to report to the Hungarian authorities all transfers of monies over and above HUF 2 000 000 (8000 Euros approx.), and account holders are being asked seemingly inappropriate questions if they have accounts with unclear origins. Those questions are so personal (level of education, possession of real estate etc.) than they tend to cross the borders of civil liberties but on the whole policies and regulations regarding civil liberties as such, or freedom of the Press remained unchanged.

Within Hungary there has been an extensive debate on the events and their roots. The catastrophe was very widely reported, including a continuous commentary in the public radio. Bitter arguments developed over who was responsible. István Csurka, a former playwright tender of Hungary’s extreme right-wing party MIÉP (the party lost all its parliamentary positions in the he first round of the elections on the 7th of April), said that what happened was sad but when it comes to responsibility, America comes in not only as a victim but, indirectly, motivated the attacks itself. Lively polemics followed, with valuable contributions in the daily *Népszabadság*, the widest circulation Hungarian daily, and two weeklies, – *Élet és Irodalom* (Life and Literature), and *168 Óra*. At the same time Hungarians took to the web to air their views, opening a new chapter for quality e-journalism.

India

Since India has a long history of facing terrorist threats and acts, as they are perceived, in Kashmir and other parts of the country, there is a general climate of understanding over the need for counter terrorism in the country, but journalists have joined a wide-ranging coalition of groups that have protested strongly over recent changes to law that threaten civil liberties.

The National Union of Journalists (India) and the Indian Journalists Union report that by and large, media coverage of attacks on New York and Washington was professional and unbiased although a section of the media did try to focus attention on Islamic fundamentalism presumably with a view to equate the terrorist attacks on the US with terrorism India. However, to many the "global campaign" has begun to appear as a selective and brutal military campaign to secure the global strategic interests of the West, particularly the US and Britain. Media can play a major role in trying to ensure that the focus of the campaign remains on terrorism and diplomatic ways to resolve the problems responsible for the growth of terrorism.

In response to heightened national security concerns, and as relations with Pakistan deteriorate and violence in Kashmir and elsewhere escalates, the Indian government introduced the Prevention of Terrorism Ordinance (POTO), a modified version of the now-lapsed Terrorists and Disruptive Activities (Prevention) Act (TADA) of 1985, which facilitated the torture and arbitrary detention of minority groups and political opponents. POTO was signed into law by the president on October 24, 2001 to remain in effect for six weeks. It was introduced as a bill during India's winter session of parliament and was passed on March 27 2002.

Under TADA, tens of thousands of politically motivated detentions, torture, and other human rights violations were committed against Muslims, Sikhs, Dalits, trade union activists, and political opponents in the late 1980s and early 1990s. In the face of mounting opposition to the act, India's government acknowledged these abuses and consequently let TADA lapse in 1995. Civil rights groups, journalists, opposition parties, minority rights groups, and India's National Human Rights Commission unequivocally condemned POTO.

Now enacted, the Prevention of Terrorism Act (POTA) sets forth a broad definition of terrorism that includes acts of violence or disruption of essential services carried out with "intent to threaten the unity and integrity of India or to strike terror in any part of the people."

Since it was first introduced, the government has added some additional safeguards to protect due process rights, but POTA's critics stress that the safeguards don't go far enough and that existing laws are sufficient to deal with the threat of terrorism. Shortly after POTA was approved by parliament, Richard Boucher speaking for the United States, declared that the bill was "within constitutional bounds" and India had

strengthened its legal system to combat terrorism in a manner "consistent with democratic principles."

However, critics say that sentencing a journalist to imprisonment because he is suspected of not transmitting information about a 'terrorist' to the authorities is contrary to India's commitment to press freedom. Indian journalists warn that the law may lead to more self-censorship in the coverage of separatist movements. Some "sensitive" issues may therefore completely disappear from the media.

In some Indian states, such as Kashmir, Assam or Manipur, the new law will likely make journalists' investigative work impossible. Reporters will be caught in the crossfire between separatists, designated as "terrorists" by the authorities, and the security forces.

The Indian Journalists Union says the community of journalists will remain vigilant and will campaign vigorously to protect journalists' interests and are confident of getting wide support from the democratic forces in the country against measures directed against reporters.

Ireland

The national mood of sympathy and support for the victims of the September 11 attacks reflects the strong ties between the United States and the Republic of Ireland. One incident that underlined this relationship and led to a media controversy was the decision of the Irish Government to declare a National Day of Mourning.

The Irish Times, one of the country's leading newspapers, decided not to publish on the National Day of Mourning, describing non-publication as being in keeping with the national mourning. However, this caused outrage within the paper's Editorial committee and was opposed by the National Union of Journalists office branch. Journalists complained that the decision was taken only for commercial and operational reasons – few newspaper shops were open. Journalists (including senior editorial personnel) felt it would have been better to give the paper out free.

In the context of this national mood there has been little room for dissenting voices, Irish media have been generally balanced. There has been saturation coverage, much of it repetitive, with a strong reliance on Sky News and CNN, especially in the early stages. Outstanding coverage was provided by Conor O Clery, *The Irish Times*, who provided on-site commentary from the Twin Towers in New York. Many sections of media gave coverage to the reaction of the Muslim community, and to explaining Islamic culture.

It must be said that *The Irish Times* and the State broadcasting service, *RTE*, along with independent commercial station Today FM have provided a platform for some critical voices, notably Robert Fisk, (*The Irish Independent/RTE*).

Independent News and Media Group's *Sunday Independent* stands out as the only newspaper which has been intolerant – not of ethnic or religious minorities – but of

media commentators who have challenged or questioned the American response or, indeed, Irish government policy.

Outside commentators included former US Diplomat George Dempsey who claimed that the Irish media's anti American stance meant that Irish media should share blame for the events of September 11. He was especially critical of Fintan O'Toole, who was targeted by the *Sunday Independent* as a hate figure alongside Fisk.

An issue of concern is the decision of Independent News and Media, the largest media group in the country, not to send journalists abroad, relying instead on UK and US media outlets. The anti-union station, TV3 also decided not to send reporters abroad. No specific national measures have been considered which would limit media freedom arising from this attack.

The issue of terrorism and media was brought home to all journalists in Ireland with the assassination of investigative journalist Martin O'Hagan on September 28 by Protestant terrorists. His killing was the first targeted death of a journalist in 30 years of conflict in the region. Media outlets need to be specific in informing readers/viewers of limitations placed on coverage. Journalists need to be warned against reliance on Government agencies and vested interests.

Israel

Israel responded immediately to the attacks of September 11 by declaring its full support for the "War on Terror" launched by the United States and by linking the attacks to the conflict in Palestine. Speaking before the United States Congress on September 20th former Prime Minister Benjamin Netanyahu said the international terrorist network is based on Iraq, Iran, and Syria, on Taliban Afghanistan, Yasser Arafat's Palestinian authority, and several other Arab regimes such as the Sudan.

