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iran
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yemen

MEDIA SUSTAINABILITY INDEX 2008

DEVELOPMENT OF SUSTAINABLE INDEPENDENT MEDIA IN **THE MIDDLE EAST AND NORTH AFRICA**

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MEDIA SUSTAINABILITY INDEX

2008

The Development of Sustainable Independent Media in the Middle East and North Africa

MEDIA SUSTAINABILITY INDEX 2008

The Development of Sustainable Independent Media in the Middle East and North Africa
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Printer: Westland Enterprises, Inc.

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Acknowledgment: This publication was made possible through support provided by the United States Department of State's Middle East Partnership Initiative (MEPI), and the United States Agency for International Development (USAID) under Cooperative Agreement No. #DFD-A-00-05-00243 (MSI-MENA) via a Task Order by the Academy for Educational Development.

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ISSN 1546-0878

USAID

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- economic growth, agriculture and trade;
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USAID provides assistance in five regions of the world:

- Sub-Saharan Africa;
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The United States Department of State's Middle East Partnership Initiative provides tangible support to reformers in the Middle East and North Africa so democracy can spread, education can thrive, economies can grow, and women can be empowered. In four years, this presidential initiative has devoted $293 million to more than 350 programs in 15 countries and the Palestinian territories to support the aspirations of those working to build a more peaceful and prosperous Middle East. Examples of the initiative's work includes campaign schools, independent media training, civic education, entrepreneurship skill building, youth leadership development, trade transparency promotion, business hubs for women, and judicial and legal reform training.

IREX

IREX is an international nonprofit organization providing leadership and innovative programs to improve the quality of education, strengthen independent media, and foster pluralistic civil society development.

Founded in 1968, IREX has an annual portfolio of over $60 million and a staff of 500 professionals worldwide. IREX and its partner IREX Europe deliver cross-cutting programs and consulting expertise in more than 100 countries.

Implementing Partners

IREX wishes to thank the following organizations that coordinated the fieldwork for and authored a number of the studies herein:

Arab Media Forum for Environment and Development (Egypt) http://www.amfed-media.org/

Filastiniyat (Palestinian Territories) http://www.filastiniyat.org/

Gulf Forum for Citizenship (Oman)

Journalistic Freedoms Observatory (Iraq) http://www.jfoiraq.org/

Kurdistan Institute for Human Rights http://kihr-iraq.org/

MIDDLE EAST & NORTH AFRICA

TABLE OF CONTENTS

Introduction vii

Executive Summary ix

Methodology xvii

North Africa

Algeria 3

Egypt 11

Libya 25

Morocco 33

Tunisia 49

Levant

Jordan 63

Lebanon 71

Palestinian Territories 83

Syria 97

Gulf

Bahrain 109

Iran 121

Iraq 133

Iraq-Kurdistan 143

Kuwait 151

Oman 161

Qatar 171

Saudi Arabia 179

United Arab Emirates 189

Yemen 201

Our analysis herein is both quantitative and qualitative, but it is not intended to be exhaustive. The MSI is designed to serve as a summary of overall developments, and a starting point for further research by local media practitioners, international media development workers, academics, and others.

I am pleased to introduce the 2008 Middle East and North Africa Media Sustainability Index (MSI). The MSI provides an analysis of the media environment in 19 countries of the Middle East during 2008. The MSI was first conceived in 2000 and launched in Europe and Eurasia in 2001, in cooperation with the United States Agency for International Development (USAID). Since that time, it has become a universally recognized reference for benchmarking and assessing changes in media systems across the Middle East, Africa, and Europe and Eurasia.

The MSI allows policymakers and implementers to analyze media systems and determine the areas in which media development assistance can improve citizens' access to news and information. Armed with knowledge, citizens can help improve the quality of governance through participatory and democratic mechanisms, and help government and civil society actors devise solutions to pervasive issues such as poverty, healthcare, conflict, and education.

The MSI also provides important information for the media and media advocates in each country and region. The MSI reflects the expert opinions of media professionals in each country and its results inform the media community, civil society, and governments of the strengths and weaknesses of the sector. IREX continues to encourage professionals in their vital efforts at developing independent and sustainable media in their own countries or, in many cases, preserving alternative voices in the face of repressive governments.

IREX would like to thank all those who contributed to the publication of the Media Sustainability Index 2008. Participants, moderators, authors, and observers for each country, listed after each chapter, provided the primary analysis for this project. At IREX, Leon Morse managed the MSI with editorial and administrative assistance from Dayna Kerecman Myers. USAID and the US State Department's MEPI program have been consistent supporters of the MSI, helping to develop the project and ensure its ongoing implementation. In particular, IREX would like to thank Mark Koenig at USAID and Saira Saeed at the US State Department for their invaluable guidance and support of the MENA MSI.

We hope you will find this report useful, and we welcome any feedback.

Sincerely,

W. Robert Pearson

President, IREX

Across the board, panelists participating in the MENA MSI study report an explosion of Internet usage in their countries in the past few years. The growing emergence of new media platforms in the region offers an alternative to traditional media, which often support the political party in power.

The 2008 Media Sustainability Index (MSI) for the Middle East and North Africa (MENA) is the third such annual study undertaken by IREX. With three years of data, one can begin to note trajectories in development toward sustainable independent media, as well as negative paths. Therefore, new in this edition, IREX includes a chart showing percent change since 2005, the first year of the study. The chart may be found at the end of the Executive Summary text.

Analyzing the percent change chart shows a mix of countries that have gained noticeably and regressed, along with several that have remained more or less static. Among the leaders, Libya stands out with an increase in excess of 100 percent. While this is a reflection of some important improvements, readers should also keep in mind the broader context of the situation facing Libya's media: in 2005 its overall score of 0.31 placed it at the bottom of all MENA countries by a wide margin. The changes that have helped to increase its score, while groundbreaking for the country, still leave the country with the lowest score in the region and well within the MSI scoring category of "unsustainable, anti-free press." Further, events that took place shortly after the MSI panel completed its work show that the improvements are fragile.

Iraq has also shown improvement since 2005, no doubt a reflection of the improving security situation and ability of media professionals to adapt to new freedoms. However, Iraq's overall score is still well shy of the "near sustainability" category. Likewise, Egypt has shown improvement, but these improvements have been highest in the areas of plurality of news sources, business management, and supporting institutions. Notably, there has been only minor improvement in the freedom of speech objective, which still falls short of "near sustainability."

Iran, Saudi Arabia, and Syria have all lost ground since 2005, although for different reasons. Saudi Arabia's score has fallen but still remains in the middle of the "unsustainable, mixed system" scoring category with an overall score of 1.50. The loss reflects increasing controls over new media technologies and failures of media professionals and others to push the envelope of media freedom. Iran has fallen close to the "unsustainable, anti-free press" threshold. Run-up to the 2009 elections saw more and more restrictive measures taken against outspoken media and other voices, and most notably the co-opting of the Association of Iranian Journalists. Syria has fallen into the "unsustainable, mixed system" category thanks to a regime increasingly unwilling to tolerate critical voices in the media and deteriorating professionalism.

Also new in this edition is a separate study for the Kurdistan region of Iraq. Kurdistan is an integral territory of Iraq, but is subject to different laws, including those governing the media. Readers will note that separate scores for Kurdistan are recorded from 2005, the inception of the MENA MSI study. Published as a separate volume, IREX Europe (IREX's affiliate based in Lyon, France) prepared studies in 2005 and 2006/2007 of Iraq that included sub-national studies, including Kurdistan, as well as a national study. These were funded by UNESCO and may be found on IREX Europe's website (http://europe.irex.org/msi/2006.asp).

Our analysis herein is both quantitative and qualitative, but it is not intended to be exhaustive. The MSI is designed to serve as a summary of overall developments, and a starting point for further research by local media practitioners, international media development workers, academics, and others. IREX intends for the MSI results to serve as one tool in the diverse conversation about media development, and to support advocacy efforts aimed at improving the media's ability to inform the public in the countries under study. To that end, IREX provides all previous editions of the MSI and spreadsheets with combined scoring data on its website, www.irex.org/msi.

Increasing Reliance on New Media for News and Information

Across the board, panelists participating in the MENA MSI study report an explosion of Internet usage in their countries in the past few years. The growing emergence of new media platforms in the region offers an alternative to traditional media, which often support the political party in power. Such options are highly valuable for the many countries that lack pluralistic views in the traditional media, and where self-censorship impinges on the availability of news and information that citizens need in order to hold politicians accountable and make important life decisions.

Internet websites operated by media outlets are a key source of information throughout most of the region and they serve as an avenue to increase audience size. In Bahrain, one panelist reported that, "the maximum local newspaper circulation is estimated at 12,000 copies each," but that daily visitors to websites hosted by newspapers may reach 50,000. Internet usage is still limited by some factors such as income level and limited availability in rural areas. Panelists in Kurdistan reported that most citizens are unaware of the Internet and few rely on it for news and information. Further, quality of reporting is sometimes no better or worse than in other media; for example, in UAE panelists noted that some reporting on the Internet lacks objectivity, reliable sources, professionalism and, sometimes, credibility.

The Internet is still viewed as a safer space for reporting on issues that political authorities would prefer to bury, as reported in a number of country studies. For example, in UAE, panelists referred to a clash between tribespeople and a local government over an alleged land sale that was only covered by Internet media.

Use of the Internet allows media that face unfriendly circumstances to continue to operate when their traditional means of distribution are threatened or taken away by the state. It is also a way to avoid outright censorship. In Iran, reformist media increasingly rely on the Internet as their preferred way to reach their audiences. In Saudi Arabia, there are fewer restrictions on the Internet than on the printed press, radio, and local satellite channels; panelists pointed to the creation of websites that can report on security issues, normally off limits to other media.

Offshore news websites provide an alternative to official news sources in closed societies. Libya is a good example of this, with a number of websites operating from London and elsewhere. Libyan panelists pointed to the enormous benefits such sites offer, in particular providing citizens with alternatives to the official line and challenging official media to be more forthright. But, they noted that the audience able to access such news sources is limited. Offshore websites are increasingly being used by Iranians and Tunisians in exile as well.

The Internet is also a significant source of international news, including foreign perspectives about individual countries. The Algeria study notes that the high price of foreign print publications puts them out of the reach of most Algerians, but the Internet allows access to these sources of information. Access to international news and opinions helps, in a limited way, to undermine attempts by the state to control news and opinion.

Blogs and interactive websites such as message boards are providing the opportunity for an expanded group of citizens to become involved in discussions running the gamut from entertainment and sports to politics and religion. Panelists in UAE noted the anonymity of the Internet allows users to feel more comfortable than when using other media to address topics critically. The Jordan study notes an explosion of blogs and news websites that offer space for comments; these have become platforms for debate and comment, including assessments of the lower house of parliament's performance. However, panelists in Jordan cautioned that such debates sometimes turn into a "war of words." Egypt is a leader in the Arab world with 160,000 blogs, representing 30.7 percent of all Arab blogs. Panelists from Egypt report that some blogs have achieved such a level of professionalism that they have become trusted news sources and even scoop more traditional media in reporting some stories.

Other new technology platforms have shown their usefulness for disseminating news as well. For example, the Morocco study notes the use of YouTube to expose corruption among gendarmes. Use of SMS in some countries serves as a source of news, both formal use by the media and informally from person to person. In Kuwait, one panelist noted "When there is a secret meeting of the parliament or Council of Ministers, the entire country knows what happened before the meeting finishes, thanks to SMS." In Oman, media are using SMS as an additional revenue stream, by providing updates along with advertising.

In addition to serving as a resource for citizens to access news and share opinions, the Internet is becoming a tool for the media to advocate for themselves. In Egypt, for example, the Arab Network for Human Rights Information launched "Cases" (http://qadaya.net), a website that tracks human rights cases, including those related to freedom of the press, before the Egyptian courts.

However, the use of new media technologies, particularly websites, has caught the eye of regulators keen to limit content under a variety of pretenses, some noble, but many simply to protect "state unity," "national security," or similar concepts that, in the end, serve the interests of a ruling political party. In Egypt, a proposed bill calls for the establishment of a monitoring body, chaired by the minister of information and made up of representatives of the National Security Commission and the ministries of interior, foreign affairs, and culture. This body would monitor the content of all broadcasts and includes websites. Complaints have been made of Egyptian security forces monitoring users at Internet cafés. The UAE study notes the creation of an "Electronic Police" in Dubai to constantly monitor the Internet for possible criminal activity or anything deemed "out of bounds." In Syria, the government has ordered websites based there to provide the name of authors responsible for any article or comment posted.

Public Internet use is also increasingly regulated in the region. In Syria Internet café owners must now take down the names and check identification cards of visitors, as well as the times they arrive and leave. The records are to be presented regularly to the authorities. In Tunisia, Internet café owners may be held responsible for the actions of their customers; therefore owners may ask customers not to visit certain websites.

Targeted blocking is used by governments to suppress unwanted opinions or criticism. In countries such as Kuwait, the government asks Internet service providers to voluntarily block websites. Facebook and YouTube are blocked in Syria and Tunisia, and Syria also blocks sites where individuals can establish an online blog, such as Blogspot and Maktoobblog, the largest Arabic blog site. In Saudi Arabia, some websites considered troublesome by the government are blocked, such as Al Wefaq, a top security news site. In UAE, panelists said Internet sites that publish well referenced and objective critical reports are more likely to be blocked by authorities.

Filtering is common in the region as a tool to implement restrictive policies, and most countries report some level of filtering. Tunisia uses SmartFilter software, but apparently prefers to hide this from the public, as a contrived error page is shown when a website being filtered is requested. Iran filters the Internet, but many citizens are able to circumvent the filters, a tactic reported in other country studies as well.

More seriously, bloggers may be subject to arrest, and as the Internet increases in reach, more and more reports of such arrests are reported in the Middle East. In Saudi Arabia, Fouad Farhan was detained for five months after criticizing economic and social conditions in his blog. In Syria, recent arrests of bloggers include a writer who highlighted fuel and electricity shortages, and a teacher from the farming province of Raqa who criticized patronage and nepotism in the state-run education system. Syrian blogger Tariq Biasi was sentenced to three years in prison in May 2008 for "weakening national sentiment." In Tunisia, Internet journalist Slim Boukhdhir is frequently in and out of jail.

New technologies have become an integral part of the media landscape throughout most of the Middle East, and likely the new platforms for sharing news and information will continue to grow in importance. As with any type of media, issues of sustainability (legal and regulatory environment, professional standards, business management environment) are important considerations when evaluating how well the media are performing their role as the fourth estate. The MSI methodology is designed to capture the performance of a country's media sector regardless of the specific nature of its prevailing platforms. The MSI will include the impact of current and yet-to-be-invented forms of media in future editions.

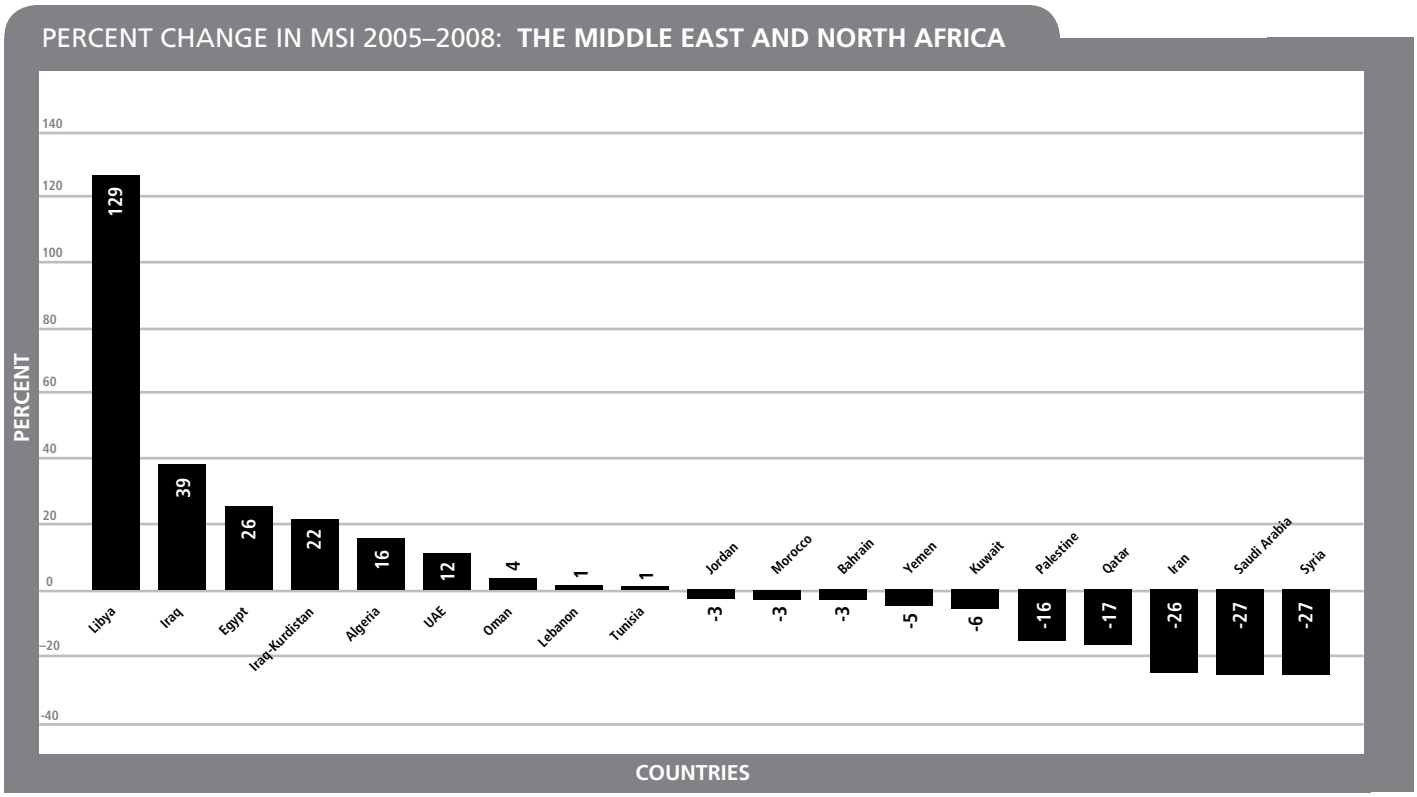
Iran Loses an Important Strength in Defense of Media Independence

One of the countries in this study that received a lot of attention in 2008 for its poor treatment of the media in the run-up to elections is Iran. Iran's overall score also received one of the most severe drops in this year's study. Iran's overall country scores from the past two years, 1.57 and 1.56, may have seemed higher than conventional wisdom would predict, given the nature of a theocratic government and the reality of the government's efforts to control public debate and curb freedom of the press. The results from 2006/2007 show Iran scoring somewhat higher than Algeria and Saudi Arabia, and only a little behind Bahrain and Oman.

What conventional wisdom likely missed was the lingering strength of Iran's civil society. In the context of the MSI study, this includes the various institutions supporting the media, such as the Association of Iranian Journalists (AoIJ) and university-level journalism education. These consistently received plaudits from those interviewed to complete the study. In a region where civil society overall is not generally allowed to flourish, traditions of civic participation in Iran created space for such institutions to operate with a modicum of freedom. In the 2006/2007 study, only Egypt, Lebanon, and Morocco scored higher than Iran's 2.05 in Objective 5, Supporting Institutions.

However, actions taken by the government in 2008 to bring AoIJ to heel succeeded in hamstringing this vital institution. The government cut its funding to AoIJ and declared it dissolved. The Ministry of Islamic Guidance and Culture decreed that the media could not refer to the AoIJ as a means to squelching debate over its fate. In its place, the government created a new organization made up solely of journalists working for conservative media. As a result, Iran's score for Objective 5 this year fell to 1.36. Only four countries, Libya, Saudi Arabia, Syria, and Tunisia, scored lower.

Unfortunately, this development was the largest contributor to the severe unraveling of Iran's overall score. The recent history of the AoIJ serves as an example of the role that supporting institutions can play to serve media in the face of an unfriendly government, and how their absence or cooption allows governments to silence critical voices. Should the situation change in Iran, the experience of the AoIJ will help reignite a vibrant media. In the mean time, its absence will allow the government to control information to a greater degree than it was before AoIJ was closed down.