The Israeli response to Palestinian attacks during 2002 has been to continually make the link with the "war on terror" with its actions against the Palestinian Intifada. There have been accusations that the Palestinians have been harboring terrorist groups such as Osama bin Laden in Afghanistan, Hizbullah and others in Syrian controlled Lebanon, and sundry other terror organizations based in such capitals as Damascus, Baghdad, and Khartoum. Israel alleges that these states and terror organizations together constitute a terror network whose constituent parts support each other operationally as well as politically.

Although Palestinians sought to distance themselves from militants by limiting press freedom -- in one case television stations were warned by the Palestinian Authority in the days after September 11 not to broadcast film of Palestinians apparently celebrating the attacks on the US -- persistent comment from the Israeli leadership has been to link Yasser Arafat with Osama bin Laden and the Palestinian cause with Al-Qaeda. Former

Prime Minister Ehud Barak told CNN on September 12th 2001 that the terror attacks on the US were the result of “continuous incitement by Chairman Arafat and his media.”¹¹

The response of Israeli media, once known for their critical edge, has been to marginalize opposition to the official line, broadcasting almost solely those views conforming to the government’s position.¹²

Japan

In Japan, the September 11 events led to co-ordinated and extensive coverage by all networks and, as a result, public opinion was supportive of American military action in retaliation. There was little public debate about the consequences of military retaliation. Opposing views were difficult to express. For instance, a Japanese Diet member who belonged to an Opposition party stated controversially on her website that she thought America's mistaken foreign policies were to blame for the assault, which would explain why some countries would welcome the news. She had to apologise.

Gathering information about US military bases was strictly restricted and it was almost two weeks after the initial attack before Japanese television and press began covering objections to America's military actions.¹³

Because the Constitution of Japan, framed after World War Two, prohibits sending the army abroad, temporary legislation is necessary to cooperate with America's military action. However, in the atmosphere of unconditional support for the US, opinions of those opposing the Self-Defense Force abroad were criticised or ridiculed by right leaning press.

Journalists had to be very courageous to write reports that questioned America's retaliation by armed forces. There was no backlash against Islamic civilians. Some editors and journalists say it was not easy to express their opinions, particularly those who do not agree with sending the Japanese Self-Defense Force abroad and America's retaliatory measures.

Prime Minister Junichiro Koizumi’s cabinet submitted to the Diet a set of three bills to govern Japan's response to a foreign military attack on April 17th 2002. One of them, covering self-defence, will apply to the case that Japan is attacked or likely to be attacked by foreign countries.

Under the bill, the Self-Defense Forces can build military bases and they can use arms. The government has authorization to request citizens to cooperate with the government, and to restrain their rights. As for the media, NHK, the public broadcasting, is assigned to cooperate with the government. The bill offers basic policies only. Specific items, such as

¹¹ Israel National News, September 12th 2001

¹² Neve Gordon, Ben-Gurion University writing for *Inthesetimes.com*

¹³ Further information from IFJ Tokyo Office. E-mail: ifj-okuda@nifty.com

restrictions on rights of citizens, NHK's role, and countermeasures to terrorism, will be laid before the Diet in two years.

The bill was presented in answer to the trend of public opinion that needed emergency legislation on protecting the country. Japanese have become conscious of the importance of crisis management after the attack on the United States and aggravation of relations between Japan and the Democratic People's Republic of Korea.

The Constitution stipulates that Japan renounces war and the use of force, so, in case being attacked by foreign countries, Japan will need a law to handle the situation. Countermeasures had been discussed, but no bill had been presented because many people had objected to them.

Though presented, the bill will not pass the Diet easily, because deep antipathy still exists among citizens. They claim that laws those allow the use of the force are undesirable because they will threaten Asian countries, and the government's request for cooperation will lay an embargo upon free speech of the press.

In another development, bills have laid before the Diet on the "Protection of human rights" and "Protection of privacy" They could limit ability of the press to investigate and publish material over corrupt politicians and bureaucrats.

The three journalists' unions affiliated to the IFJ have declared their opposition to these bills. In addition, another draft bill is being prepared that protects young people from bad influences of the media. Public sympathy for media opposition to these laws is limited.

Jordan

Although in recent years Jordan has been considered to be one of the Arab countries with the most press freedom there is evidence that the Jordanian government is taking advantage of the instability and anti terrorism campaign to adopt restrictive measures against the press.

In October 2001 Jordan amended by decree its penal code and press law in order, said Prime Minister Ali Abul Ragheb, "to cover all the needs that we are confronting now." The amendments allowed the government to close down any publications deemed to have published "false or libelous information that can undermine national unity or the country's reputation," and prescribed prison terms for publicizing in the media or on the internet pictures "that undermine the king's dignity" or information tarnishing the reputation of the royal family.

Because King Abdallah had earlier dissolved parliament, Jordan's legislators will only have a chance to review the amendments after they reconvene in September 2002.

The new amendments apparently provided the basis for the January 13 arrest of Fahd al-Rimawi, editor of *Al-Majd* weekly, for articles criticizing Abul Ragheb's government and

predicting, accurately as it turned out, that the King intended to replace his cabinet. Rimawi was released on bail on January 16. If convicted Rimawi could face jail terms of up to three years as well as sizeable fines. According to information collected by press freedom groups¹⁴ restrictive measures were adopted against the press, "as part of the anti-terrorist campaign," on 9 October 2001. "Our penal code does not cover all the current needs and amendments will be introduced in order to deal with these issues, meaning how to deal with terrorist acts and punish them," said Prime Minister Ali Abou Ragheb.

The measures provide for the "temporary or permanent" closure of newspapers in case they publish news that is "defamatory, false, harmful to national unity or the state's reputation, or incitement to strike, hold illegal public meetings or disturb public order." At the same time, sentences for "insulting the royal couple" and "the crown prince" are being reinforced.

These offences are now punishable by sentences ranging from one to three years in jail. Previously, the penalty was limited to a fine. The 1999 amendments to the penal code put an end to the penalty of closing newspapers in Jordan.

Mexico

The Mexican press depends increasingly on information supplied by North American media, especially when speaking of international events, so the coverage of the events of September 11 was dominated by reports from Mexican correspondents in the US and the news received from the international, and mainly North American, networks. The information was uniform, impartial and straightforward with little analysis.

It is useful to note that the main national television networks did not broadcast neither the images of the impacts of the planes against the towers or Bin Laden's famous videotaped press statement. However, some intolerance vis-à-vis Muslim people was evident and the authorities took action to protect their interests.

At least 18 Mexican citizens died during the attacks and the Mexican government hasn't reacted with any new laws to counter terrorism. However, in the coming months, President Fox will send to the Congress a proposal on the right to information, which doesn't exist for the moment in Mexico. It is not yet clear whether this new law will contain elements that may curtail the freedom of journalists.

The Netherlands

Dutch media maintained a central focus on the attack for days with news about the attack, extra bulletins and specials on radio and TV. The work of print media, radio, and television was complementary. Moreover, both Internet sites of the NVJ, have since the

¹⁴ See International Freedom of Expression eXchange (IFEX) at [Http://www.ifex.org](http://www.ifex.org)

attack been visited daily in abnormally high numbers.¹⁵ Villamedia had on September 11, within two hours, a separate page and links with information for journalists on the attack.

There have been a high number of attacks on Muslims, reports the Dutch Journalists Association, which has provoked a great deal of open debate. The NVJ itself has organised with the assistance of some of the ministries some very well attended debates through its working group on Migrants and the Media. The core discussion concerns the attitude of the media on the September 11 attacks and the relationship with migrant communities.

Journalists have stressed the need to maintain professionalism and have warned that journalism dedicated to only good intentions can result in bad practice. NVJ representatives, editors-in chief and editors maintain the line that all news needs to be reported even when difficult for minority groups or ethnic groups. Each newspaper or broadcaster adopts a degree of extra carefulness or sensitivity according to their perspective, but everyone maintains the view that news is the priority and sensitivity concerning conflicting emotions in society comes second.

The NVJ notes that the presence of the working group on Migrants and the Media (established in 1984 following the example of the NUJ, UK & Ireland) now fulfils a special role. The working group, with an annual turnover in projects of 120,000 Euro, is also recognised by the authorities as an independent organisation dealing with the problems associated with the media and the changing multi-cultural society.

In cooperation with the Ministry of Defence, the NVJ organised an extra information/training day for journalists going to Afghanistan and neighbouring countries. The NVJ together with the Dutch public broadcaster NOS, has a good risk insurance for journalists going on dangerous missions.

In addition, the NVJ is very concerned about the control of information at official level that makes journalists' work difficult. The importance of access to information in times of uncertainty is critically important. The actions of the European Union to restrict free access to information, highlighted by the intervention of the Council of Ministers last year – the infamous “Solana summertime coup” – when rules on access to official information were virtually changed overnight on security grounds and were later endorsed by the Parliament, indicate just how important this matter is at times of heightened international tension.

Nigeria

The events of September 11 and the subsequent military action have heightened on-going tensions between Muslim and Christian communities and precipitated an urgent response on the part of journalists and media people.

¹⁵ <http://www.villamedia.nl/> and <http://www.Internetjournalist.nl>

The country is already grappling with a wave of ethnic and religious bloodshed in which well over 2,000 people have died following the introduction of strict Islamic sharia law in parts of predominantly Muslim northern Nigeria, despite opposition from non-Muslims. This crisis appears to have only compounded the historic ethnic and regional rivalries, which are blamed for the devastating civil war in the late 1960s in which more than a million died.

Major confrontations have centred on Kano, the biggest city in northern Nigeria where, according to community leaders, more than 200 died after a weekend of violence on October 13 and 14 during Muslim protests against US air strikes on Afghanistan.

In the immediate aftermath of the September 11 events a major meeting was held between journalists, editors and media experts on *Media and Terrorism – Lessons of the American Attack*, organised by the International Press Center (IPC), Lagos, on September 25, 2001. The meeting, supported by the International Federation of Journalists analysed media coverage of the recent terrorist attack in the United States in Nigeria and worldwide.

The meeting considered that media had been fair, balanced and objective in its post-attack reports. However, there is widespread concern over reports tainted with religious and race bias thus violating the principles of ethics and professionalism. There was a strong feeling that Nigerian media had devoted too much attention to the American incident to the detriment of conflicts at home, for example the Jos, Plateau State killings, a major national incident that was equally deserving of attention.

At the end of the exhaustive presentations and discussions it was agreed that:

- The media in its further reports must be sensitive to the diversity – social, religious, political, cultural, language – of different peoples in different parts of the world;
- The media should condemn terrorism but must refrain from portraying or labelling any particular religion as terrorist. It should also highlight identified likely causes of terrorism with a view to removing them;

The meeting also agreed that in reporting the attack or any other major crisis, journalists should abide with their ethics and code of conduct by:

- Eschewing propaganda
- Not embellishing facts
- Presenting different sides to the issues to enable the reader or audience to arrive at a balanced conclusion
- Avoid being manipulated by politicians and policy-makers

These principles can only be meaningful if journalists continuously remind themselves of the fundamentals of the profession.

Norway

Media coverage of September 11 attacks was extensive, and although no specific problems of intolerant journalism are reported a debate has taken place among authors, politicians, journalists and intellectuals on the use of symbols and words like “Christian world”, “Muslim world”, “Islamic” and other terms in media coverage and political debates.

Some politicians now say that there should be more flexibility and tolerance over when and where the police may tap phones and tape conversations.

There is also a debate in Norway taking place in the context of an old system of a network between government authorities and military leadership and centrally placed editors and journalists in Norwegian media. This network of contacts, which has existed since the Cold War, is now being openly questioned.

— The Norwegian Union has asked the Press’s own press ethics complaints committee to give a statement on whether or not such a network is acceptable as part of the conditions for an independent and free press. There have been complaints by military authorities on lack of competence and quality in the media coverage of issues related to defence, the army and strategic policy. In this way they want to continue the sort of network described above.

Pakistan

Pakistan is one of those countries that has been most affected by the fall-out of September 11. It became a crucial ally of the United States and in its war on the Taliban in Afghanistan and meanwhile has maintained a form of military rule that has challenged its commitment to democratic legitimacy.

The United States regards the Musharraf regime as a vital player in its campaign against terrorism and is reluctant to challenge the government’s democratic failings because the Musharraf has proved effective in capturing Taliban and al-Qaeda fighters who fled to Pakistan from Afghanistan.

This position has given Musharraf the confidence to announce, in August 2002, changes to the constitution allowing him to dissolve the elected parliament and appoint military leaders and Supreme Court justices and to neutralise the impact of elections proposed for October 2002. He extended his stay in office by another five years.

Musharraf, a military general, seized power in 1999 through a bloodless coup. The United States initially regarded him as a pariah, but this was turned around after September 11. The country’s media are largely caught up in the fierce rivalry with India over the disputed Kashmir region with media on both sides being accused of providing propaganda to suit their own political claims. Journalists do not have access to high

profile court hearings (the case of those accused over the killing of Wall Street Journalist Daniel Pearl is one example.)

And few believe that the latest amendments to the constitution will assist the development of a more open and pluralist media system within the country.

Indeed, Musharraf's constitutional changes hand more power to the military and they have further united the general's opponents, who say Musharraf's position will be stronger after the October 10th general elections -- which are supposed to bring Pakistan back to democratic politics after the general's 1999 coup -- and still give him wide-ranging powers under a supposedly more democratic set-up.

Musharraf's leeway to carry out changes in the Constitution, however, has been upheld by the Supreme Court, which had also given him three years to rule after the coup and required him to call elections this year.