MEDIA SUSTAINABILITY INDEX 2008: **OVERALL AVERAGE SCORES**

0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00	3.01 – 3.50	3.51 – 4.00
	▲ Libya **(0.72)** ▼ Syria **(0.79)** ◆ Tunisia **(0.98)**	▼ Iran **(1.16)** ◆ Yemen **(1.20)** ◆ Saudi Arabia **(1.50)**	▲ Iraq **(1.61)** ▲ Algeria **(1.63)** ▲ Bahrain **(1.76)** ◆ Palestine **(1.76)** ▲ Iraq-Kurdistan **(1.80)** ▲ Oman **(1.96)** ◆ Morocco **(1.98)**	▼ Qatar **(2.05)** ◆ UAE **(2.08)** ▲ Jordan **(2.09)** ▲ Kuwait **(2.17)** ▼ Lebanon **(2.19)** ▲ Egypt **(2.37)**			
UNSUSTAINABLE ANTI-FREE PRESS		**UNSUSTAINABLE MIXED SYSTEM**		**NEAR SUSTAINABILITY**		**SUSTAINABLE**	

MEDIA SUSTAINABILITY INDEX 2008: **FREEDOM OF SPEECH**

0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00	3.01 – 3.50	3.51 – 4.00
	▲ Libya **(0.65)** ▼ Syria **(0.65)** ▲ Tunisia **(0.90)** ▼ Iran **(0.94)**	◆ Yemen **(1.05)** ▼ Saudi Arabia **(1.22)** ▲ Algeria **(1.42)** ▼ Palestine **(1.57)**	▲ Iraq **(1.62)** ▼ Morocco **(1.72)** ◆ Iraq-Kurdistan **(1.78)** ▲ Bahrain **(1.82)** ◆ Egypt **(1.88)** ◆ UAE **(1.89)** ▲ Jordan **(1.90)** ◆ Oman **(1.92)**	◆ Lebanon **(2.17)** ▲ Kuwait **(2.25)** ▼ Qatar **(2.37)**			
UNSUSTAINABLE ANTI-FREE PRESS		**UNSUSTAINABLE MIXED SYSTEM**		**NEAR SUSTAINABILITY**		**SUSTAINABLE**	

CHANGE SINCE 2006/2007

▲ (increase greater than .10) ◆ (little or no change) ▼ (decrease greater than .10)

Annual scores for 2005 through 2006/2007 are available online at http://www.irex.org/programs/MSI_MENA/index.asp

MEDIA SUSTAINABILITY INDEX 2008: **PROFESSIONAL JOURNALISM**

0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00	3.01 – 3.50	3.51 – 4.00
	◻ Tunisia **(0.92)**	▲ Libya **(1.09)** ▼ Syria **(1.10)** ◻ Iran **(1.44)** ◻ Yemen **(1.44)**	▲ Iraq **(1.61)** ◻ Bahrain **(1.62)** ◻ Iraq-Kurdistan **(1.72)** ▲ Algeria **(1.78)** ▲ Palestine **(1.80)** ▲ Saudi Arabia **(1.97)**	▲ Morocco **(2.02)** ▼ Egypt **(2.06)** ◻ Jordan **(2.08)** ▼ Lebanon **(2.13)** ▼ Kuwait **(2.17)** ▲ Oman **(2.17)** ◻ UAE **(2.20)** ▼ Qatar **(2.31)**			
UNSUSTAINABLE ANTI-FREE PRESS		**UNSUSTAINABLE MIXED SYSTEM**		**NEAR SUSTAINABILITY**		**SUSTAINABLE**	

MEDIA SUSTAINABILITY INDEX 2008: **PLURALITY OF NEWS SOURCES**

0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00	3.01 – 3.50	3.51 – 4.00
	▼ Syria **(0.80)** ◻ Yemen **(0.81)** ▲ Libya **(0.81)** ▲ Tunisia **(0.86)** ▼ Iran **(1.00)**	▼ Saudi Arabia **(1.01)**	▲ Algeria **(1.80)** ▲ Oman **(1.88)** ▲ Bahrain **(1.92)** ▲ Iraq **(1.93)** ▼ Palestine **(1.93)** ▲ Morocco **(1.97)**	▼ Qatar **(2.02)** ◻ Jordan **(2.06)** ◻ UAE **(2.07)** ▲ Iraq-Kurdistan **(2.11)** ▲ Kuwait **(2.45)**	▼ Lebanon **(2.51)** ▲ Egypt **(2.69)**		
UNSUSTAINABLE ANTI-FREE PRESS		**UNSUSTAINABLE MIXED SYSTEM**		**NEAR SUSTAINABILITY**		**SUSTAINABLE**	

CHANGE SINCE 2006/2007

▲ (increase greater than .10) ◻ (little or no change) ▼ (decrease greater than .10)

Annual scores for 2005 through 2006/2007 are available online at http://www.irex.org/programs/MSI_MENA/index.asp

MEDIA SUSTAINABILITY INDEX 2008: **BUSINESS MANAGEMENT**

0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00	3.01 – 3.50	3.51 – 4.00
			▬ Algeria **(1.53)**				
		▬ Yemen **(1.02)**	▼ Palestine **(1.60)**	▲ Oman **(2.05)**			
		▼ Iran **(1.07)**	▼ Bahrain **(1.74)**	▼ Lebanon **(2.07)**			
		▬ Tunisia **(1.17)**	▲ Morocco **(1.91)**	▼ Qatar **(2.09)**			
		▲ Iraq **(1.25)**	▲ Jordan **(2.00)**	▼ Kuwait **(2.39)**			
▲ Libya **(0.35)**	▼ Syria **(0.71)**	▲ Iraq-Kurdistan **(1.48)**	▲ Saudi Arabia **(2.00)**	▬ UAE **(2.48)**	▲ Egypt **(2.68)**		
UNSUSTAINABLE ANTI-FREE PRESS		**UNSUSTAINABLE MIXED SYSTEM**		**NEAR SUSTAINABILITY**		**SUSTAINABLE**	

MEDIA SUSTAINABILITY INDEX 2008: **SUPPORTING INSTITUTIONS**

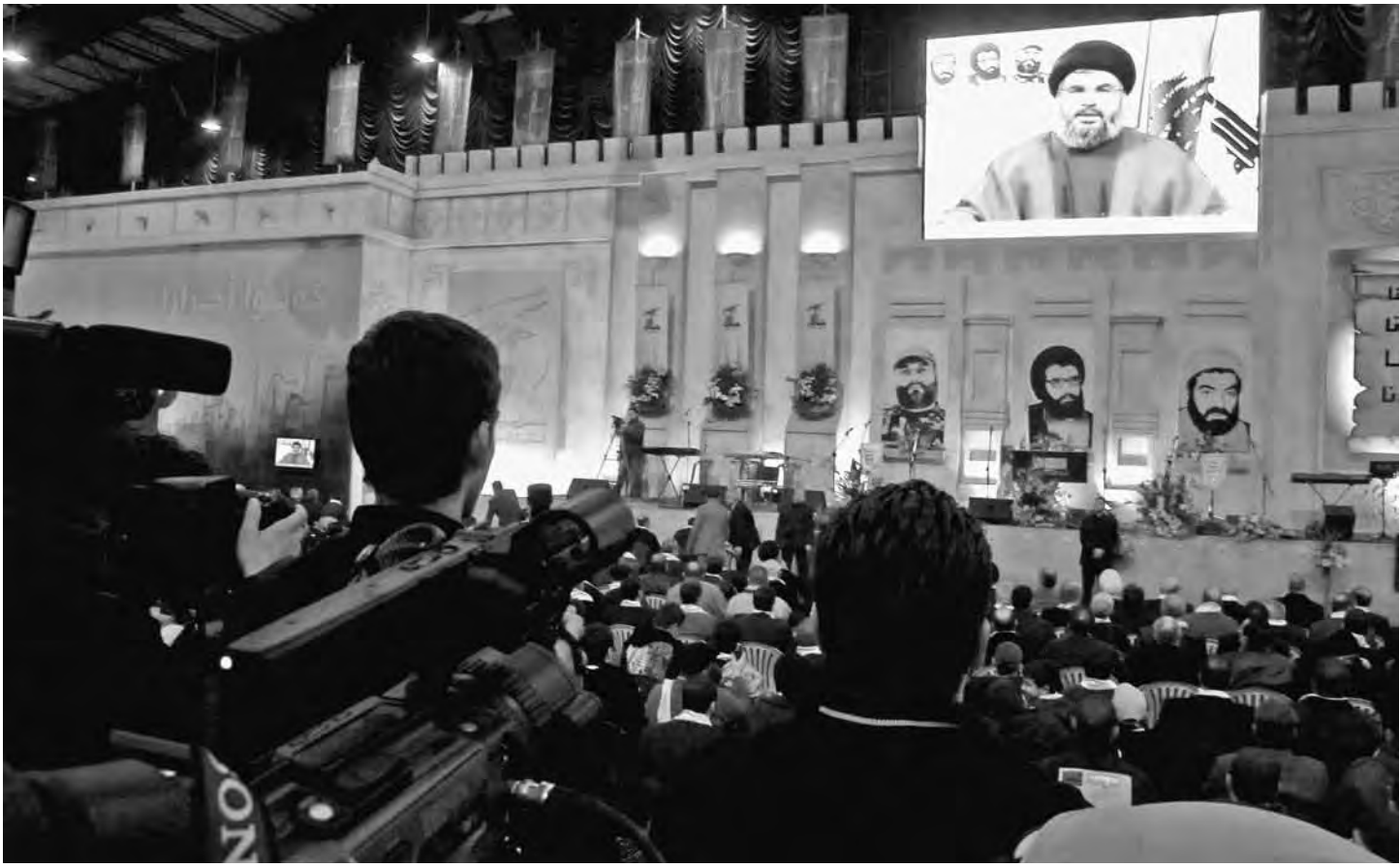
0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00	3.01 – 3.50	3.51 – 4.00
			▲ Kuwait **(1.57)**				
			▬ Algeria **(1.60)**				
			▲ Iraq **(1.61)**				
			▲ Yemen **(1.69)**				
			▬ Bahrain **(1.71)**				
		▬ Tunisia **(1.05)**	▬ UAE **(1.76)**				
		▲ Saudi Arabia **(1.29)**	▲ Oman **(1.77)**	▼ Lebanon **(2.09)**			
	▼ Syria **(0.70)**	▼ Iran **(1.36)**	▼ Palestine **(1.89)**	▬ Morocco **(2.29)**			
	▲ Libya **(0.73)**	▼ Qatar **(1.47)**	▲ Iraq-Kurdistan **(1.92)**	▲ Jordan **(2.42)**	▲ Egypt **(2.53)**		
UNSUSTAINABLE ANTI-FREE PRESS		**UNSUSTAINABLE MIXED SYSTEM**		**NEAR SUSTAINABILITY**		**SUSTAINABLE**	

CHANGE SINCE 2006/2007

▲ (increase greater than .10) ▬ (little or no change) ▼ (decrease greater than .10)

Annual scores for 2005 through 2006/2007 are available online at http://www.irex.org/programs/MSI_MENA/index.asp

IREX intends for the MSI results to serve as one tool in the diverse conversation about media development, and to support advocacy efforts aimed at improving the media's ability to inform the public in the countries under study.



IREX prepared the Media Sustainability Index (MSI) in cooperation with the United States Agency for International Development (USAID) as a tool to assess the development of independent media systems over time and across countries. IREX staff, USAID, and other media development professionals contributed to the development of this assessment tool.

The MSI assesses five "objectives" in shaping a successful media system:

1. Legal and social norms protect and promote free speech and access to public information.

2. Journalism meets professional standards of quality.

3. Multiple news sources provide citizens with reliable and objective news.

4. Independent media are well-managed businesses, allowing editorial independence.

5. Supporting institutions function in the professional interests of independent media.

These objectives were judged to be the most important aspects of a sustainable and professional independent media system and served as the criteria against which countries were rated. A score was attained for each objective by rating seven to nine indicators, which determine how well a country meets that objective. The objectives, indicators, and scoring system are presented below.

The scoring is done in two parts. First, a panel of experts is assembled in each country, drawn from representatives of local media, nongovernmental organizations (NGOs), professional associations, and media-development implementers. Panel participants are provided with the objectives and indicators and an explanation of the scoring system. Each panelist individually reviewed the information and scored each objective. The panelists then assembled to discuss the objectives and indicators, and to devise combined scores and analyses. The panel moderator, in most cases a host-country media or NGO representative, prepares a written analysis of the discussion, which is subsequently edited by IREX representatives.

The panelists' scores are reviewed by IREX, in-country staff and/or Washington, DC, media staff, which then score the countries independently of the MSI panel. Using the combination of scores, the final scores are determined. This method allows the MSI scores to reflect both local media insiders' views and the views of international media-development professionals.

I. Objectives and Indicators

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

II. Scoring System

A. Indicator Scoring

Each indicator is scored using the following system:

0 = Country does not meet the indicator; government or social forces may actively oppose its implementation.

1 = Country minimally meets aspects of the indicator; forces may not actively oppose its implementation, but business environment may not support it and government or profession do not fully and actively support change.

2 = Country has begun to meet many aspects of the indicator, but progress may be too recent to judge or still dependent on current government or political forces.

3 = Country meets most aspects of the indicator; implementation of the indicator has occurred over several years and/or through changes in government, indicating likely sustainability.

4 = Country meets the aspects of the indicator; implementation has remained intact over multiple changes in government, economic fluctuations, changes in public opinion, and/or changing social conventions.

B. Objective and Overall Scoring

The averages of all the indicators are then averaged to obtain a single, overall score for each objective. Objective scores are averaged to provide an overall score for the country. IREX interprets the overall scores as follows:

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

NORTH AFRICA

The media sector itself did not undergo any fundamental changes, as the country remained under a state of emergency law and the government maintained its legal monopoly over broadcast media.

ALGERIA

OVERALL SCORE: **1.63**

ALGERIA

The past year was a relatively calm one for Algerian media, confirming the stability that has come to characterize the political and information scene. Clashes between the independent media and the government have decreased, leading to a decline in the number of legal cases brought against journalists.[1] In addition, the dangers that Algerian journalists experienced in previous years—57 journalists were killed during the bloody civil war of the 1990s—have largely passed. The media sector itself did not undergo any fundamental changes, as the country remained under a state of emergency law and the government maintained its legal monopoly over broadcast media.

On the political front, two important events took place that directly affected Algerian media. First, in November 2008, the constitution was amended to remove the two-term limit for the office of president. This allowed President Abdelaziz Bouteflika to seek reelection in April 2009, which he won handily. Secondly, the effects of the international financial crisis began to be felt during the last quarter of 2008 and could adversely affect Algeria's economic situation, given the significant declines in the prices of oil and gas—the country's primary sources of income.

Panelists' scores mirrored the relative stability, with the overall score improving slightly from 1.50 last year to 1.63 this year. Individually, most objectives showed no change or slight improvements, although Objective 2, professional journalism, increased modestly by 0.35.

[1] During the reporting period, the judicial authorities imposed a jail sentence of three months and a fine of DZD 50,000 ($800) on the director of the daily newspaper *El Watan (The Nation)* and one of its female journalists following a defamation lawsuit.

ALGERIA AT A GLANCE

GENERAL

> **Population:** 34,178,188 (July 2009 est., *CIA World Factbook*)

> **Capital city:** Algiers

> **Ethnic groups (% of population):** Arab-Berber 99%, European, less than 1% (*CIA World Factbook*)

> **Religions (% of population):** Sunni Muslim (state religion) 99%, Christian and Jewish 1% (*CIA World Factbook*)

> **Languages (% of population):** The overwhelming majority of Algerians speak Arabic and Amazighi, the two national languages according to the 2002 Constitutional Amendment. The French language is widespread and used in major cities and in administrative and economic management.

> **GNI (2008-Atlas):** $146.4 billion (World Bank Development Indicators, 2009)

> **GNI per capita (2008-PPP):** $7,940 (World Bank Development Indicators, 2009)

> **Literacy rate:** 69.9% (male 79.6%, female 60.1% (2002 est., *CIA World Factbook*)

> **President or top authority:** President Abdelaziz Bouteflika (since 28 April 1999, *CIA World Factbook*)

MEDIA SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: 34 daily newspapers and dozens of weeklies; Radio: 3 national Radio Algeria channels and 2 specialized channels (cultural and Radio Koran), and 32 local radio stations in most of Algeria's provinces. Television: 3 state-owned channels, 1 terrestrial channel; channel 3, also in Arabic and broadcast to the Arab world, and another, French-language, satellite channel broadcast to Europe; a religious channel is to be launched in late 2009.

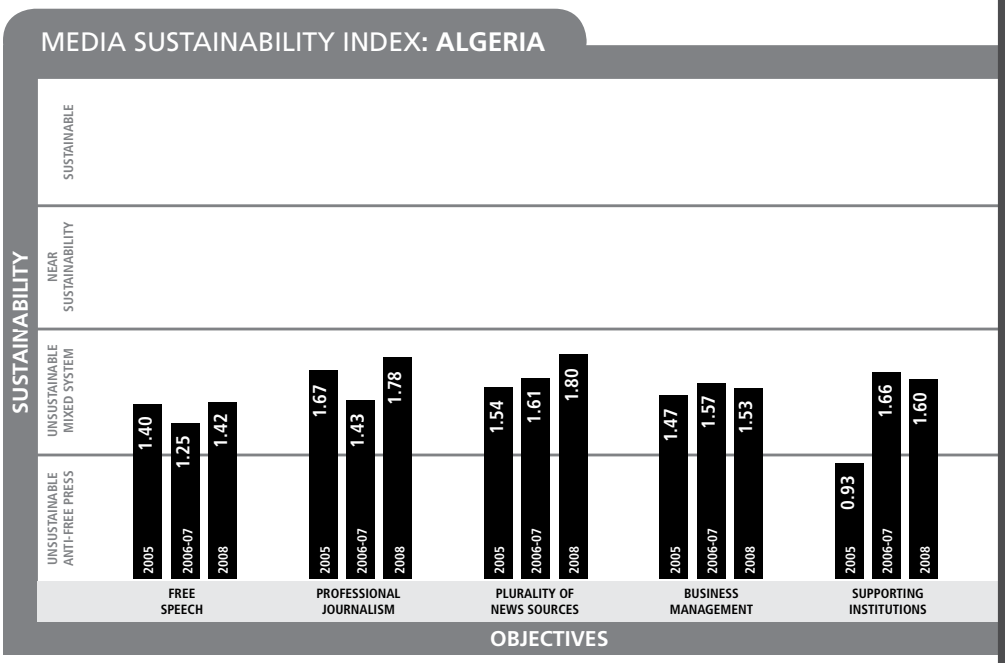
> **Newspaper circulation statistics:** 364 million (www.pressreference.com)

> **Broadcast ratings:** N/A

> **News agencies:** Algerian News Agency (state-owned)

> **Annual advertising revenue in media sector:** N/A

> **Internet usage:** 323,000 (2008 est., *CIA World Factbook*)



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Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Algeria Objective Score: 1.42

Enormous differences exist between constitutional and legislative guarantees of media and political freedoms and actual day-to-day practice. Kamal Zayit, editor-in-chief of the *Weekly News*, said that the legal guarantees exist, since the constitution recognizes the right to freedom of expression and the public media law spells it out, but application is problematic. Hamida Ayyashi, owner and manager of the daily newspapers *News* and *Algeria News*, added that the legal framework is good on the whole, but laws are simply not applied when media practice comes into conflict with the political interests of the dominant power groups in society. In addition, said Gheshir Boudjema, a lawyer and the chairperson of the Algerian League of Human Rights, cultural norms that stand in opposition to the concept of individual opinion comprise a fundamental barrier to the application of legislation.

Regarding the issuance of broadcast licenses, all panel members agreed that the government's monopoly over radio and television is one of the most defining characteristics of Algerian media. The sector remains closed, and many applications remain frozen. Fatima Rahmani, a correspondent for *El-Shurouq* newspaper, said that there is no transparency or justice in the granting of licenses and that the matter is linked to the political objectives of the authorities.

According to Zayit, the Ministry of Information and Ministry of Justice grant licenses to establish newspapers, but for undisclosed reasons, some applicants have been unable to obtain a license. Mohamed al-Uqab, professor of media at the University of Algeria, said that Algerian law is very good in terms of licensing for press publications, requiring only that a newspaper notify the administrative authorities to be published. But in practice, al-Uqab said, no public or private entity can print a newspaper without a license from the Ministry of Justice, even with the aid of informal interventions. He said that the granting of such licenses is not transparent, clear, or fair. Granting licenses to new newspapers is subject to purely political considerations, in clear opposition to the laws that organized the profession, said Kamal Amarni, a journalist with *Le Soir d'Algérie* newspaper and secretary general of the National Union of Journalists.

The media are not subject to any special tax rules. Media enterprises are treated in the same way as any other business.

Crimes against journalists are often not taken seriously, Boudjema said, because Algerian society does not demand freedom of expression. In recent years, serious cases of violence against journalists have been rare; however, media professionals are subject to official harassment as a means of pressure.

For example, journalists are often prosecuted for libel. Amarni said that the penal code, as amended in 2001, allows journalists to be imprisoned for libel, but Zayit said that sentences against them are often not carried out. Abdul Qader Zaigham, Djelfa Province correspondent for *El-Watan* newspaper, suggested that such non-application of sentences is related to political events, such as the run-up to the presidential elections. Those in power then draw attention to the subsequent amnesty given to journalists or the suspension of the sanctions imposed on them, as a way of appearing to be liberal and in support of civil liberties.

Al-Uqab said that it is important to note that while journalists involved in reporting on the political and security situation are frequently prosecuted, those covering the arts and sports sometimes go unpunished. This, he said, shows that prosecution of journalists is aimed more at reining them in than actually punishing them. Boualam Ziani, editor-in-chief of Algerian Television, said that journalists from independent newspapers in particular are subjected to frequent legal harassment by local authorities with the aim of increasing the intimidation of journalists in general. Journalists come under intense pressure from local mafias also, he said.

Legal guarantees of access to information exist, said Rabeh Halis of Algerian Radio. But in practice, journalists cannot gain

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

access to information, and if they do access it, they will be punished for being in possession of such information, he said.

Finally, as reported last year, no license is needed to practice general journalism but correspondents must obtain a permit to attend government events.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Algeria Objective Score: 1.78

Professional standards and the quality of coverage vary widely in Algeria, where the state-owned radio and television sector is run in a rather formal manner, while the printed media are more dynamic and free. Samia Balqadi, editor-in-chief of the weekly *Cristal* magazine, said neither sector performs up to accepted standards: state television does not show anything except what those with influence want to be shown, and the printed media are under the control of political and/or financial pressure groups.

The lack of professionalism is attributable to a number of factors, Amarni said, including the poor quality of training at colleges and academies, the issuance of newspaper licenses to non-professionals, and the government's practice of allotting advertising on the basis of political considerations. Halis expressed the view that Algerian journalism does not meet recognized standards because political power is the dominant factor in every journalist's career. There are no controls on the profession otherwise and political pressure is the only determinant of what approach to take in coverage, typically in accordance with the dominant political agenda.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

Al-Uqab said that the media are in the grip of Algerians who largely are not members of the profession, but who are first and foremost "contractors." Consequently, he said, journalists find themselves subject to the views of media owners, who are swayed by political and commercial considerations. The result is that the real victim is the profession. He cited the example of published articles that contain unverified information, particularly articles related to security matters.

Ayyashi took a different view: In general, journalism has progressed to an acceptable extent, enabling it to embrace the recognized norms of international media practice. Journalism has made significant positive developments in the fields of writing, investigation, and interviewing, she said.

Rahmani said that local correspondents like her are exposed to greater pressure from their immediate social surroundings and local administrations than journalists working in central newsrooms, which are mostly in the capital, Algiers. Zaigham, another correspondent, concurred. Sometimes sources have reservations about expressing an opinion because of pressures from the local administration, he said, and even legal and economic experts, when called upon, sometimes "go into hiding" or fail to show up for interviews.

On the initiative of the National Union of Journalists, a council of ethics has been elected, but no one pays any attention to the council's decisions, panelists agreed.

Regarding self-censorship, Zaigham expressed the belief that junior reporters focus on particular themes as a result of financial pressure. In fact, he said, it might be argued that their work does observe professional standards, if judged in light of the obstacles and pressures they face. Balqadi said that the importance of advertising to the private employers in control of newspapers prevents journalists from carrying out investigations that might have an adverse effect on the companies buying advertising space.

Panelists agreed that journalists' salaries are too low, do not meet the needs of professional journalists, and can easily lead them to take hush money or be bribed. Zayit said that Algerian journalists' salaries are below those in other countries, at only DZD 30,000 ($375) a month on average, and that most journalists do not qualify for social security benefits. Al-Uqab said that journalists cannot afford decent houses on their salaries. Ziani said journalists in state television look for better pay outside their profession, accept bribes, or leave Algerian Television to go and work with Persian Gulf television channels, which pay perhaps 10 times what Algerian Television pays. Rahmani said that salaries have improved slightly, but confirmed that many journalists move into other professions that pay more.

OBJECTIVE 3: PLURALITY OF NEWS

Algeria Objective Score: 1.80

Panelists agreed that news sources remain numerous and varied, providing the Algerian public with rich material, both local and international. Although radio and television are still public-sector monopolies, panelists praised the large number of print media, which are published in Arabic and French. The price of a daily newspaper—DZD 10, or less than $.15—is within the reach of all social groups, and the only impediment to accessibility is the delay in delivering newspapers to some remote areas.

Although Algeria has 34 daily newspapers and dozens of weeklies, Al-Uqab said, they do not seem to have a plurality of approaches. The newspapers all depend on the Internet and the same press conferences, and given the ceiling on permissible topics, the lack of choice in selecting news agencies, and an absence of press agencies in particular, newspapers have become copies of each other. In the morning, all the newspapers come out with the same headlines.

The agendas and the content of news media are not affected by professional standards and community needs, but by the political considerations of the government. As a result, the political, social, economic, and cultural realities of Algerian society are not reflected adequately in the media.

The panel confirmed that international news is available on the Algerian market without significant limitations, largely because of the extensive freedom of Algerian citizens to use the Internet. The government does not exercise control over satellite channels or the Internet, although the Internet might suffer outages and not be available on all days by all Algerians. Rahmani said that Internet access is still not affordable for all citizens, despite the significant price reduction announced by the Ministry of Posts and Information and Communication Technologies in July 2008.

Affordability is an issue also with foreign publications, given their high price on the Algerian market. Amarni said that although the government allows importation of the international press, it might prevent entry of a specific issue that criticizes the situation in Algeria, especially if it criticizes the president.

The principal news services available to Algerian media are the state-run Algerian Press Service, Reuters, and Agence France-Presse. As Ayyashi put it, agencies such as those are of great assistance to the media outlets, especially newspapers, that do not have offices or correspondents outside the country.

Most panelists took the view that the official public media do not allow the free expression of opinion or differing points of view. Ziani stressed that while Algerian television covers the whole country, it does not offer programs or news bulletins that reflect the various interests and concerns of its audience. That has forced viewers to look for other Arabic and French television channels.

On the question of whether Algerian media cover minority issues or offer minority language outlets, more than one panelist expressed reservations about the very concept of minorities in Algeria. Some said that there are none, acknowledging that there are radio channels and television programs in the Amazighi language, but refusing to consider it a minority language in Algeria.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

OBJECTIVE 4: BUSINESS MANAGEMENT

Algeria Objective Score: 1.53

On the issue of the management of media businesses in Algeria, Mohamed Bwazdia, editing secretary at *El-Khabar* newspaper, said that managers of media outlets—whether private or government-run—are often subject to non-commercial considerations. The authorities take advantage of the shortcomings in media business management for political ends and to put pressure on independent newspapers.

Halis said that the situation of the independent media embodies the reality of Algeria: They are not run in a modern manner, as their thinking echoes the logic of the state, which

uses advertising as an instrument to control newspapers and other publications. According to Abdul Karim Hammoush, director of the Public Printing Press, most private media businesses are still living from hand to mouth. Rahmani said that newspapers do not have professional staff qualified in management, business administration, or marketing, so they are financially impoverished and needy in other ways. Consequently, they tend to go under, as a number of titles have recently done.

The panel discussion focused on the role of advertising and, in the view of the majority, the unfair and politicized methods of allocating it. Ayyashi, speaking as the owner and director of two daily newspapers, emphasized the importance of advertising in the life of a newspaper: Without it, sales alone cannot not provide enough revenue for a paper to survive. Sales are not a major source of income for 90 percent of Algerian newspapers. As a result, advertising has become a major influence on the degree of professionalism and ethics in journalism.

Rahmani said that *El-Khabar* and *El-Watan* newspapers have more stable incomes, but that other papers are dependent on advertising income, which is controlled by the government by virtue of the law on advertising. Amarni concurred, saying that advertising is the determining factor for everything in terms of the Algerian press.

Publicity and advertising is distributed by the National Publishing and Advertising Agency (ANEP). ANEP is subject to political considerations, and so pro-government newspapers receive more advertisements, even if their circulations are low. Al-Uqab said that the distribution of advertising is not subject to any particular logic. It is parceled out in a manner that is unclear and unfair, and public sector papers receive the lion's share, although their circulations are low, at no more than 5,000 each. Advertising is doled out in a "measured" way so as not to allow the major papers to feel independent of the government or to make the minor papers face the prospect of extinction, as they might at some point become important for the decision-makers.

Al-Uqab suggested that the media in Algeria, especially print outlets, could be described as small businesses, though the country has both major and minor papers.

Zayit said that there are no market research studies or circulation/audience measurements. Newspapers publish their own circulation figures, and their true sales figures are often unknown and non-transparent. Most panelists decried the lack of ratings of media businesses in Algeria, both public and private.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Algeria Objective Score: 1.60

The discussion of the role of trade and professional associations in support of Algerian media was characterized by diverging points of view among the panel members.

Algeria has no organization that represents publishers, Amarni said. There is, however, the National Union of Journalists, of which Amarni is secretary general. He said the union—despite its limited resources, as it has not taken money from the government or any other party—continues to be both strong and effective, with an involved membership of about 1,000 journalists. The work of the union focuses on defense of the freedom of expression; solidarity with journalists who are harassed by the Ministry of Justice; firings of journalists; and support for a number of projects of public interest, such as the Charter of Ethics and the Law Concerning Journalists, which was issued in May 2008.

Other journalists on the panel disagreed that support institutions are having a significant impact. Balqadi said that Algeria has professional organizations, but that their performance remains poor and their lack of credibility has resulted in the vast majority of journalists not getting involved in professional associations and unions. Ziani noted that journalists have made many attempts to form media organizations, but they have been unsuccessful, which has led to a cooling of interest.

Broad concern for press independence is rarely seen in Algeria. Narrowly, some Algerian human rights associations coordinate with the International Freedom of Expression

Exchange, Gheshir said, and monitor every attempt to attack press freedoms. In addition, assistance is given by international non-governmental human rights organizations interested in the defense of freedom of expression, Bwazdia said.

Ayyashi said that supporting institutions are weak, disorganized, and subject to a kind of semi-organized chaos that weakens the effectiveness of the media and assists the monopoly, to the benefit of some businesses and at the expense of expanding or financially weak businesses. In that way, supporting institutions have become a means for exercising indirect control over media businesses that want to stand out, tell a different story, and strive to be free.

University diplomas awarded to journalists recognize the theoretical training that has been given, but that training is not complete in terms of practical knowledge, Gheshir said. Zaigham said that prospective journalists need additional training after graduating from college and before starting work.

Al-Uqab, the University of Algeria professor, said that while there are good graduates from the media departments, many media outlets suffer from a lack of qualitative managerial oversight, which negatively affects the quality of training. In addition, he said, the press sector is open to people who are not graduates of journalism schools, and journalists are not hired on a professional, transparent, or fair basis.

Although only a few journalists have undergone short training programs at the national level, Zayyit said, some have received training abroad. He noted that media institutions encourage such training. Zaigham expressed the view that the level of training received by Algerian journalists is lackluster compared with recognized international standards.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Zayyit noted that printing presses are mostly state-owned and operated in a non-transparent manner. Broadcast transmitters are completely government controlled, although print distribution is private. Print distribution was described as inefficient, however.

List of Panel Participants

Rabeh Halis, editor-in-chief, Radio Algeria, Algiers

Kamal Zayit, editor-in-chief, *Weekly News*, Algiers

Fatima Rahmani, press correspondent, *El Shurouq*, Tibaza

Mohamed Bwazdia, editing secretary, *El Khabar*, Algiers

Kamal Amarni, journalist, *Le Soir d'Algérie*; secretary-general, National Union of Journalists, Algiers

Boualam Ziani, journalist, editor-in-chief, Algerian Television, Algiers

Hamida Ayyashi, acting director and owner, *News and Daily News*, Algiers

Samia Balqadi, journalist, editor-in-chief, *Cristal*, Algiers

Abdul Qader Zaigham, reporter, *El Watan*, Djelfa

Abdul Karim Hammoush, director, Public Printing Press, Algiers

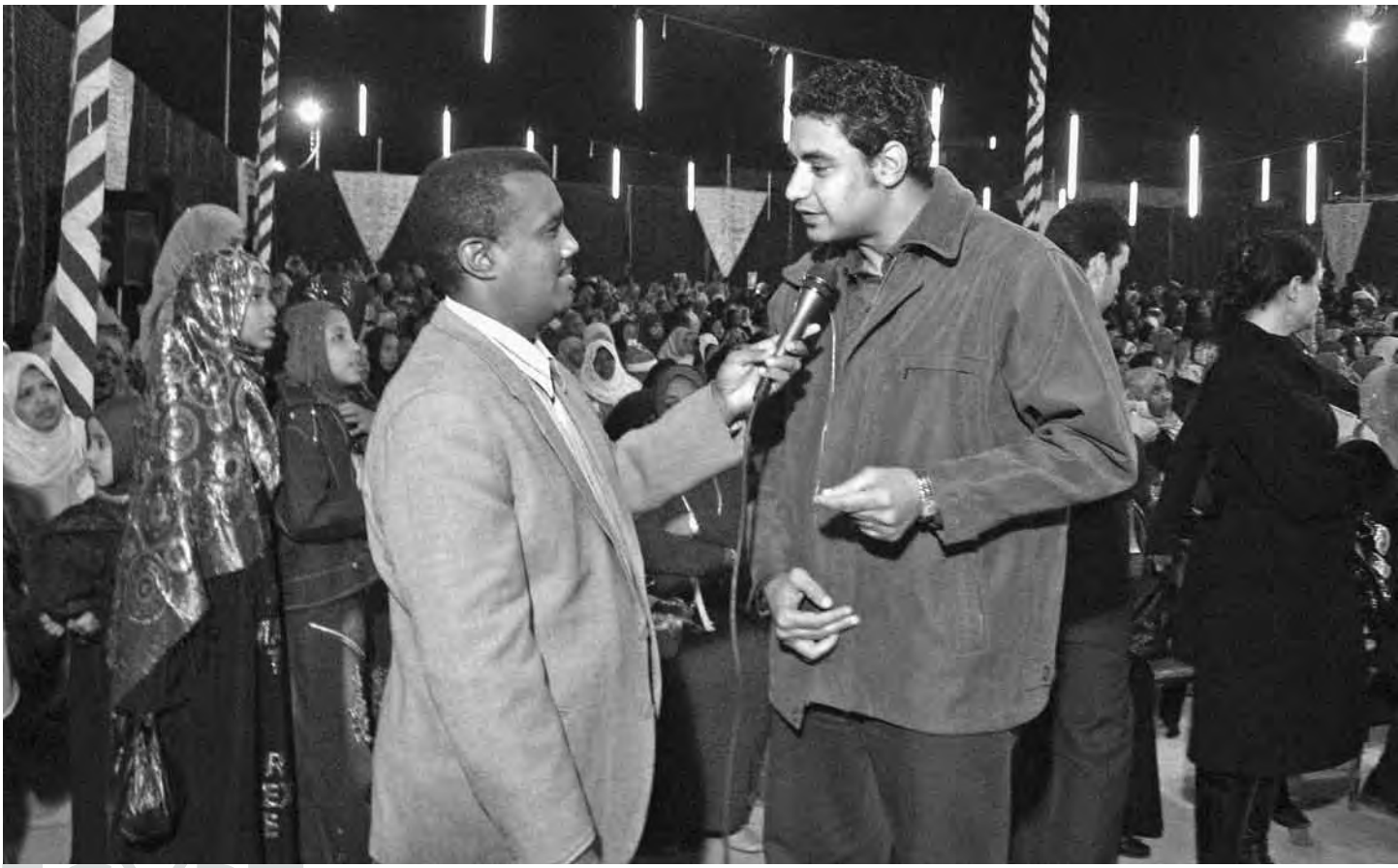
Mohamed Al Uqab, professor, Media Institute, University of Algeria, Algiers

Gheshir Boudjema, lawyer and president, Algerian League of Human Rights, Algiers

Moderator and Author

Djabi Abdenasser, professor of political sociology, University of Algeria, Algiers

The blogging phenomenon took center stage this year, with Egyptian blogs reaching 160,000 as of April 2008. This represents 30.7 percent of all Arab blogs and 0.2 percent of total blogs worldwide.



EGYPT

OVERALL SCORE: **2.37**

EGYPT

The year 2008 saw several significant developments that affected the Egyptian media sector. May was particularly eventful: May 3 was the International Day for the Freedom of the Press, Internet activists called for a strike on May 4, and the extension of the state of emergency ended on May 27.

For the first time in Egypt's history, activists, legal professionals, and opinion leaders met to demand the overturning of laws that violate the rights to freedom of opinion, expression, and peaceful assembly. The laws include Emergency Law 162 of 1958, Assembly Law 10 of 1914, the Meetings and Demonstrations Law 14 of 1923, the Publications Law, and the Journalism Regulation Law.

The Egyptian Journalists' Syndicate (EJS), a union headed by President Makram Mohammad Ahmad, was quite active in serving its constituency. It formed a committee that will implement the Journalism Honor Code; supervise dialogue between representatives of the Higher Journalism Council and constitutional and government bodies as they revise restrictive publication laws, and; within a framework of mutual respect, address the problem of journalists sentenced to imprisonment. In addition, the union granted the right to journalists to demonstrate without prior approval on the stairs of the union building.

Internet usage for news and information in Egypt has gained prevalence. Many newspapers and various media outlets have added Internet research to their traditional tools, and media fora that rely primarily or entirely on the Internet have been established. On March 24, The Arab Network for Human Rights Information launched "Cases" (http://qadaya.net), a new website that allows researchers, journalists, and lawyers to track human rights cases before the Egyptian courts. The site serves as a reference for important judicial rulings that support human rights, and specifically freedom of opinion and expression and; Arab laws, constitutions, and samples of human rights cases and pleadings.

The blogging phenomenon took center stage this year, with Egyptian blogs reaching 160,000 as of April 2008. This represents 30.7 percent of all Arab blogs and 0.2 percent of total blogs worldwide.

Finally, Ibrahim Issa, chief editor of the daily newspaper *Ad Dustour*, received the 2008 Jubran Tweini Award, granted annually by the World Association of Newspapers to honor a chief editor or journalism publisher in the Arab region. (This award honors the memory of Jubran Tweini, the Lebanese journalism publisher and WAN board member who was the victim of a car bomb in Beirut on December 12, 2005.) A Decision of the Republic was issued in Cairo on October 7, 2008 to pardon Issa, who was sentenced to two months imprisonment by a misdemeanor court in the case known as the "President's Health."

EGYPT AT A GLANCE

GENERAL

> **Population:** 83,082,869 (July 2009 est., *CIA World Factbook*)

> **Capital city:** Cairo

> **Ethnic groups (% of population):** Egyptian 99.6%, other 0.4% (2006 census)

> **Religions (% of population):** Muslim (mostly Sunni) 90%, Coptic 9%, other Christian 1% (*CIA World Factbook*)

> **Languages:** Arabic (official), English and French widely understood by educated classes (*CIA World Factbook*)

> **GNI (2008-Atlas (World Bank Development Indicators, 2009)**

> **GNI per capita (2008-PPP):** $5,460 (World Bank Development Indicators, 2009)

> **Literacy rate:** 71.4% (male 83% female 59.4%)(2005 est., *CIA World Factbook*)

> **President or top authority:** President Mohamed Hosni Mubarak (since October 14, 1981)

MEDIA SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: 18 primary newspapers and periodicals; Radio: 59; Television Stations: 98 (www.pressreference.com)

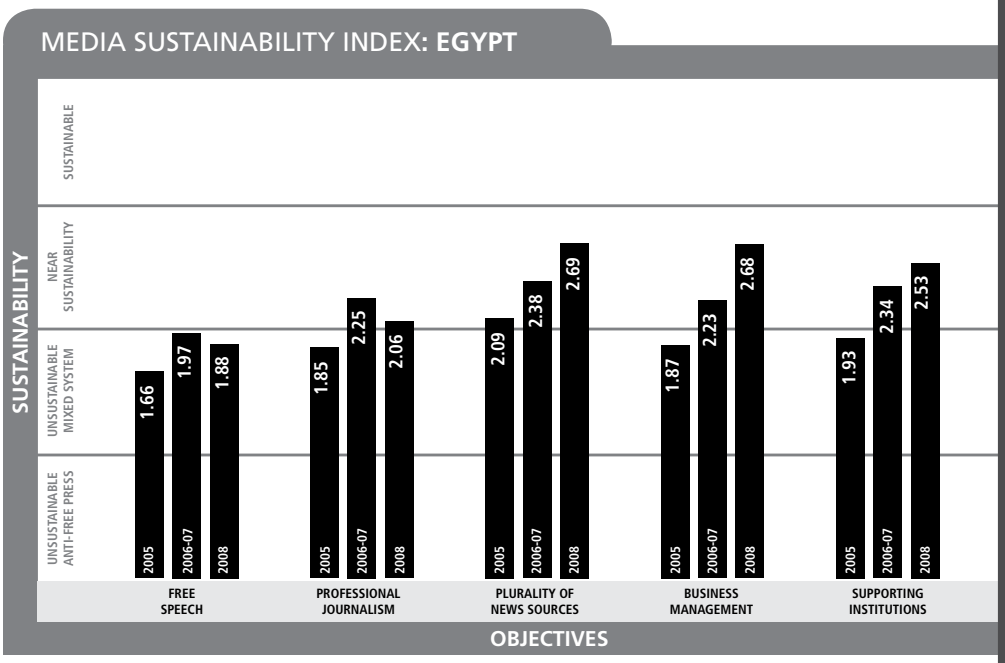
> **Newspaper circulation statistics:** 53.9% of households subscribe (*2004 Egypt Human Development Report*, UNDP 2008)

> **Broadcast ratings:** N/A

> **News agencies:** Middle East News Agency

> **Annual advertising revenue in media sector:** N/A

> **Internet usage:** 11.414 million (2008 est., *CIA World Factbook*)



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Egypt Objective Score: 1.88

Freedom of the press, expression, and access to information are guaranteed in Egypt, and newspaper censorship is banned. These freedoms are articulated in Article 47 of the constitution, in accordance with international human rights conventions signed by the Egyptian government. But according to panelist Hani Hussein Mobasher, a journalist at Akhbar Al Yawm Institution, the constitution has many provisions that restrict its own stated freedoms.

Panelist Hanan Farid El Dib, a member of the Bar Association and program host on Dream satellite channel, said that Egyptian media has improved markedly, and media workers have acquired a new importance. They now have great ability in influencing the community. However, their prominence has led to the regime's awareness of their impact. The government has started to attempt to regulate media output, and has been careful to codify this control, El Dib said.

In 2008, the National Body for Regulating Audio and Visual Broadcast Bill was proposed. The bill outlines all that the state considers violations of the set media framework. It defines broadcasts as any radio transmission or availability of any written or videotaped media material in any format, including the Internet. The bill calls for the establishment of a monitoring body, chaired by the minister of information and made up of representatives of the National Security Commission and the ministries of interior, foreign affairs, and culture. The mandate of this body is to monitor the content of all broadcast messages from television stations, radio stations, and Internet sites.

Panelist Majdi Sanad, journalist and department head of the Rosa Il Yousif Institution, said that the freedom to exchange information in Egypt is still incomplete. "Information is the right of every citizen, and therefore there is a need to work on passing an information disclosure law and explain its role in enhancing the freedom of expression and the right to knowledge, on the basis that accessing information is a basic right and a requirement in the democratic process," he said.