Musharraf's 'reforms' allow him to dismiss an elected parliament and government, and to appoint and sack heads of important constitutional offices, powers previously exercised only by the prime minister. In effect, critics say, the amendments will grant the military, which has run Pakistan's affairs for more than half of its life as an independent nation, a permanent role over the functioning of a popularly elected government.

"There is no public support for the political order Musharraf wants to introduce," he said. The general's parliamentary supporters are a band of political parties with little popular following, which the regime is considering supporting in the October poll.

Although Musharraf says the package has been agreed after consultation, since public consultations were opened in June, Musharraf has dismissed protests by an assembly of political parties, lawyers' groups, rights-based organizations and the intellectuals including journalists, all of whom declared the changes an attack on the free will of the people as exercised by their elected representatives.

Palestine

The difficulties facing journalists in the Middle East intensified in the period after September 11. In the weeks and months that followed the crisis developed into a profound confrontation as bitter and as tragic as any in the period since the six-day war in 1967.

On October 8, in Gaza, police prevented journalists from covering an anti-American demonstration.¹⁶ This was the latest in a number of press freedom violations in the Territories under Palestinian authority since the beginning of the international crisis caused by the terrorist attacks on the United States.

¹⁶ See International Freedom of Expression eXchange (IFEX) at [Http://www.ifex.org](http://www.ifex.org)

While there is a fear that the Palestinian Authority is taking advantage of the international media's focus on the American response to increasingly repress the right to information, these issues have been dwarfed by the confrontation in the first months of 2002 in which hundreds of Israelis and Palestinians have been killed.

Local and international media have been prevented from covering the reactions of the Palestinian people on September 11. That same day, a cameraman with the French television channel TF1 was arrested for three hours and at least four journalists were beaten. During this demonstration, which was declared illegal by the police, two Palestinians were killed.

The Palestinian Authority decided to ban, in the territories under its control, interviews of Palestinians on the subject of the attack launched by the United States in Afghanistan. Since October 9, access to Gaza is forbidden to foreigners, including foreign journalists. The Palestinian Authority justified this measure by explaining that it was not able to secure the safety of foreigners against possible attacks.

On September 14, the Palestinian police detained five journalists. They were covering a demonstration in the Nusseirat refugee camp in memory of the perpetrator of the September 9 suicide-bomb attack in Nahariya, Israel. A photographer and an editor from Reuters, an Associated Press TV cameraman, the correspondent for the Abu Dhabi satellite television channel and an Agence France-Presse photographer were released one and a half hours after the police had seized their tapes and films.

On September 18, in Bethlehem, Palestinian police announced the implementation of new regulations concerning Palestinian television and radio stations. They were instructed not to broadcast news items concerning calls for a general strike, nationalist activities, demonstrations or security news without permission from the police or national security services.¹⁷

During 2002 the confrontation deepened with new Israeli actions to counter suicide bombings. Actions were taken to derecognise the professional status of Palestinian journalists and widespread allegations were made that Palestinian media were promoting terrorism. The IFJ carried a detailed mission to the region in June 2002, which has called for a new Israeli/Palestinian initiative to issue press cards to journalists.¹⁸

Poland

Media coverage was generally fair, quick and accurate. There were a few incidents of anti-Muslim behaviour and physical attacks were widely reported and condemned. The general tone of media coverage focused on the “war” on terrorism – not against the Muslim or Arab world. The President visited a mosque in Gdansk to apologise to the Muslim community.

¹⁷ For full reports on incidents that affected journalists in this period see www.ifj.org

¹⁸ See IFJ Report *Deadlines and Danger*, www.ifj.org

The voices of journalists were heard effectively during the weeks after September 11. Ryszard Kapuscinski, the distinguished reporter and author, launched a debate on the implications for globalisation, North-south relations and appealed for solutions to third world underdevelopment and the need to confront widespread problems of social exclusion, fear and poor health care.

On another level Oriana Fallaci's controversial essay on Christian and Muslim values published in *Gazeta Wyborcza* caused a stir. Some described her remarks about Islam as racist and hysterical while others said she was right to point out the problem of discrimination against Christians in the Muslim world.

The Media Ethics Council of journalists, established with the support of the Polish Journalists Association, criticised her views as well as some racist and xenophobic opinion from a minority of Polish media.

Apart from some anti-war protests there have been no other significant events nor any attempts to draft new counter terrorism laws that might compromise civil liberties or press freedom.

Qatar

A factor for change in Arab media has been the establishment of Qatar's *al-Jazeera* Satellite Channel, which has been putting across the views of Osama Bin Laden and his al-Qaeda network. As the only broadcaster permitted by the Taliban to operate in Kabul, *al-Jazeera* has captured worldwide fame with exclusive pictures of bombing raids and air defences, as well as – more controversially – its transmission of taped messages from the leaders of al Qaeda.

Born five years ago out of the ruins of a failed co-venture between the BBC and Saudi investors, *al-Jazeera* inherited many BBC-trained journalists left jobless when repeated Saudi attempts to inhibit reporting of regional issues forced the BBC to withdraw. The Emir of Qatar has invested \$150 million in re-starting the project.

The station has earned a steady flow of protests from fellow heads of state who are unused to seeing Arab stations interviewing Israeli cabinet ministers, and treating openly issues not normally exposed to the viewing masses. It has also become Bin Laden's favourite way of getting his point of view across to the Arab and Muslim people, over the heads of the sheikhs and presidents whose rule he detests.

Al-Jazeera has been used by Western leaders, notably by British Prime Minister, Tony Blair, to put their point of view. The channel, which carried a pre-recorded video of Bin Laden giving a response to the opening of the military action against Afghanistan, has also come under pressure from outside the region particularly in the United States.

Press freedom groups report that Qatar's emir, Sheikh Hamid bin Khalifa al-Thani, said he was asked by the US State Department, during a recent visit to Washington, to use his

government's influence to soften the reporting stance of *al-Jazeera*, which, said the State Department, has provided air time for experts hostile to the US.¹⁹ Denying the criticism, *al-Jazeera* stated it gave both the US and Afghanistan positions equal airtime. "We give equal coverage to both sides and that is our role. We present both sides", said, Mohammed Jassem al-Ali, director general of the television station.

The channel's unique access to Bin Laden has, according to media commentators, exposed a paradoxical aspect of the cultural divide, converted by September 11 into a chasm.²⁰ It is now Western broadcasters who are under pressure from their governments to restrict access to their airwaves for people deemed enemies of the state. The Bush administration and the Blair government have pressed their national networks to "exercise caution" over use of *al-Jazeera* material, claiming pictures may contain "coded messages". The network's Kabul office was destroyed by US forces in Afghanistan in October (See United States, below).

Russia

The Russian mass media as a whole has covered widely and objectively the events in New York and Washington, reports the Russian Union of Journalists, as well as the Russian and international reaction to them. The basic theme has been the hostile methods of terrorism and an understanding for the need of an international response.