He added that President Mubarak promised a law to guarantee the freedom of the press and cancel imprisonment sentences for lawyers, and everyone is still waiting.

Panelist Hala Hashish, president of Nile News Channel of Egyptian Television, said that Egyptian law grants journalists many powers, to the extent that it has prompted citizens to call for a law to defend themselves against journalists covering their private lives.

According to Hashish, media freedom in Egypt is high as compared to other Arab states and as proven by the number of newspapers sold by merchants and the immense number of satellite channels. The problem is that the workers in the media field do not appreciate the level of freedom that is granted to them, he said.

The Government of Egypt has received several requests from the regional and international community to revise all its legislative articles that restrict the freedom of opinion and expression in general and the freedom of the press in particular. The government was asked to address the articles pertaining to prison sentences in opinion cases, and apply procedures that will guarantee the safety and the life of bloggers, journalists, and all media professionals and protect them from oppression and detention. All these rights are stipulated in international human rights conventions and the constitution of Egypt.

Panelist Amina Jamil Khairi, a journalist with *Al Hayat* newspaper, spoke of the growing popular belief in the value of the freedom of expression, as evident in the reaction to the Ibrahim Issa case. However, she said, this does not mean that the media market is witnessing unprecedented openness.

Tahani Jabali, judge and vice president of the Higher Constitutional Council regulatory body, said that the idea of dealing with legal traditions—whether they protect, encourage, or restrict the freedom of expression—is considered risky in Egyptian society, because the legal structure is a reflection of the circumstances of society and an indication of its negative or positive movements.

Jabali explained the role of the Higher Constitutional Council: "The principles established by this court in its direct rulings are in accordance with the law and the constitution, and enjoy an absolute power for individuals and the three branches of the state legislative, executive, and judicial... I believe [these] ruling principles relate to much of what is debated daily in the areas of freedom of expression, and the misunderstandings surrounding the responsibilities of each side."

She pointed out a lack of awareness of the rights and duties associated with the freedom of expression in all its forms, including the media. She wondered why all the journalists in Egypt do not read the section in the Egyptian constitution on the authority of the press. Awareness must exist from the very beginning for there to be a form of dialogue between those demanding freedom of opinion and expression and from the legislative authority, she said.

"There should be some regulating entity to protect the principles of the constitution and the authority of the press," Jabali said. "The problem in Egypt is that we waste what has already been codified and accomplished, and we are

still arguing and debating about whether the authority of the press is codified in the constitution or not and what its dimensions are and the forms of protection granted to it."

In addition, she said that there is some confusion at times between the constitutional articles and the legal rules in the press authority law or other related laws. The conflict ends either with the judge or the judged violating the constitution. She said that she sees a need for the law to comply with the principles in the constitution.

Cairo University Professor of Political Science Mustafa Alawi said that the problems with freedom of expression start in the law, not the constitution. The constitution has an important chapter on press freedom and authority that is similar to the constitutions of other countries, he said, but the laws related to the press—most importantly, the publications law and the penal code, and the provisions within them from 78 years ago—are very dangerous. Several articles prohibit publication of a number of issues, including military affairs. Egyptian laws even give a type of indirect protection for violations that are not described by provisions of the constitution, thus negating the important articles in the constitution, he said.

Jabali said that she fears that under the power of its publications law, the government is extending its restriction of freedom of expression to Egypt's average citizens as well. "The monitoring of texts is not directed at journalists, but rather directed at the freedom of expression. It is easy to apply [the law] to citizens who write their opinions in any newspaper, and they may be punished for the publication," she said.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

> Legal and social protections of free speech exist and are enforced.

> Licensing of broadcast media is fair, competitive, and apolitical.

> Market entry and tax structure for media are fair and comparable to other industries.

> Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.

> State or public media do not receive preferential legal treatment, and law guarantees editorial independence.

> Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.

> Public information is easily accessible; right of access to information is equally enforced for all media and journalists.

> Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.

> Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Jabali added that private newspapers published in accordance with foreign licenses do not have absolute autonomy and are also subject to the monitoring of the publications law, which includes punishments of prohibition and closure. "Everyone should know that the journalist is a product of society and culture, and therefore we must maintain the framework of freedom granted to the journalist," she said.

The Egyptian press is licensed and governed by the Higher Journalism Council, under the auspices of the Shura Council (parliament). The Higher Journalism Council consists of:

- Shura Council president
- Presidents of the boards of directors of national press institutions
- Chief editors of national newspapers, provided each institution, in case of plurality, is represented by one chosen by the institution's board of directors
- Chief editors of party newspapers published in accordance with the party law; if one party has several publications, the party chooses the chief editor to represent it
- The president of EJS and four former presidents of the union, chosen by the Shura Council
- President of the Press, Media and Publications Workers Union, and four former presidents of the union, or union members, chosen by the Shura Council.
- Two journalism professors from Egyptian universities, chosen by the Shura Council
- Two legal professionals chosen by the Shura Council
- A number of public persons interested in journalist affairs, representing various public opinions chosen by the Shura Council, provided they do not exceed the number of members detailed in the earlier paragraphs

The Higher Journalism Council grants licenses for newspaper publications through Egyptian stock companies. However, union members do not have the right to own shares in private or independent newspapers, and none of their relatives can own more than 10 percent of the newspaper's shares.

Panelists said that the Higher Journalism Council interferes in the sector through the powers granted to it by Egyptian law.

The process of issuing licenses is problematic as well. Although there are no clear criteria for granting licenses, the council is strict in issuing licenses to newspapers and places financial and security restrictions on them, which violates all the rights and goals previously mentioned.

Panelist Hanan Fekry, a journalist with the Watani Institute, experienced firsthand those restrictions. "The most recent [example] in this regard was my attempt to ask about the rules of the council so that I could publish a periodical specializing in human rights," she said. "I was met with absolute rejection and was warned against publishing it, so as not to be subject to two years imprisonment for publishing a newspaper without licensing."

The length of the licensing process depends on the orientation of the publication, according to panelist Islam Al Jundi, a journalist with the Akhbar Al Yawm Institute. The time period is short if the publication is state-owned; otherwise, the process is long, he said.

Asma Ismat Mohammad of *Al Ahrar* newspaper said that the council is not fair in all cases; the proof being that in spite of the license granted by to the private *Al Shurouq* newspaper, it was stopped, and its license was suspended for several months for suspicions of political affiliations against the regime. The council then granted it a license once again. The publication of the *Al Shaab* newspaper was also suspended.

Panelist Faiza Mohammad Amin Al Gambihi, a journalist with the Akhir Sa'a Institution In Al Buheira, pointed out several problems. She said that selection of the licensing officials is subject to the government, and therefore politicized; there are no appeal procedures for those whose request for a license has been denied; and there are clear differences in dealing with the various media outlets, as state-owned media outlets receive preferential treatment.

Journalist Nabil Zaki said that the council does not have the authority to hold journalists accountable, because that is the role of the union. Most complaints coming from the reports of the Higher Journalism Council concern the publications of private newspapers with licenses from abroad (Cyprus, England, etc.).

Because Egypt has witnessed unprecedented freedom in the volume of satellite channels and their licensing, Duriah Sharafuddin called for the council to make a priority of setting and reviewing regulations for satellite broadcasts. "In the last three years, we have seen a completely different media world, which needs a review of the laws governing [satellites]. Satellites are controlled by no one, they are not specifically monitored, and the percentage of private channels has expanded compared with governmental channels. The question is: 'Who monitors who?' The simple answer is: 'No one!'" he said.

Mobasher agreed that the council needs to make changes. "If the Higher Journalism Council is the official body mandated with granting licenses, there is a need for enacting new rules to grant licenses and refraining from placing obstacles before them," he said.

Other panelists had ideas for improving the council. Howaida Fathy, a journalist in the Akher Saa Alexandria office, suggested licensing newspapers by means of a notification to the official entities only, without involving the Higher Journalism Council and its governmental affiliations. Alawi suggested that private newspapers be represented on the council through their editors-in-chief.

Hashish was a dissenting voice on the panel. He said that there are no cases in which priority is granted to certain media outlets, except in matters related to politics. The process of granting licenses in Egypt is transparent, he said, and the legal framework in Egypt guarantees that the media industry may enter the competitive market without legal restraints. The restrictions are rather moral and intellectual, he said.

The media is burdened by taxes similar to other economic activities. Tax breaks are given to national newspapers only—not to private or party newspapers.

According to Mobasher, often media outlets do not pay their taxes. "[This] makes them accumulate debt, causing the outlets a lot of economic problems," he said. "This also applies to government newspapers and party and independent newspapers that do not submit clear budgets on the volume of their spending and their income—which thereby negates the existence of independence in them."

Few assaults on media professionals were reported in 2008, although minor harassment was not uncommon. Further, government harassment in the form of raids or legal proceedings against media outlets continued as in 2007. For example, the Committee to Protect journalists reported that the Cairo News Company (CNC) was subject to a police raid after Al Jazeera aired footage it purchased from CNC that showed protests in Mahalla al Kobra.

Panelists pointed to the case of the newspapers that covered the Duweika events and the collapse of part of a mountain over an impoverished area. Security forces prohibited the presence of journalists on the site, and it got to the point where journalists were even dismissed from the area.

State-owned press and television stations can be considered without exaggeration to be the tools of the ruling party. Their staff members enjoy freer access to information, especially from sovereign ministries and bodies. No laws provide for their independence from politicians.

The Egyptian court system is used also to thwart media freedom. Judicial rulings are made against journalists in cases of libel against officials. In addition, journalists who

make reporting errors sometimes face penalties, including imprisonment and fines, if any mistakes are proven. But these rulings are criticized and condemned by Egyptian citizens.

Egyptian journalists are demanding their exclusion from criminal trials and the referral of complaints to the EJS committee for a ruling, since a law was enacted stating that responding is a basic right for those subject to criticism or mentioned in the newspapers.

EJS President Ahmad has called on all Egyptians to work for media reform: To swiftly end the detention penalties in publication cases; to hold legally accountable those who withhold information from journalists, whether government or public entities; to prohibit restrictions on freedom of information, without undermining the requirements of defense and national security, and; to halt any discrimination in granting information to various newspapers.

Libel and related insult cases are handled may result in criminal penalties plus civil compensation. Basha said that rulings against journalists and media workers should be passed down only after a trial before the civil courts.

The panelists agreed that the press cannot perform its role if journalists do not enjoy the right to access information from sources, especially since the press plays an important role in forming and directing public opinion. However, political information is difficult to access for journalists and is unfairly disseminated. Access depends mainly on the journalist's affiliation with a governmental media body or a personal relationship that may be based on a principle of exchanging interests.

Fathy said that the right to access information is considered essential to enhancing transparency in the decision making process, which helps build citizen confidence in the work of the government. This right also complies with international conventions and agreements signed by Egypt. Access to information is also a prerequisite for increasing the ability of the people to participate in the democratic process, she said.

Panelist Hiba Mohammad Basha, a journalist for *Nisf Al Dunia* magazine, Al Ahram Institution, said that the law provides no real protection for access to information, and there is a lack of legal text that grants journalists the right to demand information. There are also no real criteria that apply to publishing independent newspapers, he said.

Egypt has laws that impose publication bans in some cases on the exchange of certain information in the media. There are mechanisms and legislative laws that force the government to disseminate information, but implementation is lacking. Zaki, Jabali, Alawi, Sharafuddin, and media worker Sana Mansour stated that the obstacles facing the freedom of opinion and expression in Egypt are due to the lack of an information law that would allow freedom in the work of media personnel. Zaki said that the information law has been promised for a while, but no actual steps have been taken.

Panelists said that it is not easy for all journalists to obtain public information from legitimate channels, as opportunities range according to the type of media outlet (private/public) and there are no preventive legal measures. This is also a problem for independent journalism. The absence of information leads to a lot of journalistic guessing.

Hashish, however, said that journalists can easily obtain information—not due to the law, but through institutions. Some information reaches the private media before it reaches the state media, and there are no restrictions on the work of the correspondents and the agencies.

Fathy called on civil society institutions and associations to play a role in demanding the correction, updating, and auditing of information, in order to ensure confidence and credibility. She said that since we live in the age of the information revolution, governments cannot withhold information or prevent access because various other sources are available in order to obtain the information.

The Internet is available to everyone for news, at reasonable prices, and the media outlets are even allowed to use foreign news programs and news agencies to obtain news. According to Basha, there are no restrictions of any kind on freely accessing international news through the Internet, although the Egyptian government imposes restrictions on certain reporters—specifically, editors of party and independent newspapers.

The government grants special privileges to certain journalists through EJS, which governs union membership. Generally, a journalist can write freely and join any newspaper without necessarily being a member of the union; however, membership does facilitate entry to various events.

As for correspondents, the restrictions imposed on them are limited to registration with the media center of the Information Committee, which does not grant any benefits. There are no prior approvals necessary for writing specific reports, with the exception of those pertaining to international national security. There are no restrictions in joining faculties of journalism, and the government does not interfere in determining the identity of the journalist, with the exception of the conditions to joining the Journalists Union.

Basha said that the Egyptian governmental bodies do not recognize journalists unless they submit proof of membership in the Journalists Union to verify their identity, although this is not a prerequisite to obtaining information or practicing the freedom of the press.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Egypt Objective Score: 2.06

Quality in preparing reports is linked to the editorial characteristics of the channel or the newspaper. The more neutral the media outlet, the higher the quality and the more thoroughly investigated the report, especially those covering important events in the country. Mohammad said that the journalist who tries to appease his or her conscience writes a report professionally, collecting the largest amount of information from the parties relevant to the story. He said that this is the case for 70 percent of journalists, while the rest resort to making up information.

All staff in media channels try to be credible when preparing news reports, according to Hashish. The slogan of the channel that she runs is "river of truth."

Ismail agreed that reporters always seek to find the truth, but said that objectivity is impossible because of the difficulty in accessing information. He advised media workers to conduct research in order to investigate the issue that is the subject of discussion. Shukur also has seen that some journalists do not check what they publish, many of them resort to publishing without documents, and others are not objective or do not make the necessary preparations for writing.

Randa Fouad, president of the Arab Forum for Environment and Development, stressed that the private sector has a social responsibility towards the community. Businesspeople and the private sector can contribute to the increase of satellite channels and should have specific strategic goals to separate personal interests and the policy of the channel itself, similar to that which is applied abroad.

Compared to government channels with limited budgets, independent channels have a greater ability to produce more attractive and professional reports because they have the financial support to constantly purchase news stories. However, El Dib said that independent outlets still have many shortcomings, especially when covering the topics that are of interest to society. There is harshness in the terms and phrases, specifically on the first pages of newspapers, to attract the attention of the reader. Newspapers and the media even play the role of the judge and executioner even before the investigations are over on any topic that is the center of attention, El Dib said.

Zaki pointed to another problem related to the proliferation of media freedom in Egypt. He said that some are abusing their privileges to attack the honor of people, invade their personal lives, contribute to the dissemination of inaccurate news, and ignore the need to verify information before publication—all of which represent a violation of the profession.

Panelists agreed that abiding by the professional and ethical criteria of quality within the journalism sector differs according to the type of newspaper (government, independent, party, Internet).

Egypt has a journalism honor code in place; however, violations do occur. Baraka said that many newspapers do not comply with the criteria, as they are focused on provocation and attracting the attention of readers.

Hashish said that all correspondents and staff in the media field must abide by the policies of the institution along with international conventions. Audience members seek media outlets that follow ethical criteria, she said, and thus the Egyptian media must commit themselves to honesty, objectivity, and credibility in addressing topics. However, the majority of outlets do not consistently abide by accepted ethical standards. "What we lack is the commitment to the journalistic and media honor code criteria," she said.

Khairi said that for most Egyptian journalists, committing to professional criteria will require various changes: increased wages; access to modern technologies, such as the Internet; opportunities to travel abroad and learn foreign languages, acquire expertise, and learn from the experiences of other institutions, and; gain access to sufficient information to produce high-quality reports.

Ismail affirmed that self-censorship is an Egyptian journalist's first line of defense. He said that journalists' fear of offending those in political circles, and the restraints placed on chief editors, are weapons that threaten journalism. On the

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

other hand, Khairi said that with the increase in private newspapers, the issue of self-censorship has been reduced, with relationships and interests taking its place. She said that censorship more often occurs because of the policy of the media outlet or pressure from chief editors, which manifests in journalists covering events and main issues with the general slant of the outlet.

Some newspapers cover events completely, while others aim to sell to the market, regardless of the coverage of the event. For these publications, the first concern is to bring in advertisements as a result of the event.

Panelist Faiza Mohammad Amin said that most media outlets cover local and national news, but some newspapers always lack the appropriate column space for local news coverage. Some of the regional newspapers in the governorates cover all news.

Journalists suffer from severely low wages at all levels compared with other professions. Journalists from opposition and private newspapers especially suffer from the low salaries. Panelist Islam Al Jundi said that the low wages of journalists results in them resorting to selling advertisements or working for businesspeople, causing them to lose their neutrality and professionalism. Khairi said that working other jobs forces journalists to divide their concentration and time.

Moreover, the wages of journalists and chief editors of the written, visual, and audio press vary, and even the wages of journalists within the same newspaper vary. EJS has been working to obtain additional income for journalists through training allowances paid for by the state, but journalists are still being forced to leave the profession in search of better pay, or turn to corruption.

Special incentives given to journalists are subject to the personal whims of their bosses and are not a reflection of quality of work. This reality prompts many journalists to bring in advertisements to receive a commission.

Mansour said that the low wages of journalists, especially those at the junior level, have led to low-quality reporting in newspapers. These young journalists have no financial incentive to go to the source, which causes laziness in the search for information and replaces in-depth research with the use of the phone. She added that she believes that the real problem is that the bosses look after themselves at the expense of discovering talent. "The boss who cannot train people to be second or third in command is worthless," she said.

Egyptian media is split between entertainment and news programming, with the time allocated for news programs decreasing, especially among government media outlets. Ismail said that entertainment shows make up 70 percent of Egyptian television programming.

Panelists had differing opinions on where public interest lies. Some said that they believe that news is more popular because citizens want to hear and discuss issues in more detail. Fekry said that news programs have a higher percentage of viewers, as the awareness among the public is growing and there is a greater need for knowledge. But Khairi said that entertainment has more interest among viewers. The main problem lies in the quality of news programs that are often classified as "boring," she said.

Mansour said that most private and satellite channels aim to make commercial profits and not social reform. She said that the small minority of channels seeking to influence the public are "credited with moving the stagnant waters of the Egyptian media. More importantly, these influential channels must have sufficient freedom of expression, or at least a clear agenda related to the citizen and not security."

The equipment used in collecting, producing, and broadcasting news in Egypt has advanced a great deal. But press companies still are not properly equipped, which affects the quality of journalistic performance. The technical capacities of the media institutions, and specifically the production institutions, vary from one to the other according to their budgets. Most journalists still do not own computers.

Panelist Hany Hussein Mobasher said that the improvement in equipment has not been accompanied by a development in the professional level of media workers, and this affects the reputation of Egyptian journalism in the media markets requesting news.

OBJECTIVE 3: PLURALITY OF NEWS

Egypt Objective Score: 2.69

Panelists said that Egypt has multiple public and private sources of news. Citizens can easily access local and international media, and they can follow foreign news. All publications are available to them, and there are no restrictions in force.

Khairi said that the Internet has made a quantum leap in terms of the news available to citizens. The Internet is now available to everyone, but the obstacle is the low number of those with access. Basha said that according to the estimates of the Egyptian Ministry of Communications, approximately 10 percent of the population of Egypt (approximately 8 million people) uses the Internet. That percentage is low, but should be viewed relative to the government's movement, which started only six years ago, in 2002. "The majority of the cultured and the educated now use the Internet," Baraka said.

Multiple factions of Egyptians are benefiting from the proliferation of the Internet. Chat rooms and email groups allow youth, media workers, and journalists to communicate and discuss topics ranging from religion to sports to art, and to debate all relevant political issues.

The phenomenon of blogs has also significantly changed the media scene, providing a forum for action and words of those without a voice. They have become a tool for anyone to publish their own "newspapers" and to write what is relevant to them on any subject, where the only judge is the audience. Although thousands of blogs emerged in 2008 covering a range of issues, political blogs took center stage. The hot topics they address, the seriousness in presentation and deliberation, and the clear professionalism that some have expressed in their blogs has led them to become true sources of news that many use and trust—some even beating traditional media in publishing news first.

Mobasher said that the rising number of Internet users and the immense development in the broadcasting outlets has made accessing news very easy. This has prompted many newspapers and publications to "restructure" the way they see events, and expand their coverage at the local or international levels.

Along with private newspapers, satellite broadcast channels have filled a huge informational gap for Egyptians. This accessibility has directly contributed to raising the awareness of average citizens, and equipped them with the self-confidence and ability to discuss problems publicly and communicate with officials.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Ismail stressed that the media coverage is usually focused on national issues, especially since 50 percent of the citizens in Egypt have the ability to only buy one daily newspaper.

The Egyptian rural population lacks media that discusses and adopts their concerns. They have no local popular media, the Internet is still limited, and the income levels prohibit access to Internet services and satellite receivers. They receive most of their news from radio.

Regional newspapers that operate through licenses from outside Egypt are widespread in the governorates. The marketing of publications to rural areas is difficult, however, and there is low demand for print news.

Panelists agreed that there are no obstacles preventing citizens from following international news. Buying any foreign publication or accessing it online is easy. However, there are boundaries in dealing with some issues that are related to national security.

Hashish said that the media outlets owned by the state are not independent in their message, but all media outlets base their ideas and proposals on public opinion. Ismat indicated that it is natural for the state media to show its viewpoint alone, and not all viewpoints.

According to Jamil, it cannot be said that Egypt has independent news agencies. Basha agreed, saying that the lack of independent agencies is the most serious detriment to professional journalism. However, independence in Egypt remains relative and reliant on the ownership of media outlets.

International news agencies are among Egyptian media's main sources for information. Panelists said that Egypt does have the Middle East News Agency, which is owned by the state. The agency selects news reports and disseminates them to the major journalism and television institutions in accordance with their subscriptions. Newspaper companies also rely on the agency for their news; however, most newspapers cannot use a large number of agencies due to the high cost of subscriptions.

Ismail said that the visual media outlets produce their own programs, along with buying what complies with their goals. Approximately 70 percent of visual media outlets depend on programs produced by private companies. There are private media outlets that produce programs that differ from the trends of the state media, without reaching a level of conflict. There are also no real visual popular media outlets that meet local needs.

Panelists had different opinions regarding the transparency of media ownership. Some said that the media in Egypt is shrouded in mystery and that the majority of institution

owners are unknown, because there are no laws that govern media property disclosure. Others said that media outlets have some transparency, and most citizens know the owners of the media they consume.

Media monopoly is limited to state institutions only. Recently, the phenomenon of large commercial blocks owning private channels and newspapers has appeared, and this is reflected in the media performance of these institutions.

According to Mohammad, some private newspapers are said to be the voice of foreign entities and funded with large amounts by those they represent.

A large variety of social interests are presented by the media, but there are no media outlets specifically for particular minority or social interests.

Panelists were divided on whether the Egyptian media presents all points of view. Asma Ismat said that there are varied media outlets in Egypt that provide comprehensive coverage of all aspects of life. However, other panelists said that the Egyptian media lacks the presentation of all points of view.

Any television channel now has the right and the freedom to produce any program it wants. Some shows on national television attack the government's shortcomings and present the viewpoints of the parties and the opposition. Satellite broadcasts include opposition programs and several independent channels with liberalized content and programs have achieved great popularity due to the boldness of their hosts.

In spite of their low numbers compared to technical and entertainment programs, news and talk shows are the most popular and influential within Egyptian society, according to the panelists. They said that as these programs increase, more citizens become connected to the problems and issues of the community. Jamil said that the talk show programs on private channels have opened a window for citizens to the world of news, albeit a window that is somewhat local.

The panelists agreed that there is room allocated for covering local news within the national newspapers, along with much room for news at the national level.

OBJECTIVE 4: BUSINESS MANAGEMENT

Egypt Objective Score: 2.68

After being restricted to newspapers and specific government outlets for years, the Egyptian media—especially the independent press and private stations—have started to prove their viability as businesses, achieving great financial returns. However, panelists pointed out some shortcomings.

Gambihi said that the media outlets in their various forms are not administered well and most post losses because of mismanagement. Hashish said that businesspeople interfere in the finances of the private media, each according to their abilities. Mobasher added that experience has shown that the independent media outlets are profitable commercially, but they do not enjoy editorial independence. He provided the example of the many Egyptian sports channels that were created to generate profit from broadcasting sports activities, aided by specialized media agencies that bring in advertisements for them.

Basha explained that because the government does not offer financial assistance to independent media outlets, they must turn to advertisers to cover the costs of production and marketing. They must compete to attract audiences and thus sponsors.

Most broadcasters receive revenue from two sources: advertisements and the selling of their own programs. Media directors are forced to use advertisements because it is the main source of income. Subscriptions per se do not constitute a strong revenue source. However, they are an indication of the confidence of citizens in the publication, which can increase in the number of advertisements—necessary to ensure circulation and profit.

The state prohibits income for public media outlets except through advertisements. Mobasher indicated that the national media has known sources of income, whether governmental support or commercial advertisements, but the financial sources of the donor entities are unknown, as is the effect they have on decision making.

Panelists agreed that the advertisement industry in Egypt is advanced and produces immense profit for those working in it. Mohammad said that advertising agencies work efficiently with newspapers that have the highest distributions, and this is normal. The newspapers that have low distribution numbers do not have relationships with advertising agencies.

Basha said that agencies are increasing in number in both the print and broadcast sectors. The achievement of profit is measured according to the spread of the advertisement services in the major cities and the governorates. Most state-owned Egyptian media outlets have their own advertising agencies.

Ismail said that advertising agencies sometimes influence editorial policy—specifically the economic pages—for advertisements, which are developed to a great extent with professional methods. He said that advertising agencies seem powerful and in control of the media outlets in many cases.

Basha indicated that the reputation of a private channel or publication governs the amount of financing by advertisers.

The government media sector is subject to the state budget, which leads to government interference in those outlets.

According to Ismail, print and broadcast media directors alike feel that they need to use advertisements excessively, as they are the main source of financial return. Baraka said that the official media and governmental television channels receive returns from advertisements, and there is no proportionality between those returns and expenses. As for independent newspapers, circulation does not constitute any revenue value, and if advertisements do not cover expenses, they are threatened with closure.

The state supports the government media outlets. The independent media are subject to free market laws and do not receive government support except in rare cases, which influences the editorial line of these institutions.

"Egypt does not offer any financial assistance to the private media companies, and at the same time, we find that new companies wanting real development for the media are becoming widespread," Fekry said. "I think that the state, whatever its policy, cannot stand before this wave."

Ismail indicated that there are no institutions that monitor public opinion in the majority of media outlets, and those that do exist are not qualified and are inexperienced. Most newspapers, especially national publications and government media outlets, lack the staff to create marketing strategies and adapt to the needs of the audience. "We rarely find an office for market research in the media institutions," Fekry said.

Market research is conducted mainly by large institutions, such as Al Ahram. In general, however, marketing research still suffers from a lack of attention by both the advertisers and the public. Perhaps this is due to the weak culture of depending on scientific criteria in measuring market trends (although this is slowly changing, with new businesspeople who believe in scientific criteria entering the market).

Even in cases where evaluations exist, the results are not usually available to everyone and are characterized by confidentiality in their exchange. The available assessments are small measuring processes for limited sectors of the market, and are usually for advertisement purposes.

According to Basha, some civic associations measure public opinion on many issues and create assessments for the media outlets, and a small number of publications organize surveys or questionnaires, but these are not undertaken in an organized or practical manner.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Egypt Objective Score: 2.53

Members of the Egyptian media benefit from the work of some supporting institutions. One prominent organization is the Ahram Regional Institute for Journalism, which is part of the Al Ahram Institute. It started its activities in 1992 and has expanded to include various areas within the journalism industry, such as editorial work, administration, advertisements, information technology, and journalistic creativity. The institute cooperates with the Ministry of Foreign Affairs, EJS, and major media institutions in Europe and the United States of America, and attracts experts for training on the recent developments in the media industry worldwide.

The United Group, a firm established in 1941, has organized a number of projects concerned primarily with defending the freedoms of opinion and expression and the rights of assembly. Through a special arrangement with the group, pro bono legal services are available to members of the media. Sixty lawyers in the governorates of Cairo, Giza, Alexandria, Al Gharbia, Al Daqhalia, Al Minia, Bani Sweif, Asyout, Al Fayyoum, Sohaj, Al Ismailiya, Al Sharqiyah, and Al Buheiro, work within a specialized unit to offer comprehensive legal support across Egypt. The group collaborates with a number of law offices in Egypt and other countries in the Arab world.

As part of the implementation of the "Towards Free and Responsible Journalism" project, the legal unit partnered with journalist institutions to organize one-day training courses for journalists from eight governorates. The courses were intended to establish a legal consultancy for the journalist institutions, assist in the legal procedures of establishing newspapers and magazines, offer brief legal counseling to journalists and media workers, provide legal assistance

to journalists and media workers facing charges without representation, and general awareness of legal issues through field studies and research on the freedom of expression and the right to exchange information.

Several legal bodies have condemned the attempts of government and security bodies to monitor Internet cafés.

The panelists agreed that publishing and media unions are working to protect the rights of journalists, but they are unable to lobby the government and do not offer adequate strength, services, or protection. Jundi said that EJS has limited influence, and its effectiveness in resolving the problems of its members depends on the character of the union's president. The union is not independent from the government, and membership requires that the journalist work in a publication recognized by the state.

Professional journalism received a boost in 2008 through the work of EJS. The union formed of a committee to implement the Journalism Honor Code, and another to address the issue of journalist wages. That committee's goals were to creating a pricing list for journalist wages, setting a minimum wage for journalists that is appropriate to the profession, and to implement an agreement between the union president and the Egyptian prime minister regarding an increase in the value of compensation as part of a wage reform program.

In addition, EJS called upon Safwat Al Sharif, president of the Shoura Council and president of the Higher Journalism Council, to select a union journalist to join its disciplinary committee, as stipulated in the union's law and the Journalism Regulation Law.

To complete the formation necessary to enact the Journalism Honor Code, EJS also requested that State Council President Sayed Nofal appoint two state council members: one to join the investigation committee, referred to in article 36 of the Journalism Regulation Law number 96 of 1996; and one to join the disciplinary commission, as stipulated in article 37 of the same law. The Higher Journalism Council chose Jalal Dweidar, its secretary general, to represent it on the disciplinary committee.

Aside from EJS, Egypt has the Egyptian Publishers Union and the Arab Publishers' Union, chaired by Ibrahim Al Mualim. All unions active in Egypt try to elevate the profession but show few real results because they have insufficient financial support from members.

Mobasher said that the Journalists Union is the independent body that defends the interests of the journalists and offers them the facilities and the components necessary for them, within their limited capacities. But he said that the union's current work mechanisms must be revisited and they should be granted more vitality to provide them with the necessary financial resources to achieve their goals. Moreover, he said, the requirements for membership need to be reconsidered. Currently, membership requires a certificate from the journalist's employer that states that he or she is a permanent staff member, along with a written production outline to verify the journalist's abilities.

Alawi also called on the Journalists Union to make changes and fulfill their two most important duties: the ongoing training of journalists in the legal frameworks of journalism, and the protection and defense of journalists' rights.

Fekry said that Egypt has no unions for journalists, radio workers, or producers that are effective or concerned with defending them. He also said that several civic associations and organizations exist that range from those without value to those that are concerned with the rights of the members of the profession. But their diminishing number creates a gap between them and the journalists and media workers so large that it cannot be bridged, he added. Moreover, these organizations do not cover the complete continuum, such as bloggers and individuals working in the electronic press.

Egypt has NGOs that support the freedom of expression, such as the Egyptian Society for Human Rights. NGOs also collaborate with private media outlets to work as monitors. However, their roles during times of crisis are marginal, and they do not contribute in the review of media laws.

In November 2008, an Egyptian human rights organization began campaigning for an initiative that would designate an annual day for Arab satellite channels to discuss their various political, social, and moral influences. The aim is to enhance the role of satellite channels in promoting freedom, to study their effects on the family and the problems of youth, and to

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

propose solutions in coordination with the community and specialized governmental entities.

College degrees are available in the media field in Egypt, but even at private universities, the degree programs have severe shortcomings. The majority of programs cover theory only, and media outlets do not hire many graduates.

Many training courses are available to Egyptian journalists. For example, the National Council for Human Rights conducts courses on the practice of legal rights and promoting the human rights culture; and the National Women's Council organizes training courses to raise women's awareness of legal issues. Civic associations concerned with environmental affairs convene workshops in cooperation with the Ministry of Environment to develop journalists' writing skills in their areas of specialization. But the training period is limited in its practicality—participants only receive the information and do not participate in exercises.

Fathy said that the radio and television union and a group of CSOs offer training courses aimed at developing the skills of Egyptian lawyers and the journalistic writing skills of the trainees. These courses give journalists the opportunity to exchange expertise and opinions with local and international experts. The training covers various topics such as libel and reputation distortion, using real life examples.

Basha said that EJS offers educational courses on language and computer skills, but the quality of its service depends on the will of the elected union council. Training programs are conducted by the Higher Journalism Council also, but its trainers and graduates lack credibility.

The Arab Network for Human Rights Information offers a series of courses entitled, "Training Egyptian Journalists and Human Rights Activists on Internet Use." The one-year program trains Egyptian journalists on safe ways to use the Internet, the work of an Internet journalist, and the use of the Internet as a method to launch freedom of the press and freedom of expression campaigns. The long-term goal of the courses is to expand the coverage of important political and civil rights events, and the groups marginalized by the Egyptian journalists and develop overall Internet literacy.

Sanad told the panel of a course on legal protection for journalists, offered by the Center for the Protection and Freedom of Journalists in cooperation with the Free Voice Institute of Holland. The course was based on extensive research conducted by a team from United Group, led by the advocate Najad Al Bari, in 2005. The research project stressed the importance of focusing on training as a method to develop Arab journalism skills and overcome the challenges of recent developments in international media. The research also reiterated the need for Arab journalists and media workers to increase their knowledge in subjects such as journalistic research, professional ethics, writing for electronic websites, and legal awareness and protection.

Printing supply is one of the largest and most complicated problems of the media industry, as these materials are imported with high taxes and the government does not allow a reduction in the tax amount. Paper supply is managed by private businesspeople, which places the newspapers under the mercy of price hikes and monopolies. All newspapers are printed on the presses of national publications. Kiosks and broadcasting equipment are managed neutrally.

List of Panel Participants

Alaa Ismaill, sports script writer, Al Hayat (private TV network), Cairo

Hala Hashish, Head of News Channel, Egyptian TV, Cairo

Hanane Farid El Dib, lawyer, Cairo

Islam Shalabi, journalist, *Al Akhbar*, Cairo

Hany Mobasher, journalist, *Akher Sa'a*, Cairo

Hossam El Amire, journalist, *Nahdet Masr*, Cairo-Rapporteur

Magdy Sanad, journalist, *Rose Al Yousseff*, Cairo

Hanan Fekry, journalist, Watany, Cairo

Reham Abd Elgwad, journalist, Middle East News Agency, Cairo

Asmaa Esmat, journalist, *Al Ahrar*, Cairo

Amina Khairi, journalist, *Al Hayat*, Cairo

Howaida Fathy, journalist, Akher Saa Bureau, Alexandria

Fayza El Gambihi, head of bureau, Akhbar, Beheira

Yara Hassan, editor of youth segment, Beit Beitak, Cairo

Tarek Mostafa, journalist, *Rose Al Youssef*, Cairo

Moderator

Osama Mounir, radio and television presenter, Nogum FM and Egyptian Satellite, Cairo

Author

Randa Fouad, President, Arab Media Forum for Environment and Development, Cairo

The Egypt study was coordinated by, and conducted in partnership with, the Arab Media Forum for Environment and Development, Cairo.

After decades in which the media's output was limited to revolutionary pronouncements and the ideological discourse of Muammar Qadhafi's regime, the shift was promising and emphasized a new start that might restore some confidence in the media.

LIBYA

OVERALL SCORE: **0.72**

A year after MSI panelists predicted that that the media in Libya would witness significant improvements in the near future, there have in fact been radical—if still small—changes toward objectivity, rationality, and freedom of opinion, none of which had been permissible for years. Media awareness is growing, not only among journalists, but among citizens, who have begun to demand that the media address important issues so that they may become part of public discourse. After decades in which the media's output was limited to revolutionary pronouncements and the ideological discourse of Muammar Qadhafi's regime, the shift was promising and emphasized a new start that might restore some confidence in the media.

Chief among the new developments was the establishment of daily newspapers in Tripoli and Benghazi by Al Ghad Media, established by the Qadhafi Foundation for Development, run by Saif al Islam Qadhafi, the Libyan leader's son. This opened up a space for freedom of expression that did not previously exist before in the print media, which had been controlled solely by the Revolutionary Committees and other institutions associated with the ruling regime. In addition, informational websites have expanded that space for free expression.

However, setbacks have occurred. Izzedine Alloaj, editor-in-chief of one of the Al Ghad papers, *Quryna*, was dismissed after including reports and articles—some written by Libyans living in the West—that criticized the situation in Libya and started to address many of the topics that had been considered taboo. Al Ghad's satellite station, Al Libiyah, came under government pressure after airing some programs critical of the government. Some of the station's journalists were suspended until Saif al Islam Qadhafi intervened.[1]

Other media related developments dampened enthusiasm as well. Although the drafting of two press laws and an NGO law was announced, they ended up being closed for discussion and shelved. Websites critical of the regime were attacked by hackers believed to be linked to the government.

Due to the repressive environment in Libya, some panelists agreed to participate in the MSI panel on condition of anonymity.

[1] In June 2009, after the MSI panel completed its work, Al Ghad's outlets were nationalized.

LIBYA AT A GLANCE

GENERAL

> **Population:** 6,310,434 (July 2009 est., *CIA World Factbook*)

> **Capital city:** Tripoli

> **Ethnic groups (% of population):** Berber and Arab 97%, other 3% (includes Greeks, Maltese, Italians, Egyptians, Pakistanis, Turks, Indians, and Tunisians) (*CIA World Factbook*)

> **Religions (% of population):** Sunni Muslim 97%, other 3% (*CIA World Factbook*)

> **Languages:** Arabic, Italian, English; all are widely understood in the major cities (*CIA World Factbook*)

> **GNI (2008-Atlas):** $72.74 billion (World Bank Development Indicators, 2009)

> **GNI per capita (2008-PPP):** $15,630 (World Bank Development Indicators, 2009)

> **Literacy rate:** 82.6% (male 92.4%, female 72.0%) (2003 est., *CIA World Factbook*)

> **President or top authority:** Revolutionary Leader Col. Muammar Abu Minyar al Qadhafi (since September 1, 1969)

MEDIA SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: 4 daily newspapers; Radio: 24 stations; Television: 12 stations (www.pressreferences.com)

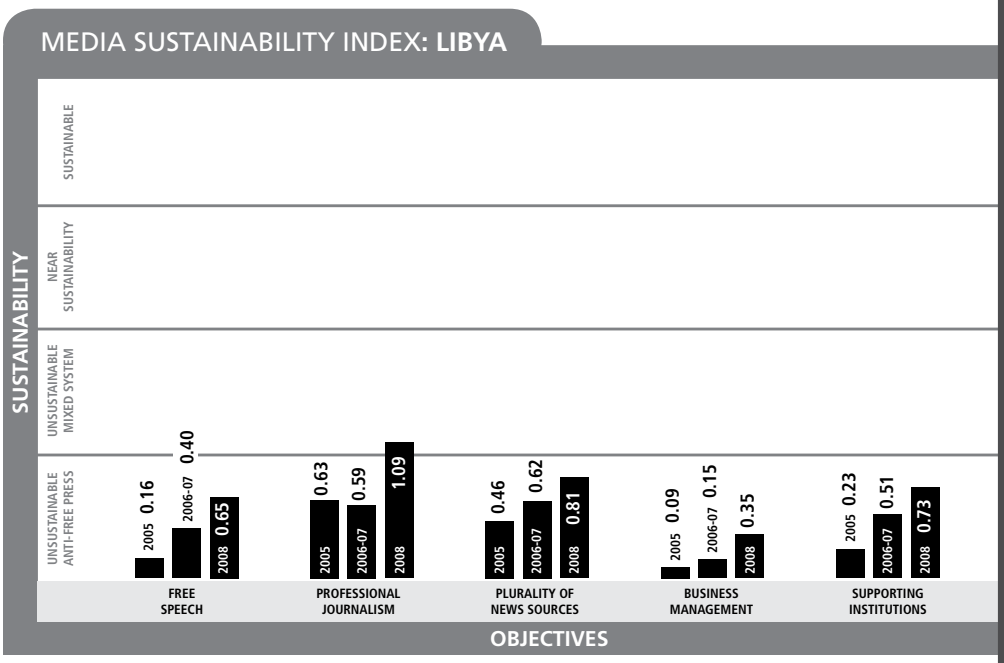
> **Newspaper circulation statistics:** 13 per 1,000 people (www.pressreference.com)

> **Broadcast ratings:** N/A

> **News agencies:** Jamahiriya News Agency (JANA), Jamahiriya Broadcasting, and Voice of Africa (www.pressreference.com)

> **Annual advertising revenue in media sector:** N/A

> **Internet usage:** 323,000 (2008 est., *CIA World Factbook*)



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Libya Objective Score: 0.65

In the Constitutional Proclamation issued in 1969 after Muammar Qadhafi took power, Article 13 states that "freedom of opinion is guaranteed within the limits of public interest and the principles of the Revolution." A law passed three years later, Publications Act No. 76, also places freedom of expression "within the limits of the public interest and the principles of the revolution," as did the Declaration of the People's Authority (1977), the Green Charter for Human Rights (1988), and Law 20 on Enhancing Freedom (1991). Law 20 goes into more detail, noting, "Every citizen has the right to express and publicly proclaim his opinions and ideas to the people's congresses and the media of the Jamahiriya. No citizen shall be answerable for his exercise of this right unless he exploits it with a view to detracting from the people's authority or for personal ends."

In practice, panelists said, free expression is not allowed in Qadhafi's Jamhiriya (loosely translated, the word means "state of the masses"). Because the country lacks a formal constitution, said Fadil al Ameen, an independent journalist, freedom of expression essentially does not exist, and Libya's legal provisions are not consistent with international human rights standards.

However, Abu Bakr al Baghdadi, chief editor of the *Aswaq* newspaper, contended that "there is no doubt that there is a law providing for freedom of the press, but it remains subject to interpretation, and (its provisions) are both used for and against you. It is a matter of propaganda."

Independent journalist Essa Abdul Qayom pointed out that in 2007, a project was begun to develop and implement a press law that, in his view, met most of the goals of this indicator. But the project stalled, and the draft law has not been officially recognized or ratified.

In addition to the formal provisions regarding freedom of expression, there are extraconstitutional texts—for example, the "Green Book," Qadhafi's three-volume blueprint for the Libyan revolution—that cannot be interpreted or ruled on by the courts, said blogger Mohammad Mlaitan, owner of the website Mwatnen.