However, since September 11 attacks, international concern for human rights abuses in Chechnya appeared to wane, although Russian forces in Chechnya have continued to engage in extra judicial executions, arrests, and extortion of civilians. Since September 11 alone, at least one person per week has "disappeared" after being taken into custody by Russian forces. Western governments did little to challenge perceptions that it had softened its criticism of Russian actions in Chechnya to gain Russian support for the war on terrorism.

When he visited Russia last November, NATO secretary-general Lord Robertson told his Russian host, who had just sided with the United States in the fight against terrorism, "we certainly see the plague of terrorism in Chechnya with different eyes now."

The Russian Union warns that a campaign against terrorism can be used as an excuse for inappropriate restrictions on civil liberties and human rights – particularly in the Northern Caucasus where such infringements are taking place on a daily basis. However, media are covering these issues far less often than before.

Although there is no direct increase in violations to press freedom or civil rights beyond Chechnya, statements made by a growing number of officials in the government as well as in the parliament show that attempts are underway to take advantage of the situation in order to toughen controls over the media.²¹

¹⁹ Further details at <http://www.freemedia.at/>

²⁰ See comment in Opendemocracy.net by David Elstein and James Curran, October 15 2001.

²¹ Details can be obtained from the Moscow-based Glasnost Defence Foundation at <http://www.gdf.ru/>

Saudi Arabia

A Reuters report from Riyadh on October 10 points out that while tradition still rules in Saudi Arabia, birthplace of Islam, in the month since September 11 its newspapers have shown just how far press freedom has advanced since the last big crisis 11 years ago. When Iraq invaded Kuwait in August 1990, it took several days before some of the kingdom's dailies mentioned the event. By contrast, US attacks on Afghanistan – a sensitive subject – made instant front-page news.

Newspaper editors say the government's handling of the media began to alter in the mid-1990s, and they now have an unprecedented degree of freedom. "We are enjoying a sort of freedom that we didn't have before," Mohammed al-Tunisi, editor of the Arabic business daily *al-Eqtisadiyah*, told *Reuters*. "Nobody tells us anymore 'don't publish this'. They feel we are responsible for reflecting the interests of our country." Saudi newspapers are printing stories about previously taboo issues like child abuse, mistreatment of domestic servants, and rising unemployment.

"Things have really opened up here -- nowadays you can't hide anything," *Arab News* editor-in-chief Khaled Al-Maena told *Reuters*. "As a journalist I feel much more comfortable." There has been extensive coverage of the September 11 attacks and of military strikes against Afghanistan.

At the same time, journalists had become more responsible and the authorities would tolerate criticism provided it was accurate. "There is an acceptance of criticism by government bodies on lots of issues -- they might get angry but they take it seriously," al-Tunisi said.

The main drivers of change in Saudi Arabia -- and elsewhere in the region -- have been satellite television and the Internet. In Saudi Arabia itself, editors believe Crown Prince Abdullah has been instrumental in easing pressure on the media since he took over the bulk of responsibility from an ailing King Fahd several years ago. Interior Minister Prince Naif, another key figure, heads an information council and holds regular off-the-record briefings with media editors. The doors are opening, but ministers and the country's ruling elite still guide cautious moves towards full press freedom.

South Africa

The South Africa Union of Journalists has criticised the "growing harassment of journalists covering the conflict in Afghanistan" and says scores of media workers from around the world had been arrested, physically attacked and sometimes barred from performing their professional duties in covering the war.²²

SAUJ general secretary, Motsomi Mokhine, said the union was horrified by the implications of the US State Department's demand that the media exercise caution in

²² The SAUJ General Secretary can be contacted at mokhine@sauj.co.za

using material from the *al-Jazeera* TV station, which has been airing the views of Osama Bin Laden: "We believe this demand is an attack on freedom of expression and might lead to similar demands being made on journalists by other sides in the conflict for or against their own interests."

Spain

One country where journalists and media staff were targets of terrorism prior to September 11 was Spain where the activities of the terrorist separatist group ETA in the Basque Country had been roundly condemned by the IFJ Congress, meeting in Seoul on June 11th to June 15th, 2001

In the months prior to the Congress three media workers had been assassinated, several injured persons and many more had been threatened. The IFJ called for the political authorities in the Basque Country, Spain and the European Union to take the urgent measures to grant the free exercise of journalism in the Basque Country.

The events of September 11 led to fresh national initiatives to counter the threat of terrorism, but indiscriminate attacks on civil society continued during 2002 leading in August 2002 to new legislation from the government seeking to ban the political party Batasuna that is close to the terrorist organisation ETA.

Although Batasuna denies any links with ETA, the government alleges that the party is a key part of the armed group's shadowy network of commandos, fund-raising activities and recruitment operations.

Authorities also accuse Batasuna of fomenting street violence by radical Basque youth groups through its strong anti-Spanish stances and its refusal to condemn ETA's attacks. The opposition Socialists also backed the bill. However, legislators from parties in the Basque, Catalanian, Galician and other small regions either abstained or voted against the motion. These non-violent parties, some of which are in favour of Basque self-determination, fear they may also be banned.

A judge has ordered that Batasuna's activities suspended for three years. The party is barred from calling public demonstrations or political rallies or receiving a share of electoral funds. But elected representatives of the party will be allowed to serve out their terms in the 75-member Basque regional parliament. The party won 10 percent of the vote in the last Basque regional election in May 2001.

The authorities claim ETA has killed 836 people since its first attack in 1968 and injured 2,367 over the course of 3,391 attacks, and also sponsored 3,761 acts of so-called low-level street violence since 1991. One group that has been particularly targeted has been media.

Sweden

The Swedish Union of Journalists reports some examples of intolerance in reporting, but says this has been offset by many more examples of serious attempts to analyse the situation and present a balanced view of events. Swedish media in general seem to be very aware of the dangers and as a whole, the coverage can be said to be professional and objective. Part of the debate taking place also concerns the role of Swedish media and its quality given the importance of the events after September 11. There has been no open political discussion about measures that might compromise press freedom, although civil liberties have been put under pressure. The government has made it clear that Sweden is on America's side in the war on terrorism. So far, the media have been left alone.

Reporting has been balanced, with sometimes very biased reporting "counter-attacked" by more debate about quality in journalism and the role of media and journalists than is usually seen in Swedish media. (In this "new" debate and questioning of sources etc. has developed fresh discussion about quality of reporting about, for instance, the situation in the Middle East.)

However, when it comes to civil liberties and the judicial system, it's a different story. Three Swedish citizens are on the UN (US) list of "terrorists" and in practice out-lawed since several months (all their financial assets have been "frozen", including a housing allowance paid to one of the families). They are "accused" of helping al-Qaeda financially (by sending money to their relatives in Somalia) but no evidence what so ever has been presented.

For a long period of time the government was very quiet about this situation, but apparently the case has been discussed for some time with American authorities and the three men involved seem to get some help in proving their innocence!

Meanwhile, they survive on money that is illegally collected among people and the Swedish authorities have chosen to turn a blind eye to this. The compliance towards the US have been very much criticized and debated by the media. Another Swedish citizen with immigrant background are among those prisoners of war being held at Guantanamo. Again, the government has been very passive.