Just as importantly, panelists said, the state's ownership of or control over all media inhibits any press freedoms. "The control by the state prevents achieving the first objective" of the MSI survey, said writer and human rights activist Ali Zidane. "The state owns the press and does not encourage any free press. Instead, it prevents it."

A panel member who covers foreign affairs on the Internet and could only be identified as M.D. said: "The ruling regime in Libya neither recognizes the right of free expression, nor allows the existence of independent media. All matters run in accordance with the vision of Colonel Qadhafi, who does not accept the free press." M.D. quoted from Qadhafi's "Green Book," which says that journalism is a means of expression of the community, so in that context it is neither logical nor democratic for media to be owned by anybody.

At the same time, said a panelist who could only be identified as A.F., freedom of expression cannot be measured only by legislation and laws. Libyan society, with its nomadic pastoral roots, has verbal traditions, A.F. said, that make it possible to pass along views and ideas that are contrary to the inclinations of the government but which, disclosed or publicized in the media, would result in severe penalties.

The Publications Act of 1972, which governed print media, was suspended, although with no apparent affect—an indication of how laws are not necessarily observed by the government. The Department of Publications, the body responsible for licensing newspapers, has refused the receipt of license applications or to comment on them officially. "The government does not give licenses for independent, competitive, and non-politicized media. The private ownership of media outlets is banned," al Ameen added.

A.F. said he knew of a group that had formed a partnership with the hope of obtaining a printing license but that they were unsuccessful. On the other hand, he said he knows a journalist close to the state who was granted a license to publish the *Question* newspaper, whose editions were issued with direction

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

from the official line. However, the license has since been withdrawn and the newspaper stopped being published. A.F. said he could not understand by what criteria the license had been granted and then withdrawn. In his view, such a matter is not subject to any conditions, but rather to random logic.

A.F. also noted that sometimes an owner receives a license from outside of Libya to print a paper intended for Libyans living abroad. But these are available only for those who enjoy the system's trust and who have a connection with the government.

There have been numerous cases of attacks on and harassment of media professionals, including arrests, trials, and beatings. Journalists such as Mohammed Tranish and Najwa Ben Shatwan have been interrogated due to their critical writings. Many others have faced charges when they reported on issues deemed out of bounds by the regime, or whose writings put the government in an unfavorable light. For example, Fathi al Baajah, a Garyounis University political science professor, was charged in January 2009 with agitating against the state over an article he wrote for *Quryna* in May 2007 that criticized Libya's political system. Shortly thereafter all charges against him were dropped after intervention by Saif al Islam Qadhafi. The younger Qadhafi has on many occasions stepped in to quash proceedings against journalists.

According to al Baghdadi, journalists who attempt to promote independence in media are usually contained and sometimes actively suppressed, or the media outlet owners are harassed. "Moreover, crimes against journalists are committed by state institutions," al Ameen added. Such instances are not random acts of violence or carried out by independent criminal elements.

There is no guarantee of free access to information in Libya. On the contrary, said Ashur Shamis, chief editor of the Libya News website, information has been monopolized by the state and the system, and cannot be obtained except in creative and illegal ways. Independent journalists from outside the country have followed indirect methods or depended on trusted sources to obtain information.

Adel Sun'a Allah, the editor-in-chief of the website Jeel Libya, said pressure has been exerted on some of the site's correspondents within Libya to publish some information, while restrictions were put on others to withhold it—all to control access to information. The correspondents told to withhold information were threatened to prevent reporting on investigations of corruption.

Anyone who wishes to become a journalist in Libya must obtain a license from the government. "The media industry requires a security clearance," al Baghdadi said. "Obtaining the security clearance involves a long process, and sometimes it has a high price."

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Libya Objective Score: 1.09

Libyan media are governmental by nature, and largely reflect the regime's point of view, Qayom said. Accordingly, he said, as corruption and restrictions on public freedoms have characterized the government, they have affected media as well, dragging professionalism to very low levels. In fact, said Mufid Bumdais, an independent journalist, journalists cannot meet professional standards because, for most, there are no standards they seek to uphold.

Reporting is weak, said al Ameen, because of a lack of professionalism and training, along with government censorship and self-censorship. Because of the lack of free access to information, Qayom said, most reports are too general to address the issues and satisfy citizens' needs to know what is going on. According to M.D., "The press in Libya does not even bother about form; it is therefore very poor in its form and content."

Although some journalists try to upgrade their abilities as much as possible, no acceptable ethical standards have been formed yet throughout the profession. "There are no ethical standards: beginning with access [to information] by the press, the first requirement [for gaining access] is being able to be hypocritical, and engage in duplicity, adulation, and exaggeration out of a loyalty to the regime," M.D. said. "Most press professionals lack initiative. They are always waiting for instructions from 'the head' to address an issue."

A.F. said that in controlled societies that allow only one view, one line of thought, and a lack of pluralism, the standards of

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

professionalism are lost due to the absence of competition, and are not based on quality or efficiency, but on loyalty and randomness that control the profession. "So, it is difficult to provide [the same] climate and conditions [for the development of journalism] that are available to communities that are ruled by a liberal system," A.F. said.

Despite all the difficulties, Shamis said, some journalists are trying their best to make their articles meet ethical and professional standards.

Al Baghdadi said that the state has succeeded in developing ingrained self-censorship over the years. Publishers and journalists alike exercise self-censorship out of fear and because of pressure exerted by officials. The fear of being harmed or killed has led to the avoidance of covering some political topics and public officials, said Mlaitan. Some restrictions have also been imposed on journalists to limit their ability to prepare reports in a forthright manner. As such, journalists are reluctant to cover major events and issues in the country. Although some journalists have tried to cover local, economic, and social issues, as well as corruption issues, they stop at political coverage and security issues.

For example, *Al Jamahir*, a local newspaper in Misurata, published an article by a famous individual, in which he expressed views about the Libya's dating system contrary to those of Qadhafi.[2] The Revolutionary Working Group and others intervened and challenged the writer, filed a complaint against the paper's editors, and subjected reporters to strenuous investigations. Since then, the newspaper's censorship has increased. Some of the complainants have fashioned themselves as guardians of Qadhafi's ideas and have leadership positions in the local press.

Journalists are paid low salaries, panelists said. "Declining income has caused journalists to abandon journalism and work in other fields," Mlaitan said. "There is a considerable difference in the level of salaries received between the correspondents and editors of print media and broadcast media, and sometimes the difference is unreasonable. This makes some journalists earn by selling articles and press interviews to politicians or the wealthy."

Entertainment programs have surpassed news and informational programs, the panelists said. Most equipment is outdated, and therefore news programming lacks quality in format.

[2] Libya uses a dating system of solar years since the death of Mohammed, while most other countries using the Islamic calendar use lunar years.

OBJECTIVE 3: PLURALITY OF NEWS

Libya Objective Score: 0.81

In the years immediately following Qadhafi's 1969 coup, Libya's media sector was transformed. Where there had been more than 80 newspapers and magazines that represented a wide range of viewpoints, there are now about a dozen newspapers—all government controlled—as well as state-run Great Jamhiriyah radio and television, the government's Voice of Africa radio service, and newly nationalized Al Libiyah radio and television.

Because all media outlets have been state owned, Libyan media offer little in the way of multiple voices. Zidane said that since the media are owned by and oriented toward the government, they are committed to follow only the official line. Al Baghdadi said that there are no reliable news sources, and they publish only what is allowed. Similarly, state privacy policies hinder the media from accessing information on the Internet. Shamis confirmed that despite the growing number of news resources in the recent years, media outlets still mostly draw information from the same sources, which are controlled by the government.

The advent of new newspapers and radio and television stations owned by Al Ghad Media Institution was hailed by many as an opening to independent media in Libya. In 2008, the newspapers *Oya* and *Quryna* started to take steps toward covering corruption and airing opposing opinions. The two papers, along with satellite television station Al Libiyah, were established by the Al Ghad Media Institution, which was

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Although the Internet is available for information and news, Sun'a Allah said, the authorities sometimes attempt to block access to websites that do not follow the official line by unleashing hackers against them, or by oppressing the contributors and owners.

controlled by the Qadhafi Foundation for Development and headed by Saif al Islam Qadhafi, the Libyan leader's son. They were hailed as Libya's first foray into independent media since the elder Qadhafi came to power 40 years ago, but in June 2009 the Libyan government nationalized the two papers and the television station, as well as Al Ghad's radio station and printing press.[3] Although some panelists, such as Shamis, were more cautious about those outlets, asserting that they were in fact not independent, what little opportunity they represented for expanded plurality has vanished.

On the other hand, Zidane said, a number of news sources are available via the Internet for a limited class of people with the ability to access them. Mlaitan commented that the residents of the major cities—Tripoli, Benghazi, and Misurata—enjoy a greater possibility of access to informational resources as compared with residents of villages and small towns. But "although one can easily obtain information through the Internet and Arab satellite channels, most Arab and foreign newspapers and magazines are banned or consistently confiscated," al Ameen said.

Although the Internet is available for information and news, Sun'a Allah said, the authorities sometimes attempt to block access to websites that do not follow the official line by unleashing hackers against them, or by oppressing the contributors and owners. According to M.D., citizens should be able to enjoy freedom of access to various media outlets, and not to be restricted in their use of the Internet or satellite channels. Many citizens do not know about the materials broadcast by local media outlets or know nothing about what the international media report about Libya, even if that is very little.

M.D. summed up the situation by saying: "Libyan websites abroad are multiple and good to some extent, whereas the official local media are very restricted, and the new semi-independent press [that was later nationalized] is still faltering, though it is promising."

[3] The nationalization of Al Ghad's media outlets occurred after panelists had submitted their MSI scores.

Since the government is in control of all broadcasters, there are no independently produced news broadcasts. Similarly, media ownership is transparent, in that it is entirely the government and government agencies owning media, and therefore this represents a harmful monopoly.

OBJECTIVE 4: BUSINESS MANAGEMENT

Libya Objective Score: 0.35

In the absence of any truly independent or commercial media in Libya, the indicators within this objective clearly cannot be considered applicable, Qayom said. Al Ameen agreed, saying that since all media outlets are state-owned, they work neither professionally nor for profit. Moreover, there are virtually no revenues other than government subsidies, and there is no real advertising market.

Advertising in the Libyan media is very primitive, Mlaitan said, because the interested media professionals do not have the skills to make money from advertisements, and there is no interaction between advertising agencies and the media. Because readable media draw only limited income from advertisements and cannot rely on subscriptions to provide revenue, they are completely dependent on subsidies granted by the state. Al Baghdadi said there is no single Libyan media outlet that can cover its own production and marketing costs.

Further, there are no serious efforts made to measure audiences or readership or provide content suited to the news requirements or tastes of consumers. The Libyan media market is decidedly supply driven to meet the needs of its ownership: the state.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Libya Objective Score: 0.73

Libyan law does not allow for the establishment of civil society institutions that are independent from the state, Qayom said. There was a draft law that has not been put into force, called the Law of Civil Society, which might suffice if it were applied.

Consequently, there are no associations of publishers or broadcasters, Sun'a Allah said. There is a Press Union under the supervision of the government, but it is unable to provide support to members, except for rare cases that do not amount to anything more than an expression of sympathy, he said. The role of the union is restricted to administrative matters and organizing activities.

Mlaitan said the union is unable to defend the rights of its members, and cannot address the government on their behalf or defend them. Rather, the union is among the institutions subject to the state, and is not independent. Similarly, he said, there are no active NGOs working in cooperation with media outlets to support the freedom of expression and independent media.

Training courses have been initiated by the state in the course of developing the media sector, Qayom said, and increasing the courses' quality is under the state's direct supervision. Al Baghdadi said that there are institutions that train journalists for a fee, and a journalist sometimes pays out of his own pocket or by finding an institution that can support him. The external courses conducted by Al Jazeera, for example, are very expensive, he said, and may be attended only by those involved in government relations, at the state's expense.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Bumdais said that because all media outlets are subject to censorship, printing companies cannot print a newspaper without censor approval.

List of Panel Participants

WITHIN LIBYA

Mufid Bumdais, independent journalist contributing to *Quryna* and Jeel-Libya website, Misrata

Mohammad Mlaitan, owner, Mwatnen blog; professor, Misrata University, Misrata

Ramadan Jarbou, freelance journalist contributing to *Quryna* and *Oea*, Benghazi

Abu Bakr al Baghdadi, managing editor, *Aswak*, Misrata

EXPATRIATE LIBYANS

Essa Abdul Qayom, journalist and blog owner, United Kingdom

Fadil al Ameen, journalist, United States

Ali Zidane, Libyan League for Human Rights, Germany

Ashur Shamis, editor-in-chief, Libya News website, United States

Adel Sun'a Allah, director of Jeel-Libya website, United Kingdom

Numan Bin Uthman, freelance journalist, United Kingdom

Ahmed Moussa, freelance journalist, United Kingdom

Fathi Aekari, professor and freelance journalist, Ireland

Due to the repressive environment in Libya, some panelists agreed to participate in the MSI panel on condition of anonymity.

Moderator and Author

Aly R. Abuzaakuk, executive director, Libya Forum for Human and Political Development, Washington, DC, USA

The Moroccan government has made some moves to open the airwaves to greater private-sector participation. But in one of the most notable developments of early 2009, the government suspended issuance of new television permits just months after opening a competition for permits.

MOROCCO

OVERALL SCORE:
1.98

The characteristics of the Moroccan media over the course of 2008 remained basically the same as in previous years.

Despite their limited circulation, and even though their target audience is the elite, print media broadly affect public opinion and provoke fruitful social discussions in political circles. In particular, independent newspapers appear to be increasing their influence amid the continuing decline of party-controlled media and media that are close to the state.

However, problems persist with political control over the judiciary in trials of independent press companies that criticize state policy.

Public broadcast media remain subject to the influence of political power, which has sought to worm its way further into the media in recent times. The Moroccan government has made some moves to open the airwaves to greater private-sector participation. But in one of the most notable developments of early 2009, the government suspended issuance of new television permits just months after opening a competition for permits.

Since October 2006, media advocates have been calling for a law to be passed allowing access to information, but the government has not progressed on this issue.

MOROCCO AT A GLANCE

GENERAL

> **Population:** 34,859,364 (July 2009 est., *CIA World Factbook*)

> **Capital city:** Rabat

> **Ethnic groups (% of population):** Arab-Berber 99.1%, other 0.7%, Jewish (*CIA World Factbook*)

> **Religions (% of population):** Muslim 98.7%, Christian 1.1%, Jewish 0.2% (*CIA World Factbook*)

> **Languages:** Arabic (official), Berber dialects, French often the language of business, government, and diplomacy

> **GNI (2008-Atlas):** $80.54 billion (World Bank Development Indicators, 2009)

> **GNI per capita (2008-PPP):** $4,330 (World Bank Development Indicators, 2009)

> **Literacy rate:** 52.3% (male: 65.7%, female: 39.6%) (2004 census, *CIA World Factbook*)

> **President or top authority:** King Mohammed VI (since July 30, 1999)

MEDIA SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: 398 newspapers and magazines (285 Arabic, 90 French, and 9 Amazigh language); Radio Stations: 13; Television Stations: 4

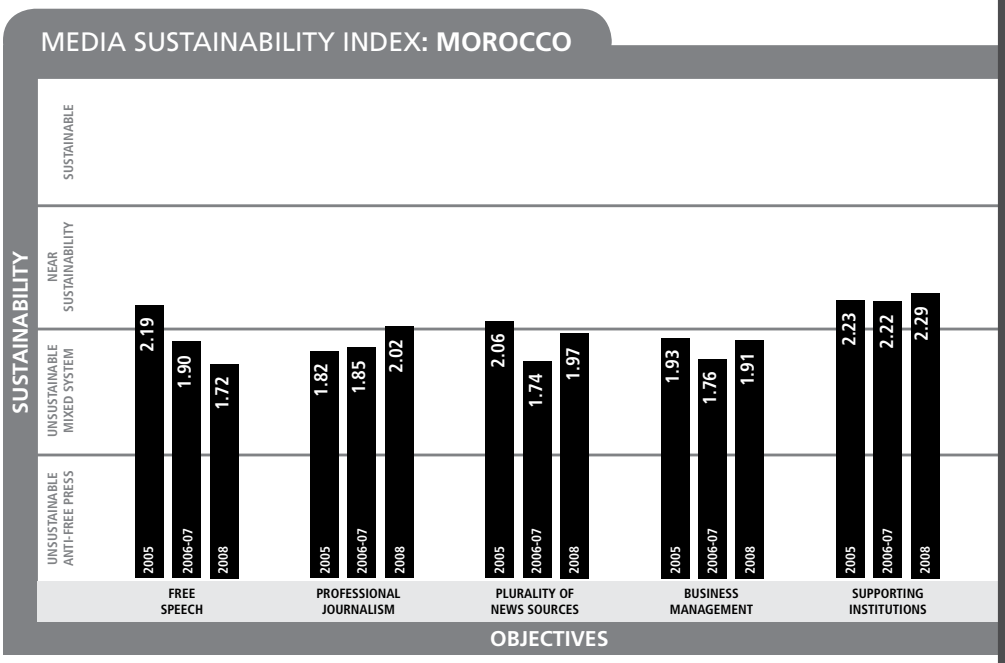
> **Newspaper circulation statistics:** 300,000 daily

> **Broadcast ratings:** N/A

> **News agencies:** Maghreb Arabe Presse Agency (state-owned)

> **Annual advertising revenue in media sector:** $262 million (Electronic site of the Ministry of Information, 2005)

> **Internet usage:** 10.3 million (2008 est., *CIA World Factbook*)



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Morocco Objective Score: 1.72

According to the National Union of the Moroccan Press (French acronym SNPM), Morocco's legal and institutional safeguards on freedom of speech are fragile, including in terms of legislation, the role of the judiciary, or security force action against the media and journalists.

The Press Law of 2003 protects freedom of expression, but certain chapters criminalize any "threat" to the monarchy, Islam, or territorial unity. Although some cases have relied on charges of defamation, the public prosecutor may bring other charges of "threats against due respect for the king," "harm to the institution of the monarchy, to territorial integrity, or to the Islamic religion," or "spreading false news likely to harm public order."

In addition, Morocco's counter-terrorism policy has allowed the government to tighten its grip on the media on the grounds of protecting the country's security.

More importantly, in the view of MSI panelists and a wide range of media advocates, the legislation is applied by a judicial system that lacks independence, especially in the government's cases against "troublesome" journalists.

Since 2000, the media companies most critical of the official line have come under the closest official scrutiny, and the courts have subjected them to the most severe penalties. For example, the weekly *Le Journal* has been subjected to a suspension, frequent large fines, and expensive awards of compensatory damages to civil parties. *Le Journal*'s leading advertisers have also been targeted and pressured to break off their dealings with the paper. The official media have led campaigns attacking *Le Journal* and have hired other journalists to produce critical pieces against it.

One high-profile prosecution involved Al Jazeera's Moroccan branch, which has given air time to a number of legal activists and politicians criticizing violations of human rights and has aired many reports exposing the extreme poverty in many parts of Morocco. On June 13, 2008, Hassan el Rachidi, director of Al Jazeera television in Morocco, was charged with publishing false news based on a report of clashes in Sidi Ifni in southern Morocco. The channel quoted statements saying there had been fatalities, but also reported the authorities' denial of any deaths. The government investigated El Rachidi and a human rights activist that had held a seminar broadcast by the channel. The Ministry of Communication withdrew el Rachidi's credentials half an hour after receiving the report on the investigation.

In mid-2009, the National Agency for the Regulation of Telecommunications (French acronym ANRC) notified the Moroccan office of Al Jazeera that it had suspended all the channel's satellite broadcasting licenses, effective that day. And on July 11, a court in Rabat fined an Al Jazeera correspondent MAD 5,000 ($600) for publishing false information.

One recent trial that drew international attention centered around Chapter 52 of the press law, which provides for imprisonment, fines, and civil damages against anyone who criticizes a foreign head of state or diplomatic representative, even if the criticism relates to actual events or a point of view on a political system. In June 2009, the Libyan embassy in Rabat brought an action under Chapter 52 against three Moroccan newspapers (*Al Jareeda Al ula*, *Al Ahdath Al Maghrebia,* and *Al Masaa*), charging that they had criticized Muammar Gaddafi. Despite the defense's protests that Libyan law does not designate Gaddafi as head of state, a court in Casablanca ordered the three newspapers to pay MAD 1 million ($120,000) each for "injury to the dignity and personality of the head of state." It also ordered the editors-in-chief of the newspapers and the journalists to pay a fine of MAD 100,000 ($12,000) each.

Press law reform is not a priority of the government of Prime Minister Abbas Fassi, who took power in the fall of 2007. Under the previous government, the Ministry of Communications met frequently with representatives of the press union and the publishers' federation to discuss reforms. They reached some tentative agreements but made no formal progress.

The High Authority for Audiovisual Communication (HACA) was established in 2007 to regulate and monitor broadcast media, especially in the areas of political pluralism, program ethics, and public information. But it has proven unable to influence the senior officials of state-affiliated television channels to heed its policies or official guidelines.

Panelist Chakib Benomar (name changed to protect his identity), a producer working in national television, said that Moroccan television has become a system for broadcasting information that is recorded and then censored. He said that in rural areas, radio reaches citizens and raises issues, but television is still under censorship. Morocco has no regional broadcast news, and televised reports remain recorded, with no live outside broadcasting. Sometimes journalists present live outside coverage, but the state, specifically the Ministry of the Interior, will choose the topics for such coverage.

Print media have an open licensing system, based on issuing permits and regulated by the Press Act of 1958 as amended in 2003. At times the authorities appear to be working to hinder establishment of any new newspapers by refusing to grant

license holders the receipt required for starting operations. Although uncommon, such illegal practices do occur.

HACA, the agency responsible for issuing television and radio licenses, lacks transparency in its activities. Since 2006, HACA has granted licenses for 10 radio stations, as well as one television channel, Medi Sat 1. Most were granted to owners who are interested in music, chat, or the economy, and individuals close to the government whose primary aim is profit.

One of the most interesting developments in early 2009 was the suspension of television licensing, right after HACA held an open competition for licenses. On August 11, 2008, HACA announced a competition for the establishment and operation of two television services and a radio service with national coverage, in addition to four radio services with multi-directional coverage. In January 2009, HACA heard proposals for five television and 23 radio projects whose project files met the license terms and conditions.

Yet on February 23, HACA suspended licensing any television channels, justifying its decision with reference to the situation in the advertising market and the crisis at Medi Sat 1, which was struggling with low revenue. HACA deemed that licensing any new national television project at that moment would destabilize the sector, threatening the short-term stability of existing enterprises and their continuance over the medium term.

Media observers criticized the decision, charging that HACA should never have opened the competition if those considerations were to affect its decision-making. Further, competitors would have borne the risks resulting from their decisions, and would not have been HACA's responsibility to protect them.

HACA's decision and justifications could be ascribed to political considerations. Almost all of the competitors for television licenses are close to the palace (Munir al Majeedi, director of the royal purse; Fuad Ali al Himma, a friend of the king, an active player in the reconstruction of the political field, and founder of a new party; Aziz Akhnosh, businessman and minister of agriculture; and Othman Benjelloun, a well-known banker). Thus, the king was surely aware of the introduction of competition and the decision to suspend licensing. Panelist Muhammad Al Awny, a journalist working for national radio, agreed that HACA's decision was ultimately subject to the will of the king.

According to Benomar, the director general of public radio and television had begged the king to protect the current broadcasters. Benomar also expressed the view that radio and television must be free and that whoever is appointed to be director general must evaluate the market. The state rejects private television because it could dilute the government's political influence over broadcasting, he added.

Abdelaziz Nouaydi, the moderator of the panel and a professor and lawyer, said that HACA is a referee in the radio and television field, but the agency is weaker than the public channels—tools of the state and political decision-makers.

Nouaydi said that at a time when Morocco has strong opposition newspapers, the state's logic is that Moroccans can have the print media while the state holds radio and television. Panelist Hisham Medasha, a researcher for HACA, said the authorities' desire to control live broadcasting is illustrated by the suspension of Al Jazeera's license to broadcast from Rabat. Panelist Ali Onozla, director of *Al Jareeda Aloula*, said that broadcasting is a security matter, so Al Jazeera had been suspended because it broadcasts live and cannot be controlled. However, panelists noted, technical innovations will eventually remove those obstacles.

According to panelist Khadeja Al Bakali, manager of a public regional radio station, broadcast permit applicants are either close to the decision-making process or are the economic beneficiaries. Licenses are not given to radio or television stations outside that circle.

Journalists are often harassed for their attempts to describe violations of the law, report tragic situations, and expose corruption. They are also attacked as a tactic to compel them to reveal their sources of information. Panelist Maria Mkrim, editor-in-chief of *Al Ayam*, said that a judicial officer had said he was willing to sacrifice his life to compel a journalist to

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

reveal his sources. The journalist's house was invaded and his family members intimidated.

According to SNPM monitoring reports, the period between May 2008 and May 2009 was notable for an increase in attacks carried out by security officers, guards, and others. A notable incident occurred on February 10, 2009, when approximately 20 officers of the National Judicial Police (a division specializing in investigating terrorist crimes, major drug offenses, and complex crimes) illegally surrounded, invaded, and searched the headquarters of *Al Ayam* newspaper in Casablanca. They were looking for a photo of the king's mother, immediately after the newspaper had requested permission to publish it. When they did not find the director of the newspaper or its editor-in-chief on the premises, the police telephoned the director, traced the call, and arrested her at the home of one of her friends. Later, they arrested the editor-in-chief at home. Both were taken to the National Bureau of the Judicial Police and subjected to hours of interrogation and degrading treatment. They were released the next morning, but the police summoned the editor-in-chief again that evening and interrogated him for over four hours.

SNPM concluded that such incidents have intimidated journalists and created an atmosphere of uncertainty within media companies, which fail to take the necessary measures when their journalists are subjected to abuse in the course of their work. SNPM said that continuing this approach will encourage corrupt groups to plan and carry out attacks against journalists, following the pattern seen in a number of countries.

It should be noted that only print media outlets report on attacks against journalists; radio and television outlets do not report such incidents.

Morocco's press law and criminal code stipulate that libel is a criminal offense. The best-known recent case ended in a judgment on March 25, 2008. *Al Mas'a*, a newspaper known for its harsh criticism of government officials, was ordered to pay MAD 6 million ($750,000) in damages and a fine of MAD 120,000 ($15,000) to four royal deputies at Al Qasr Al Kabir for defamation. On October 30, 2008, the judgment was endorsed by an appellate court. The evident aim was to force the newspaper into bankruptcy; the courts have not handed down an imprisonment sentence, and observers and advocates consider the damages disproportionately large.

Another high-profile case involved the head of one newspaper filing suit against the head of another paper. On March 23, 2009, the lower court in Casablanca handed down a suspended sentence of two months' imprisonment and an award totaling MAD 200,000 ($25,000) in fines and damages against two journalists from *Al Jarida al Oula*: managing editor Ali Onozla, an MSI panelist; and Jamal Bodoma, the paper's publishing director.

More importantly, in the view of MSI panelists and a wide range of media advocates, the legislation is applied by a judicial system that lacks independence, especially in the government's cases against "troublesome" journalists.

The case goes back to September 2008, when Hassan al Yaqoubi, the spouse of King Muhammad VI's aunt, shot and wounded a traffic police officer that pulled him over for failing to stop at a traffic light. This incident shocked the Moroccan public. *Al Jarida al Oula* covered the event, and its reports criticized the fact that al Yacoubi had not been brought to trial nor had a police report even been filed.

In response, Khalid al Hashemi al Idrissi, publication director of *Aujourd'hui Le Maroc* daily and chair of the Moroccan Federation of Newspaper Publishers, published an editorial in his paper about the incident. He stated that the newspapers that covered the incident, and the author of the *Al Jarida al Oula* piece in particular, lacked "national spirit" and did not understand "the ethics of the profession."

When Bodoma wrote a satirical piece on al Hashemi al Idrissi's editorial, al Hashemi al Idrissi filed a lawsuit against *Al Jarida al Oula* alleging "defamation and insult." In September 2008, a judgment was issued in al Hashemi al Idrissi's favor. Onozla claimed that the court never notified *Al Jarida al Oula* staff when to appear in court.

When *Al Jarida al Oula* republished the same article and an accompanying article questioning what it called the "secrecy" of the trial, al Hashemi al Idrissi filed another lawsuit against *Al Jarida al Oula*, accusing it of "defamation and insult," but this time, he added a new charge of "prejudice to the prestige of the judiciary." The result was the suspended sentence and fines handed down by the Casablanca court in March.

Morocco has no laws to protect the right of access to information, despite strong demand from researchers, teachers, students, NGOs, and activists—and despite the conflict with Morocco's ratification of the International Covenant on Civil and Political Rights in 1979 and the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions in May 2007. The law governing the conduct of public officials does not help to provide information; rather, it promotes the confidentiality

and privacy of information. However, a set of laws does require officialdom to publicize some of the preparatory procedures for decisions affecting rights and interests, and provides the authorities with broad latitude concerning the publication of reports of public and media interest.

In June 2008, the government-affiliated Advisory Council on Human Rights filed a lawsuit against a newspaper to stop publication of statements given in secret before the Equity and Reconciliation Commission. The testimony described human rights abuses that allegedly occurred between 1960 and 1999. The council called for a ban on publishing the information that *Al Jarida al Oula* obtained from the Equity and Reconciliation Commission archives, and requested that the court order the newspaper director to return all documentation and records to the council or be fined. The lower court in Rabat ordered a stop on publication.

The lack of laws guaranteeing the right to access to information becomes glaring amid Morocco's expansion of e-government and the promulgation of legislation on storage and protection of personal data. Morocco's ranking in the United Nations e-government index in 2008 remained 140th out of the UN's 192 states. In North Africa, Morocco ranks behind Libya (120th), Algeria (121st), and Tunisia (124th).

A number of institutions have mobilized to advocate for a law on access to information. Transparency Maroc, a Moroccan association combating corruption, published a study on the concept of the right of access to information and drafted a proposal for a law. In addition, a group from the Socialist Union of Popular Forces political party organized a study day at the House of Representatives on the right of access to news. It was held with the participation of the National Democratic Institute for International Affairs. The team had proposed a draft law in May 2006 that did not become legislation.

In May 2007, the Justice Association organized a national symposium on the right of access to information in Marrakesh. Judges, lawyers, journalists, lawmakers, and academics took part. The symposium resulted in the Marrakesh Declaration and a major document that included the proceedings of the symposium.[1]

The Center for Media Freedom in the Middle East and North Africa, together with similar associations from Bahrain, Jordan, and Egypt, contributed to the foundation of the Arabic Network for Freedom of Information in July 2008. The aim of the network is to ensure that the issue of access to information is included in the discourse on economic and political reforms in the Arab world. On December 22, 2008 in Casablanca, the center presented a field study carried out during September and October 2008 on private enterprise and access to public information in Morocco.[2] The study concluded that private enterprise is not satisfied with the quality of information received from the various public administrative bodies, and called for a law to guarantee the right of access to information.

State institutions discriminate when disseminating information, giving priority to the public media and providing access to only some events, al Makhfy said. Benomar noted that no entity within the administration is responsible for providing journalists with information.

Regarding entry into the journalism profession, Al Awni pointed out that problems with funding, training, and career structure affect journalism careers. He contended that journalism is not truly a profession in Morocco, as some work as journalists simply to escape unemployment. One panelist pointed out that the key positions in public broadcasting are subject to political scrutiny, and called for the Ministry of Communications to issue press cards to allow journalists to attend and cover official events and press conferences. Foreign journalists are required to have accreditation with the Ministry of Communications.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Morocco Objective Score: 2.02

Although Moroccan media have seen some progress as a result of competition among the independent press, panelists agreed that a lack of professionalism still prevails, and that a large number of media companies have weak ethical traditions.

Since the end of the 1990s, changes in the political landscape gave rise to two factors affecting the development of a professional independent press: the increase in competition between the independent press and the partisan media, and the boldness of the independent press in broaching a number of formerly taboo subjects. Since 1999, many new independent newspapers have appeared, such as the Arabic weeklies *Alsahifa*, *Al Ayyam*, *Al Watan Al'aan*, and *Al Hayat Al Gadida*; and *Nichane* weekly, the Arabic-language version of the French weekly *TelQuel*. Among French-language weeklies, panelists also mentioned *Le Journal Hebdomadaire*, and among Arabic dailies, *Alsabah*, *Al Masaa*, and *Maghribi Events*.

[1] Justice Association: The Right of Access to Information between Legislature, Administration and Judiciary: Workshop of a National Symposium, May 2007, Dar Al Qalam, Rabat.

[2] CMF-MENA: *Entreprises privées et accès à l'information publique au Maroc*, December 2008.

Nouaydi said that the new independent, non-partisan press and the resulting competition has significantly improved the quality of newspapers, in terms of form as well as content.

Readers can find good investigative reports in independent press outlets such as *Al Ayyam*, *Al Hayyah Al Gadida*, *Al Watan Al'aan*, *TelQuel*, and *Le Journal*. In particular, these outlets report on corruption, bribery, how governmental decisions are made, people surrounding the king, security problems, the judicial system, and the army. On public television, Channel 2 has aired some important reports, though such programs come out only once a month.

In its 2009 report, SNPM said that despite disparities in the performance of Morocco's radio stations, their performance is positive on the whole, as they succeeded in introducing open and free programs, dialogues, and products that had not been allowed in the past. They also showcased the abilities of some young journalists in making creative contributions to broadcasting. The same could be said of the public radio sector, which has become bolder than the television sector in addressing issues.

However, SNPM also noted that many stations do not comply with certain professional standards. Language consistency is an issue, with programs mixing Arabic and French; and in some cases, programs descend into triviality and questionable morality.

Al Zenaki said that even though print and broadcast media have their differences, problems with professionalism, particularly shallowness, are common to all. He said that it is possible to do professional work at a number of media outlets, but a uniform logic among them results in statements and information presented in much the same way in a number of outlets.

Broadcast media lack the basic elements of ethics, Medasha said. Benomar said that the National Radio and Television Company had allocated a significant budget to training courses given in cooperation with the French National Broadcasting Institute. Morocco's National Broadcasting Institute, however, is not capable of training journalists in either technique or professionalism.

Gamal Mohafez, a news agency journalist, added that most institutions do not have their own codes of professional ethics, although they are making some attempts. The official Moroccan News Agency introduced a code of ethics in 2000, but it was intended to be secret and to restrict journalists' freedoms, and journalists had to sign the code. There is also SNPM's charter, and the publishers' federation charter came as a response to threats to limit the freedom of the press. However, some media members think that a code of ethics is not of much importance, and that good professional practices are sufficient.

Benomar observed that the 2009 SNPM report stated that no newspaper has an editorial charter defining clearly the newspaper's orientation or setting professional and ethical rules to be observed by all journalists—and especially by editors, who remain subject to the wishes of their boards' backers. Moreover, the situation is deteriorating because of the intransigence of journalists, who are only too happy to use outrageous practices such as insulting, defaming, spreading false news, and libeling people and their reputations. At the same time, they will attack anyone who criticizes them while demanding that their victims respect professional ethics.

SNPM has a responsibility to exert pressure on press institutions to adopt codes of ethics, Bakali said. Onozla added that boards of editors should develop codes of ethics, and that a clear editorial policy could have a notable impact. Staff at *Al Jarida al Oula* have held lengthy meetings on the objectives of the newspaper and its editorial line; however, journalists continue to follow their own convictions.

Referring to her experience at *Al Ayyam* weekly, Mkrim said that supervisors raise the issue of ethics at the beginning of a journalist's employment with the paper, which is known for its clear editorial line criticizing state policy. Since the establishment of *Al Ayyam* daily in 1998, the paper has had a written editorial charter; *Al Ayyam* weekly is an extension of the daily. *Al Ayyam* had not yet written a code of ethics, she said, but if one were instituted, it would reflect a situation already at an advanced stage.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

Panelists noted that self-censorship is prevalent in the media close to the king. Independent media are generally bolder and more distanced than the other mass media from the practice of self-censorship.

Al Bakali and several other panelists cited the "Belaerg" case as an example of ethical breaches, particularly by the public media. On February 20, 2008, following the arrest of a group of citizens, the minister of the interior held a press conference accusing the detainees of being activists in an armed terrorist organization. The two public channels, Channel 1 and Channel 2, covered the case extensively, both taking a stance in support of the official position and often using the same information and wording used by the Ministry of the Interior. The channels provided no balancing opinions or differing points of view, especially not in defense of the suspects. Their coverage was in violation of the presumption of innocence and did not respect the rights of the accused, for whom the law provides confidentiality during criminal investigations.

On July 3, 2008, Nouaydi, acting as attorney for defendants al Mustafa al Mo'tasem and Muhammad al Marwani, made an application before HACA complaining of biased coverage by the two public channels and demanding the right of reply under the law that established HACA. On September 30, 2008, HACA handed down its decision, giving Channel 1 a warning but clearing Channel 2. Nouaydi challenged HACA's decision before the Administrative Court in Rabat because the decision did not enable the defense to reply, and because HACA had cleared Channel 2 although it had committed the same violation as Channel 1.

Al Makhfy said that ethics can be violated by a lack of restraint and not only during criminal investigations. Children have been photographed without the consent of their families in connection with crime reporting, for example. In terms of news sources, some newspapers still say that reports of crimes are just "rumors," reflecting the lack of professionalism at those outlets.

Bribery is a problem in the media, and Al Awni noted this is especially true in sports coverage, where one can pay to have a photo published. He also noted that some newspapers engage in defamation of rivals. He cited *Al masaa* against *Tel Quel* as examples.

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Onozla expressed the view that some press institutions are being infiltrated by the authorities, and that editorial boards should be responsible for combating such ethical violations. He recalled that when he worked at *Al Masaa*, the authorities had tried to place some articles against their political opponents. When a journalist brought in a CD showing a member of the banned Islamic Justice and Charity Group with a woman in a house in Agadir, his paper refused to publish it, but it was published in *Al Nnahar* and *Al Sabaheyya*.

The independent and partisan print media cover major events, but during those events, public television channels broadcast entertainment programs such as music and romantic serials. Public media broadcast only government news at peak viewing and listening times, and cultural programs are broadcast at off-peak times.

Panelists saw no change in terms of salaries and working conditions. Well-funded newspapers pay higher salaries, with French-language papers paying the best. Public radio and television outlets pay better salaries and provide better working conditions than private media, especially in radio, but administrative costs consume much of the budget.

A 2005 collective agreement between SNPM and the Moroccan Federation of Newspaper Publishers specifies journalist salaries and benefits. It mandates a minimum monthly salary of MAD 5,800 ($700) for a professional journalist, and that seniority be taken into account. It also mandates that employers register staff in the social security fund to cover pensions, stipulates that journalist have the right to training, sets the duration of annual leave, and outlines the journalist's obligation toward the employer. Nevertheless, many newspapers are not able to assume all these obligations in the absence of subsidies. Even newspapers that can afford to meet their obligations nevertheless make journalists work without contracts.

Private radio stations recruit trainees and provide meager compensation, and employ others for short terms so that they do not qualify for benefits.

Al Awny said that low salaries leave media members tempted by corruption. Onozla agreed, but said that a low salary does not justify corruption. Some journalists whose salaries are indeed inadequate simply choose to make sacrifices.

Some panelists noted that because of the emergence of new papers, demand for journalists has intensified, and institutions are competing to attract them at the expense of newspapers that either cannot or will not pay higher salaries.

According to SNPM, the use of modern technologies also poses challenges for journalists, as employers try to turn them into technicians for various tasks such as printing, preparing audio and video reports, doing documentation, preparation, and other tasks that are normally carried out by other workers. In addition, employers in both the public and private sectors are trying to cut down on contracts with journalists and workers, relying on part-time workers without regard for quality. Al Awny said some contractors do not have college degrees yet are paid twice as much as professionals.

The panelists agreed that the public television sector values entertainment programs more than news and information, and that the government has no system to bring the public channels to account for wasting public funds on bad programs and senseless jobs.

Print media quality has benefited from the Internet, computerized editing, high-technology printing presses, and professional distribution companies, although those companies remain concentrated in Casablanca and Rabat.

OBJECTIVE 3: PLURALITY OF NEWS

Morocco Objective Score: 1.97

Morocco's print media are divided among the independent press, which often criticize state policy; the partisan press, which serve the objectives of various political parties and are subject to their positions; and the mainly private French-language press, which mostly serve economic interest groups and are close to the state. The private sector press represents 85 percent of total publications, with the rest being owned by the state or political parties. The total newspaper print run is about 300,000 copies, distributed mainly in major cities.

Although the Ministry of Communications has not published reports since 2005, statistics of the Sapress distribution company indicate that 78 percent of titles are Arabic-language and 22 percent French; the latter are 95 percent Moroccan and 5 percent other.[3]

In early 2009, the radio and television sector included two public broadcasting companies: the National Corporation of Broadcasting and Television (French acronym SNRT) and Channel Two (2M). SNRT has one national radio channel, one national television channel, and three other television stations: Moroccan Channel, a joint venture with Channel 2 to serve Moroccans living abroad; Channel 4, an educational outlet; and Channel 6, a religion-themed station. Morocco has one regional station, in Al Oyoun city in Western Sahara, which rebroadcasts Channel 1. Channel 2 also has a radio station. Panelists said that they believe that these two broadcasters share a single editorial line.

Despite the abundance of domestic programs on public broadcast stations, their overt political angles and poor quality have made many Moroccans, especially the elite, turn to foreign satellite channels.

Morocco has only one private radio station, Medi 1 Sat. Radio Sawa, originating from the United States, also broadcasts in Morocco. In 2006, HACA granted licenses to 10 more radio stations but suspended the licensing in 2009, as explained under Objective 1. HACA issued four "second generation" licenses to regional/thematic radio stations.[4]

Despite the abundance of domestic programs on public broadcast stations, their overt political angles and poor quality have made many Moroccans, especially the elite, turn to foreign satellite channels. The channels include Al Jazeera, MBC, English- and French-language channels, and in the north, Spanish channels.

Internet service is of key importance in Morocco. The basic Internet service provider in Morocco is Maroc Telecom, a company owned by the French Vivendi Universal company (53 percent share) and the Moroccan government (30 percent), with the remaining shares held by the private sector. In 2006, Maroc Telecom had 391,000 Internet subscribers, the vast majority over ADSL lines.

The number of people who use the Internet for news, information, and communication is growing. However, Moroccans use the Internet for entertainment and other services also. Since the exposure of corruption among *gendarmes* in Targist on YouTube in July 2007,[5] citizens such as non-unionized police officers have used the Internet widely to expose corruption or violations of human rights and to express their views. The government has not placed restrictions on Internet access.

However, access to media outlets remains a problem for many. Most Moroccans cannot afford newspapers because of poverty (the price of a newspaper is equivalent to the price

[3] http://www.sapress.ma/def.asp?codelangue=23&info=834&date_ar=2009-7-10

[4] http://www.haca.ma/indexAr.jsp

[5] http://www.youtube.com/watch?v=Z8RgWRmRtUc.