Switzerland

The Swiss affiliate of the IFJ Comedia reports that as far as Switzerland is concerned, while no new laws have been introduced surrounding the "war on terrorism" the quality of journalism has been affected. Coverage of the war was - for the most of it - very close to the American point of view (with the exception of the Palestinian conflict, where more balanced and critical journalism has been evident). There has been precious little "real" investigation of the war on terrorism and events around it.

This may be due to the fact that of difficult working conditions for journalists covering the war directly from Afghanistan, but the union says that there is also a widespread lack

of "wanting to tell the true story". A real problem for the journalists working here in Switzerland - and a theme we as a union treated and discussed several times over the last few months - were and are the working conditions of our members.

Due to the exceptional circumstances (war on terrorism, Swissair grounding, attack on the parliament of Zug, etc. etc.) journalists have worked exceptional times beyond agreed limits and there is little chance to recoup this extra time worked.

Uganda

President Yoweri Museveni set the tone for Uganda's anti-terrorist actions after September 11 in October 2001 when he highlighted the differences between fighting for freedom and terrorism and promised to "firmly deal with those elements that plan to destabilise Uganda." The Suppression of Terrorism Bill, 2001, which imposes a mandatory death sentence for terrorists and any person who aids, abets, finances or supports terrorism was tabled before Parliament at the same time.²³

The law is intended to suppress acts of terrorism by imposing tough sentences for terrorists, their sponsors and supporters. It gives the High Court "extra-territorial jurisdiction" to try any offence relating to terrorism committed within or outside Uganda.

It also seeks to give extra-ordinary powers to officers engaged in anti-terrorism investigations to carry out surveillance against suspects. These powers include accessing suspects' bank accounts and intercepting their phone calls, faxes, e-mail and other communication.

When the Ugandan Parliament finally adopted the bill in April 2002, it additionally threatened the death penalty to any journalist publishing materials deemed to support terrorism. The bill has raised major concerns with the Ugandan Journalists Union and other press freedom groups in the region.

Ukraine

The Parliament in Kiev has adopted a law "On the Fight Against Terrorism" which contains provisions that go beyond what is necessary to combat terrorism and amount to a severe restriction on freedom of expression.

The law gives State authorities power "in the area of the conduct of a counter-terrorism operation" to use for official purposes means of communication belonging to citizens, state agencies and "organisations regardless of their form of ownership". It also permits the head of the counter-terrorism operation to regulate the activities of media representatives "in the area of conduct of the counter-terrorism operation."

²³ New Vision, October 4th 2001

Both provisions confer an open-ended power on State authorities to assume control over media, the only qualifying provision being that the power can only be used during a 'counter-terrorism operation'.

Second, the powers granted to authorities under these provisions are extremely broad and hence potentially subject to abuse. International law does recognise that certain obligations may be imposed on public service broadcasters, for example to broadcast public warnings in times of national emergency. However, the powers conferred by this Law go far beyond this and are, indeed, unprecedented in their scope, allowing the State in effect to assume full control over the media.

The broad nature of these powers is exacerbated by the loose definition in Article 3 of 'terrorist activity', which would include political demonstrations where some acts of violence occur. The powers conferred under Article 13 therefore constitute a serious restriction on the right to freedom of expression, which cannot be justified, even in the context of counter-terrorism operations. The IFJ says they should be removed.

In addition, Article 15 of the law restricts circulation of information if it "discloses special methods or tactics used in conducting the counter-terrorism operation", or that "serves as propaganda for or justification of terrorism", or that "contains information about" staff involved in anti-terrorist actions. This law inhibits legitimate, and indeed crucial, public debate and is open to abuse on political grounds, potentially being used by the authorities to silence political opponents.²⁴

United States of America

The US news media, battered for 25 years by declining credibility, appear to have regained respect among readers and viewers – at least temporarily – after the September 11 terrorist attacks.

But within days journalists came under pressure says The Newspaper Guild-CWA, the IFJ affiliate representing journalists and newspaper industry staff. Some found themselves expected to become "patriots first, and journalists second".²⁵

At the same time the Congress has moved rapidly to adopt repressive new immigration and wiretapping laws and other anti-terrorist measures raising serious concerns about civil liberties.

Linda Foley, President of The Newspaper Guild-CWA reports that journalists and media staff -- both at the top and bottom of the media -- have on the whole acted responsibly. The unprecedented atrocities of September 11 and the events in the following days, in which journalists themselves were the targeted victims of attacks, has tested the professionalism of media to the full she said. The response of media has been measured

²⁴ Information from Article 19, the Centre for Free Expression.

²⁵ More information available from <http://www.newsguild.org/>

with widespread support for the tough measures enacted by the government, though the civil liberty implications of changes in law raise some understandable questions.

“Despite some early backlash against Arab-Americans and Islam, much of it an emotional and fearful reflection of anxiety in the wake of September 11, there has been a high level of professionalism and racist attitudes have been largely sidelined,” says Linda Foley.

In the first week after the attacks, "an unprecedented 89%" of the public gave the media a positive rating, according to the Pew Research Center for the People & the Press, a Washington-based independent polling firm. This is a welcome change for many newspapers in particular, where a shift toward scandal, sensationalism and celebrity-oriented news, combined with reductions in staff and news space, had exacerbated reader dissatisfaction.

However, when military action began on October 7 and media sought more access and information than the Pentagon and the White House were willing to provide problems emerged. On October 10 the Bush administration called on all news networks to "exercise judgement" in broadcasting statements by Bin Laden and his associates, warning that they may include coded incitements to violence.

The Newspaper Guild-CWA established a web site to publicise attacks on the media.²⁶ It has also issued numerous advice and guidance on dealing with the threat of anthrax following the targeting of media organisations and the death of a Florida-based journalist. A widespread debate on the role of media has emerged with numerous cases of individual journalists and news staff victimised for expressing views that don't agree with the conventional wisdom of the political and military administration.

Journalists have found themselves striving to maintain professionalism in an atmosphere where popular opinion suggests that in the aftermath of the attacks on New York and Washington people are all too willing to give up their essential liberty. A poll conducted by ABC News and the Washington Post on September 13 in which 92 percent of respondents said they would support "new laws that would make it easier for the FBI and other authorities to investigate people they suspect of involvement in terrorism." Support dropped only slightly, to 71 percent, when people were asked whether they were prepared "to give up" some of Americans' personal liberties and privacy.

In this atmosphere of widespread public anxiety Arab-Americans have been harassed and attacked. Music has been censored. In Texas, the FBI shut down Arabic Web sites, prompting, according to Reuters, charges of conducting an "anti-Muslim witch hunt." In Baltimore, the Sun reported that anchors and even a weather forecaster at one TV station were required "to read messages conveying full support for the Bush administration's efforts against terrorism." When staffers objected, the message was changed to indicate that it came from "station management."

²⁶ www.newsquild.org/2edged.php.

The Bush Administration has several times tried to curb or control the flow of news. This anti-democratic tendency met resistance, which demonstrated the country's solid democratic traditions. But there are anxieties that the process has encouraged a drift towards increasing self-censorship among journalists.

Media critics of President Bush like Tom Gutting, city editor for the *Texas City Sun*, and Dan Guthrie, a columnist for the *Grants Pass Daily Courier* in Oregon were fired. In September 2001, the U.S. Department of State asked Voice of America, a U.S. government-funded radio network, to refrain from running an interview with Mullah Mohammad Omar, leader of Afghanistan's ruling Taliban saying that airing the interview would be providing a means for terrorists to communicate their messages and that it wasn't "newsworthy". After staffers protested, the State Department relented and the interview was broadcast on September 25th.

In October 2001, National Security Advisor Condoleeza Rice contacted the five networks to caution them against running interviews of Osama bin Laden out of fear that his televised addresses may contain hidden messages for his followers, inspire his followers and frighten Americans. In another case, syndicated radio host Peter Werbe's talk-radio show was dropped by radio station KOMY-AM in Santa Cruz, California, in early October 2001 after questioning U.S. military actions in Afghanistan.

On October 5 2001, President Bush, citing national security needs, instructed senior members of his government to stop sending certain confidential material to members of Congress for fear it would be leaked to the media. A few days earlier, the Washington Post had run a story saying members of Congress had been told a new terrorist attack on the United States was very likely. The president soon withdrew in the face of strong protests by members of Congress.

On February 19, the *New York Times* reported that the Defence Department's Office of Strategic Influence (OSI) had proposed planting disinformation in the foreign media. At that time, the government feared foreigners would see the war against terrorism as a war against Islam. The outcry set off by these revelations led the White House to order the OSI closed down because, according to defence secretary Donald Rumsfeld, "the Pentagon does not lie to the American people."

From the first day of the US military's Operation Enduring Freedom in Afghanistan in October 2001, the Pentagon tried to exercise control over media. The filming of the war was inhibited by an exclusive government contract with the firm Space Imaging, preventing the company from "selling, distributing, sharing or providing" pictures taken by the Ikonos civilian satellite to the media, which were thus deprived of pictures of the results of the US bombings taken by this satellite. Ikonos is the most efficient of the civilian satellites.

While the Pentagon says the agreement is meant to supplement the government's own satellite images, observers point out that the agreement means that the news media will no longer have access to such images and, as a result, are unable to report on basic

aspects of military actions in Afghanistan. Journalists will not be able to independently verify Pentagon claims.²⁷

In addition, a dozen media organisations covering the military operations were prevented several times from doing their work by US Special Forces troops.

The foreign media were not spared either. On November 12, US troops bombed and seriously damaged the Kabul offices of TV station *Al-Jazeera*. (See Qatar report.) In February this year, the Pentagon refused to open an enquiry into the bombing, saying the building was suspected of harbouring Al-Qaeda militants and was therefore a military target. This matter was the subject of strong protests by the IFJ and other press freedom groups.

Journalists from CNN, CBS, *The Army Times* and others were given permission on in January to photograph and film in Kabul the departure of about 20 prisoners being flown to the US naval base at Guantanamo, in Cuba. After the prisoners were flown out, the journalists were told they could not use their pictures. A Pentagon spokesman said they violated international agreements because they were "degrading" for the prisoners. Several media ignored the order.

Media were also targets and victims in the rush to legislate against terrorism, a process that has raised the most serious concerns among those campaigning for civil liberties. The limitations on press freedom imposed by the government include undermining the confidentiality of Internet messages.

Shortly after the attacks on the World Trade Center in New York, FBI agents went to the offices of Internet service providers AOL, Earthlink and Hotmail to install their Carnivore programme on the servers, to monitor the e-mail of all their customers, in the hope of finding traces of the attackers on the Internet.

This Internet monitoring was formalised on October 24 when the House of Representatives passed the Patriot Act, allowing the FBI to install Carnivore on any Internet service provider, to monitor all e-mail messages and keep track of the web-surfing of people suspected of having contacts with a foreign power.

To do this, the only permission needed is from a special legal entity whose activities are secret. The measures also included easing the rules surrounding phone tapping. As well as the invasion of individual privacy, this blank cheque given to the FBI threatens the confidentiality of journalists' sources.

Encryption technology, which allows Internet users to code their messages to keep them private, is under attack from the FBI's Magic Lantern programme, a virus that can be sent to targets by e-mail without their knowledge and which records their keystrokes and thus the key to the encryption codes. After the press reported this, the FBI denied it had such a device, but admitted it was working on one.

²⁷ *New York Times*, October 19th 2002

The American Civil Liberties Union announced "bitter disappointment" with the passage of anti-terrorism legislation, which mirrored closely highly controversial original legislative proposals the Bush Administration submitted to the House of Representatives and the Senate.

"This bill has simply missed the mark of maximizing security and, at the same time, minimizing any adverse effects on America's freedoms," said Laura W. Murphy, Director of the ACLU Washington National Office. "Most Americans do not recognize that Congress has just passed a bill that would give the government expanded power to invade our privacy, imprison people without due process and punish dissent."

Congress has recent experience in how not to react to a terrorist attack. A year after the Oklahoma City bombing of 1995, Congress passed the Anti-Terrorism and Effective Death Penalty Act, a piece of legislation that severely curtailed the writ of habeas corpus, making it far more difficult for convicted criminals -- even those awaiting the death penalty -- to present new evidence that they'd been wrongly convicted. It further allowed the use of secret evidence in deportation cases against immigrants. In recent years, a number of proposals to curtail fundamental freedoms in the name of security have lurked in back offices in Washington and elsewhere, waiting for the right time to be sprung upon an unsuspecting public.

The new law adopted by Congress follows closely the text submitted by Attorney General John Ashcroft as the so-called Anti-Terrorism Act of 2001, or ATA. The bill was the subject of wide-ranging opposition from a broad coalition of interest groups ranging from the American Civil Liberties Union (ACLU), the Electronic Frontier Foundation (EFF), and the Electronic Privacy Information Center (EPIC) to conservative groups such as Phyllis Schlafly's Eagle Forum and the Gun Owners of America.

"The new Senate legislation goes far beyond any powers conceivably necessary to fight terrorism in the United States," said Laura W. Murphy, "The long-term impact on basic freedoms in this legislation cannot be justified." "For immigrants," added Gregory T. Nojeim, Associate Director of the ACLU's Washington Office, "this bill is a dramatic setback. It is unconscionable to detain immigrants who prove in a court of law that they are not terrorists and who win their deportation cases."

Other threats lurk. Certain elements in Washington have been trying for years to ban the use of encryption technology unless the government could be guaranteed a way to crack the code. There is no evidence the New York and Washington terrorists used encryption, but freedom fighters in other parts of the world have used it to safeguard their communications from tyrants such as Slobodan Milosevic. When encryption is outlawed, only outlaws will use encryption.

Many fear that in the desperate search for security the right to private speech, to engage in public discussion, and to do so anonymously will be drastically diminished and the Bill of Rights, substantially weakened.

The ALCU says many of the provisions enhance the power of the FBI to spy on Americans for "intelligence" as opposed to criminal purposes. Other "information sharing" provisions direct highly personal information about Americans into the hands of the CIA and the Department of Defense, without meaningful restrictions on how it is used or re-distributed.²⁸

The historical record makes clear that unchecked trust in the government to spy on its citizens responsibly is misplaced. The ACLU points to the introduction of the FBI's infamous and secret Counter Intelligence Program (COINTELPRO), created out of fear of growing social dissidence by Director J. Edgar Hoover, which harassed and spied on a vast number of peaceful social protest groups. The vast majority of the organisations and individuals targeted for surveillance were actually avowedly non-violent. One of the most prominent public figures investigated was the Rev. Martin Luther King

In light of the September 11 attacks, says Laura W. Murphy, the lessons of historical examples of inappropriate and unconstitutional domestic surveillance are all the more relevant. "The current administration would do well to remember its predecessors' breaches of the public trust," she says, "If Congress really wishes to earn America's trust, it should ensure that its anti-terrorism legislation contain all the essential checks and balances to prevent the political or ideological surveillance of law-abiding citizens."

The threat posed to civil liberties aside, fears over press freedom and the constitutional protection of the First Amendment do not so much concern official censorship -- that is, bans enacted by the government -- as self-censorship, a phenomenon that is far more dangerous in an age of media conglomerates than it would have been in an earlier time.

Zimbabwe

The campaign of the regime of Robert Mugabe against independent median and professional journalists reached a rare peak of hysteria and paranoia on November 23rd 2001, when a government spokesman announced that six journalists working for foreign-based media, including both Zimbabweans and non-citizens, who wrote stories on attacks on whites and political violence in Zimbabwe would be treated as terrorists.

"It is now an open secret that these reporters are not only distorting the facts but are assisting terrorists who stand accused in our courts of law of abduction, torture and murder, by covering up and misrepresenting the brutal deeds of terrorists, said the spokesman, adding that, "As for the correspondents, we would like them to know that we agree with U.S. President Bush that anyone who in any way finances, harbors or defends terrorists is himself a terrorist. We, too, will not make any difference between terrorists and their friends and supporters."

²⁸ The full text of the legislation is available at <http://www.aclu.org/>

Internal critics of the Mugabe regime have increasingly been subject to intimidation, harassment, and arrest. The government in his remarks, the presidential spokesman also criticized Zimbabwe's independent media for intimidating state-controlled media, stating that, "this kind of media terrorism will not be tolerated."

Ironically, the government has remained subdued as unknown attackers have firebombed, threatened and attacked the offices of the *Daily News*, one of the newspapers most critical of the regime.²⁹

In a number of other countries, the September 11 events have been used to justify new laws or to strengthen internal forms of security control, often at the expense of civil liberties. Human Rights Watch has prepared a report on these issues, which include **Egypt, Kyrgyzstan, Macedonia, Malaysia, Syria, and Uzbekistan.**

²⁹ For more information see www.ifj.org

Conclusions and Recommendations

IFJ Executive Committee, meeting in Washington on June 8-9th 2002 considered this report and agreed the following statement and reiterated a plan of action agreed at its previous meeting in Stockholm on October 24th 2001:

If there is a war on terrorism to be won, it will not be on the back of strategies that promote fear, ignorance and intolerance. But the actions of governments in North America and Europe would suggest otherwise. Since September 11 2001 the democracies of Europe and North America have been dangerously ambivalent about their commitment to citizens' rights and press freedom. Their actions have reinforced cynicism in autocratic regimes about western commitment to fundamental rights and, even worse, they have inspired a fresh round of media oppression in countries that routinely victimise and intimidate journalists.

On this issue journalists' groups and publishers are of one voice. The World Association of Newspapers Congress in Belgium at the end of May 2002 called on the international community to reverse the current trend and said that the United States' policies in the wake of September 11 had contributed to the increasing threats to press freedom.³⁰ "Dwelling on the attitude and actions of the American government, when the world is full of real villains, might seem unfair, were it not for the immense power and influence that the US wields on the global stage and the effects its policies and example have on so many other countries," said the WAN President.

The hardening of American attitudes is certainly the most symptomatic of the restrictions affecting freedom of expression after 11 September; and steps taken by the United States, simply because of that country's power, inevitably have consequences for the rest of the world.

The September 11 events in the US have been a profound test of the professionalism of journalists worldwide and, apart from the inevitable banalities and some bizarre exceptions, coverage appears to have been restrained, intelligent and informed.

However, there have been numerous attempts to manipulate the media message by governments creating undue pressure on journalists that is potentially damaging to the quality of coverage of the conflict. Journalists must be free to work without being pressed into service in defence of governmental definitions of "patriotism" or "national interest".

At the same time there has been an unprecedented debate about policing, security and civil liberties. In almost every country, governments and politicians have been developing anti-terrorist strategies, which include the possibility of damaging new laws that may threaten existing standards of personal freedom and press freedom.

³⁰ Roger Parkinson, World Association of Newspapers, President, June 3rd 2002

The evidence of this report alone shows that, among others, in Canada, the United States, Great Britain, Australia, France, Russia and within the European Union, there is a worrying rush to legislate on new rules on phone-tapping, police surveillance, encryption technology, detention of migrants, control of the Internet and freedom of movement.

Many believe these new laws are being drafted and processed too quickly for effective scrutiny by the public at large or by legislators. The impact on journalists and their work could be far-reaching.

Journalists should be among the first to question politicians who make quick-fix promises in the name of security, particularly when our ability to collect and store information, to protect sources of information, to carry out legitimate inquiry, and to be independent of the policing and security services, are at risk. The IFJ will engage fully in this debate.

Plan of Action

- The IFJ will launch an international campaign to publicise useful material and guidelines for journalists and media covering the current crisis in order to promote better understanding of the issues involved and the need for professionalism.
- The IFJ will continue to provide useful data on safety of journalists and health and safety matters and will promote risk awareness among media unions.
- The IFJ will promote the importance of tolerance and quality in journalism to counter prejudice and cultural misunderstanding through a range of initiatives during 2002 including the launch of five regional prizes for tolerance in journalism and by reinvigorating the International Media Working Group Against Racism and Xenophobia (IMRAX)
- The IFJ will promote international solidarity between journalists from all cultures and traditions in the current conflict, particularly by reaching out to colleagues from the Arab world and supporting their efforts to promote professionalism in journalism against the threat of fundamentalism and governmental interference.
- With this in mind, the IFJ will sponsor international and regional seminars and conferences on war, terrorism and the role of media with the support of appropriate international agencies and press freedom agencies.

*Brussels
June 5th 2002*