Since the exposure of corruption among gendarmes *in Targist on YouTube in July 2007, citizens such as non-unionized police officers have used the Internet widely to expose corruption or violations of human rights and to express their views.*

of two loaves of bread) and illiteracy, especially in rural areas. Internet use, too, is limited because of illiteracy and poverty.

Similarly, the international press is not subject to any prohibition on distribution, but most people cannot afford the price. Prices would be reduced if those newspapers were printed in Morocco, but the press law requires a printing license issued by the prime minister. Al Awny said permission had been granted for French titles *Le Figaro* and *L'Équipe* to be printed in Morocco.

HACA cannot always ensure political and ideological pluralism, despite the complaints brought before it. Political pluralism is limited to the parties represented in parliament, and most media outlets leave little room for the opinions or voices of those who do not participate in elections or politics.

Morocco has 18 foreign news agencies. The only domestic news agency, Maghreb Arabe Presse (MAP), is operated by the state in Rabat and has 12 regional offices, in addition to 18 offices abroad. MAP publishes Moroccan news in Arabic, French, English, and Spanish. Moroccan newspapers receive a 30 percent discount on the agency's services. According to the 2009 press union report, MAP is considered the principal public news institution in Morocco, distributing news at the national and international levels.

MAP is known for how it selects and sometimes modifies the news. Established in 1959 and nationalized in 1977, the agency is governed by obsolete laws that date back to 1971 and subject it to the government's orders. Like the government, the MAP board reports to the prime minister. The panel agreed that MAP needs to be reformed to promote professionalism and independence. However, proposals that would address these issues have been postponed.

Al Awny said that when the king and the minister of communications appointed Ali Bouzerda director of MAP on January 9, 2009, Bouzerda took action against several journalists. Aziz Almaseeh was sent away to Bouarfa, in the south of the country, because of his union work. Bouzerda also prevented Mustafa Alloizi from writing for other newspapers, and ordered Nadia Abram, a correspondent in Beirut, to return after three months, despite the difficult arrangements made by her family to secure her financial stability and her children's studies.

In discussing the objectivity of public media, panelists noted the existence of a "black list" of persons who must not appear on television, especially in live broadcasts. At the same time, Channels 1 and 2 both have contracted with certain individuals and introduced them as independent experts in political science, although some have no experience subject and others are widely known as working for political parties close to the government. They have given analyses, upon request and under the pretext of providing independent expertise, attacking independent or opposition political parties. Media outlets likely have contracted with these figures upon recommendation of the government, and never call upon the true political science experts known for their critical analyses.

Ownership of private print media is not transparent. Banks, insurance companies, and companies operating in other sectors own shares in several newspapers, especially the French-language publications.

There is a movement to encourage and spread the recognition of Amazigh language and culture. Amazigh was the language of the pre-Arab population of Morocco and still used by people who identify themselves as Berber. On October 13, 2006, following a meeting of the joint committee of the Ministry of Communications and the Royal Institute for Amazigh Culture, an Amazigh channel project was announced. But on January 16, 2008, the signing ceremony

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

for funding of the channel was postponed. The Amazigh Network of Citizenship issued a statement expressing regret for the delay, saying those who opposed the Amazigh claims had done everything in their power to block the establishment of the channel.[6]

OBJECTIVE 4: BUSINESS MANAGEMENT

Morocco Objective Score: 1.91

Since 1999, several independent newspapers have been founded. They are managed as successful economic projects that earn profits from sales and advertising. Panelists cited the Arabic weeklies *Alsahifa*, *Al Ayyam*, *Al Watan Al'aan*, and *Al Hayat Al Gadida*; and *Nichane*, the Arabic-language version of the French weekly *TelQuel*. Among French-language weeklies, panelists also mentioned *Le Journal Hebdomadaire*, and among Arabic dailies, *Alsabah*, *Al Masaa*, and *Maghribi Events*.

In addition, French-language papers such as *L'Economiste*, *La Vie Economique*, and *Maroc Hebdo* have achieved significant circulations because they address the world of business and management and issues important to the French-speaking elite.

In turn, the professionalism of these papers boosted professionally managed printing and distribution companies, as entrepreneurs made them profitable. Panelists cited the example of the Sapress distribution company, which was founded 30 years ago and has kiosks throughout every city in Morocco.

Public media are less well managed, however, in the opinion of several panelists. Benomar said that company regulations at Channel 1 do not describe professions, so assessments of cost-effectiveness cannot be carried out. Journalists become company staff members like any others. Since Channel 1 became part of the National Broadcasting Company, media bosses and entrepreneurs have been operating without controls and with high salaries.

Nepotism also impacts the return to taxpayers. One journalist said that the son of Prime Minister Abbas el Fassi was employed by Channel 1 to be responsible for the satellite channel, and received a salary of up to MAD 24,000 ($3,000). Similarly, a number of HACA directors have recommended the hiring of many individuals, including the daughter of Naeema al Mashriqi (a member of HACA) who has joined Channel 1's news staff. Medasha commented that a kind of brokerage is indeed going on in the recruitment process.

Moroccan media obtain revenue from four sources: publicity/advertising, sales, state support, and support from private sources (such as voluntary individual contributions or persons implementing government demands).

Most print advertising goes to French-language newspapers, given the relatively high purchasing power of the few who read newspapers in French. The most widely read Arabic-language newspapers have also begun to win important advertising contracts in the fields of communications and apartment rentals; both are marketed by giant real estate companies. Auto advertising in Arabic is also on the rise.

Political considerations also work for or against some newspapers, depending on their editorial lines and stances on public policy. Some newspapers will be supplied with advertisements for several years, while others will be punished for their political stances by a withdrawal of advertising. A large number of leading state-run institutions (including Morocco Communications and the National Commission to Prevent Traffic Accidents, which top the list of big advertisers) and a number of private companies try to influence the political direction of newspapers by refraining from advertising in papers such as *Le Journal Hebdomadaire* weekly and *Al Masaa* daily.

Al Zenaki said that many large state-run institutions buy advertising space and are under political direction. Thus, who gets what depends on the head of a particular institution. Only about 10 or 11 public or private institutions are key players in the advertising market.

In radio and television, foreign companies and 10 major domestic corporations account for about 60 percent of the

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

[6] http://www.forumalternatives.org/rac/article262.html.

Most print advertising goes to French-language newspapers, given the relatively high purchasing power of the few who read newspapers in French. The most widely read Arabic-language newspapers have also begun to win important advertising contracts in the fields of communications and apartment rentals; both are marketed by giant real estate companies.

advertising on the two public channels. In the past, the Régie 3 company accounted for 76 percent of television advertising and more than 95 percent on radio, while the Independent Advertising Agency dominated advertisements on Channel 1.

Television has suffered from competition from advertising billboards and satellite channels. This trend could explain HACA's decision to suspend issuance of licenses, which in effect bolted shut a door to competition that had only just opened.

The 2005 collective agreement between the Ministry of Communications, SNPM, and the Moroccan Federation of Newspaper Publishers stipulated financial subsidies to print media. The program aims to enhance the professional qualifications of workers in the information sector; to help media outlets modernize; and to cover basic expenses such as paper, telecommunications, and international distribution. To receive such support, a publication must be legally sound, provide public news of a national or regional nature, not allow advertising to exceed half its column inches, be sold to the public at a specific price or by subscription, employ a minimum number of journalists and employees in accordance with its quality, publish its accounts annually and disclose its own bank account, sign the collective agreement with journalists to guarantee them a minimum level of rights, be published regularly, and indicate circulation in every edition. In addition, it must publish an annual account of its circulation, or account for two years if it is publishing for the first time.

In 2005, almost 35 titles benefited from government support, and in 2006, the state granted 50 titles for financial subsidies amounting to MAD 43 million ($5 million). However, the Ministry of Communications has refrained from publishing the subsidy figures in detail or even the annual report on print and broadcast media from 2007 to date.

Some subsidy beneficiaries were newspaper proprietors and members of the subsidy distribution commission, which includes representatives of the publishers' federation. The federation was founded by the chairman of the Eco Medias group, which publishes newspapers and magazines and owns its own press, a radio station, and a high school of journalism and communication, and had received—until February 2009 at least—a significant proportion of the support given to the press. In 2005 (the last year for which figures were published) two Eco Medias titles received the highest subsidies, totaling MAD 4,950,664 ($600,000).

Al Awny said that financial support in 2009 is already late, but that nobody is talking about it, and Ministry of Communications statements on subsidies have not been detailed. That blackout would make it difficult to expose any discrimination or collusion taking place within the subsidies commission.

Speaking as a member of the press union, Al Awny said that subsidies are a case of financing the rich. Subsidies should be linked to advertising revenue, he said—the greater the advertising revenue, the lower the subsidy. He also pointed out that subsidies to *Albayan* and *Bayan Al Youm* had increased during the tenure of two successive ministers of communication, both of whom belonged to the parties that published them; while the government stopped subsidies for *Alyassar almowahhad* newspaper of the United Left party.

Onozla said that the subsidies are not transparent. There are also partisan newspapers that received subsidies but were not printed (*Al Haraka/Ala'hd*). Onozla said that the method of delivering subsidies is offensive: A check is sent to the director of the paper instead of being allocated in such a way as to cover expenses for paper, telephones, or taxes. He wondered about the requirement for two years to pass before offering a subsidy to new and emerging newspapers, and likened it to sitting on one's hands while one's infant dies.

Le Journal has refused public funding, Onozla said, calling for transparency and a just way of distributing subsidies.

Al Zenaki recalled that, two years earlier, applications containing false information were submitted in order to receive subsidies. In the first year, there had been a lie concerning the consumption of paper. The minister had noted that some documents had not been authenticated and promised to take action, and also refused to give subsidies to a number of newspapers, but he was later subjected to pressure and handed out subsidies haphazardly.

In its 2009 report, SNPM indicated that results of the subsidies effort were not reflected in journalists' working conditions, nor had the program contributed, as legally required, to institutions' management modernization or to rationalization of their operations.

In the broadcast sector, SNRT's income sources include government support; fees for television sets, which are collected as indirect taxes added to users' electricity bills, and; income from independent advertising agencies. The government budget supports public broadcasting channels in part to protect them from competition from foreign satellite channels. The state provided the broadcaster with MAD 2.5 billion ($300 million) between 2006 and 2008, including MAD 1.7 billion ($200 million) from the government budget and MAD 556 million ($70 million) from the radio and television production support fund.

Since 2006, the Marocmétrie company has provided viewing and listening figures for the national broadcaster and Channel 2 to the advertising agency Régie3, the Advertisers' Group in Morocco, and the Association of Communications Consultant Agencies. However, some journalists had doubts about the ratings for public television.

Panelists also noted the increasing clout wielded by advertisers. Broadcast programmers' selection of scheduling and type of program is now driven by the requirements of the advertisements to be aired during the program.

For the print media, the Association of Advertising Authors, the Federation of Counseling Agencies, and the 59-member Moroccan Federation of Newspaper Publishers established the Morocco Audit Bureau of Circulations (French acronym OJD) in 2004 to gather circulation and distribution data. Thus, newspaper publishers are able to price advertisements based on circulation and distribution, and advertisers and advertising agencies can also choose the most popular publishers and justify their choices. In April 2009, officials of the OJD office in Morocco, with the assistance of the French OJD group, checked the distribution of 28 titles printed in Casablanca.[7] OJD Morocco intends to monitor another group of newspapers in the near future.[8]

Advertisers also depend on the audit offices of Sapress and Shospress, the country's two largest distribution companies, for distribution statistics.

Even though OJD has always encouraged transparency in circulation figures, transparency has had hardly any direct implications in terms of advertising revenues. Advertising rates and distribution tariffs, which should be known as a result of documenting sales, remain uncertain because of subjective political and patronage considerations.

Although membership with the OJD does not directly affect advertising revenue, it doubles the chances of obtaining financial support from the state based on circulation figures.

[7] See http://www.ojd.ma/site/ma/adherents.php.

[8] http://www.ojd.ma/site/ma/news_detail.php?id=26.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Morocco Objective Score: 2.29

The Moroccan Federation of Newspaper Publishers has emerged as a union for newspaper proprietors, and some members are also members of SNPM. Since November 2007, the federation has included proprietors of radio stations and is no longer restricted to publishers of newspapers.

In February 2008, the federation renewed its structures so that it could contribute decisively to the rehabilitation of print media in Morocco by negotiating with the government. As a result, the number of press institutions meeting the conditions for government subsidies increased to more than 70, up from 13 when the subsidy agreement came into effect in 2006. The federation believes that it has achieved its objectives, and is now calling for a subsidy increase from MAD 50 million ($6 million) to MAD 100 million ($12 million).

Just as the federation has contributed to the establishment of a body to verify newspaper circulation figures, it also has complained about the lack of rationalization and transparency in the commercial market and the difficulty of obtaining government advertisements, which affect many newspaper budgets. In addition, the federation has fought against prison sentences for press-related issues.

The publishers' federation came under criticism from several panelists, however. Mkrim said that newspaper proprietors and their federation defended their material interests alone, and that no strong solidarity is evident among them. The director of *Al Ayam* submitted his resignation to the federation after he and his paper's editor-in-chief were harassed by the authorities because of the affair surrounding the photo of the king's mother. Onozla said that the relationship between the federation and *Al Ayam* during the crisis clearly was not one of solidarity. Mkrim added that *Al Masaa* left the federation when the paper had problems with Kamal Lahlou, president of the federation.

SNPM—the only union in which all Moroccan journalists participate—provides unwavering support for media freedom and for the rights of union members. The union has 1,200 members from all channels and publications. It contributes to training sessions with the International Federation of Journalists.

Al Awny said the union has become neither a professional body nor an authority. Press cards should be issued by the union instead of by the Ministry of Communications, he said, and training also should be the union's responsibility. In addition, he said, the union condemns journalists for their

political positions rather than speaking out in solidarity with them and their rights.

El Bakali said that in general, professional bodies in Morocco are weak, with the principal problem being Morocco's own non-democratic traditions. Some union members are journalists who came together to protect their work, while others—she mentioned private broadcasters—joined the union to protect themselves from being fired, but tend not to follow up their membership or participate in union activities.

Recently, media members have formed unions for bloggers and the e-press. On April 4, 2009, the first conference of the Moroccan Bloggers' Association was held in the Bar Association Club in Rabat. The president of the Bar Association expressed willingness to support and help bloggers at all levels.

Even before its formal establishment, the bloggers' association expressed strong solidarity with one of its members, Muhammad Alraje. On September 8, 2008, Alraje was sentenced to two years' imprisonment on charges of breaching due respect for the king, because he had criticized the king's practice of granting undue privileges. SNPM, Reporters Without Borders, the Arabic Network for Human Rights Information, several Moroccan newspapers, and others also denounced the sentence. As a result, the Court of Appeals in Bokadir quashed the sentence of the lower court on September 18, 2008, and ordered that Alraje not be further investigated or prosecuted.

Human rights organizations also provide strong support for press freedom and freedom of expression. Such organizations include ADALA, Human Rights, and Transparency Maroc.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

The Higher Institute of Information and Communication, which is a public entity, provides training for journalists. Students are accepted on a competitive basis and spend four years studying the theoretical and practical aspects of media. In their final year, students must complete an internship, spending two days a week at a media institution. However, Al Makhfy said that training at the Institute is no longer of high quality. The senior journalists on the teaching staff work for four or five newspapers. As a result, those staff are always working on their own projects and hardly ever available.

There are three private media institutes but panelists pointed to the limited language and practical skills of their graduates.

Regarding the training of working journalists, Bakali said that training does not form an integral part of media outlets operational plans; consequently, training courses abroad are simply a form of tourism, and the investment in it is wasted. Benomar added a nuance to that view: The internal structure of radio and television is not keeping pace with the training institutes.

Onozla said that journalists are often deprived of training opportunities because their employers need their services and they cannot be spared.

Al Makhfy said that the ambition of any publication is to have its own printing press to ensure its sustainability. Some partisan newspapers and journals receive support from the state or through international assistance because they have presses and appropriate infrastructure. At the same time, free and independent titles continue to suffer from the lack of their own presses and infrastructure. Some party newspapers have received subsidies to establish printing presses, Onozla said, and outlets receive European support under MEDA programs.

The cost of distribution eats almost half of sales proceeds, said al Zenaki. Sapress and Shospress distribute most print media. Onozla said that Sapress has launched a war against Al Waseet, a new distributor established by *Al Masaa* daily, because of a dispute. As a result, the government confiscated MAD 5 million ($590,000) from sales of *Al Masaa* newspaper, and the matter went to court.

Transmitters are the most problematic aspect of private television stations because of the state's fear of live broadcasting, al Makhfy said. SNRT would be keen to have a monopoly on television transmitter systems. In addition, the state wants to regulate Internet video conferencing. Medasha said that transmitters cannot be brought through customs without a license from the National Agency for the Regulation of Telecommunications.

List of Panel Participants

Ali Onozla, director, *Al Jareeda Aluola*, Casablanca and Rabat

Sahib Bin Omar, director and producer, Moroccan Public TV and Radio, Rabat

Muhammad Al Awny, journalist, Moroccan Public TV and Radio, Rabat

Maria Mkrim, journalist, *Al Ayamli*, Casablanca

Khadeja Al Bakali, journalist, Moroccan Public TV and Radio, Tangiers

Jamal Mohafezm, journalist, Maghreb Arabe Presse, Rabat

Basher Al Zenaki, journalist, independent, Casablanca

Hisham Medasha, researcher, Employer for the High Authority for Audiovisual Communication, Rabat

Jalal Al Makhfy, correspondent, Dubai Channel, Rabat and Casablanca

Abdul'Ilah bin Abdul-Salam, lawyer, Moroccan Association for Human Rights, Rabat

Moderator and Author

Abdelaziz Nouaydi, lawyer and professor, Rabat Bar Association, Rabat

The government used intimidation, police harassment, censorship, and financial blackmail to marginalize independent media outlets. Meanwhile, it attempted to hide its anti-free press policies while projecting an image of a tolerant and progressive state on the international stage.

TUNISIA

OVERALL SCORE: **0.98**

Though Tunisia's media has made modest strides over the last year, serious challenges remain due to the legal restrictions on media freedom and a widespread lack of professionalism among journalists. The repressive environment continues to hinder further development of media standards. Tunisia is one of the least free countries in the world, placing 176 of 195 countries ranked in the annual Freedom of the World survey produced by the Washington, DC-based Freedom House. In 2008, "The rights to freedom of expression, association, and assembly were curtailed, and journalists, lawyers, and human rights activists were prosecuted and arrested," according to Amnesty International.

Zine El Abidine Ben Ali has led Tunisia since 1987. Reporters Without Borders added Ben Ali to its list of "Predators of Press Freedom" and of "Internet Enemies" in 2008. According to the New York-based Committee to Protect Journalists (CPJ), Tunisia has been "the Arab world's leading jailer of journalists since 2001." The US Department of State summed up the situation succinctly: "The government [of Tunisia] does not allow a free press." Ben Ali was elected to a fifth term in October 2009's presidential election.

In 2008, government-controlled and pro-government newspapers, television channels, and radio stations continued to dominate Tunisia's media market. The government used intimidation, police harassment, censorship, and financial blackmail to marginalize independent media outlets. Meanwhile, it attempted to hide its anti-free press policies while projecting an image of a tolerant and progressive state on the international stage. The ruse included paying newspapers abroad to run articles lauding its supposed democratic achievements and record of defending human rights. When arresting journalists, the authorities were careful to "bring charges ostensibly unrelated to journalism as a way to pressure outspoken reporters while deflecting international criticism," CPJ found. In its "Tunisia Report: The Smiling Oppressor," CPJ explained the situation as such: "Tunisia wants you to believe it is a progressive nation that protects human rights. It is, in fact, a police state that aggressively silences anyone who challenges President Ben Ali."

Three major events involving the media made 2008 a distinctive year in Tunisia. First, during a series of strikes that rocked the southern mining region of Gafsa early in the year, the authorities harassed and intimidated journalists attempting to cover the events. Around the same time, Tunisian journalists founded a new, independent union, which began to vigorously advocate for their rights. And as 2009 began, more than 100 journalists and technicians at the state-run television and radio broadcaster staged a sit-in protect to object to their working conditions.

Due to the repressive environment in Tunisia, IREX did not organize a panel discussion within Tunisia. This chapter represents research conducted on the situation and discussions with various professionals knowledgeable about the situation in Tunisia. The names of those contacted will not be published to protect their personal security. This chapter therefore provides a summary of the state of media in Tunisia.

TUNISIA AT A GLANCE

GENERAL

> **Population:** 10,486,339 (July 2009 est., *CIA World Factbook*)

> **Capital city:** Tunis

> **Ethnic groups (% of population):** Arab 98%, European 1%, Jewish and other 1% (*CIA World Factbook*)

> **Religions (% of population):** Muslim 98%, Christian 1%, Jewish and other 1% (*CIA World Factbook*)

> **Languages (% of population):** Arabic (official and one of the languages of commerce), French (commerce) (*CIA World Factbook*)

> **GNI (2008-Atlas):** $33.99 billion (World Bank Development Indicators, 2009)

> **GNI per capita (2008-PPP):** $7,070 (World Bank Development Indicators, 2009)

> **Literacy rate:** 74.3% (male 83.4%, female 65.3%) (2004 census, *CIA World Factbook*)

> **President or top authority:** President Zine el Abidine Ben Ali (since November 7, 1987)

MEDIA-SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: 5 daily papers; Radio: 4 main stations; Television: 2 main broadcasters (1 state, 1 private)

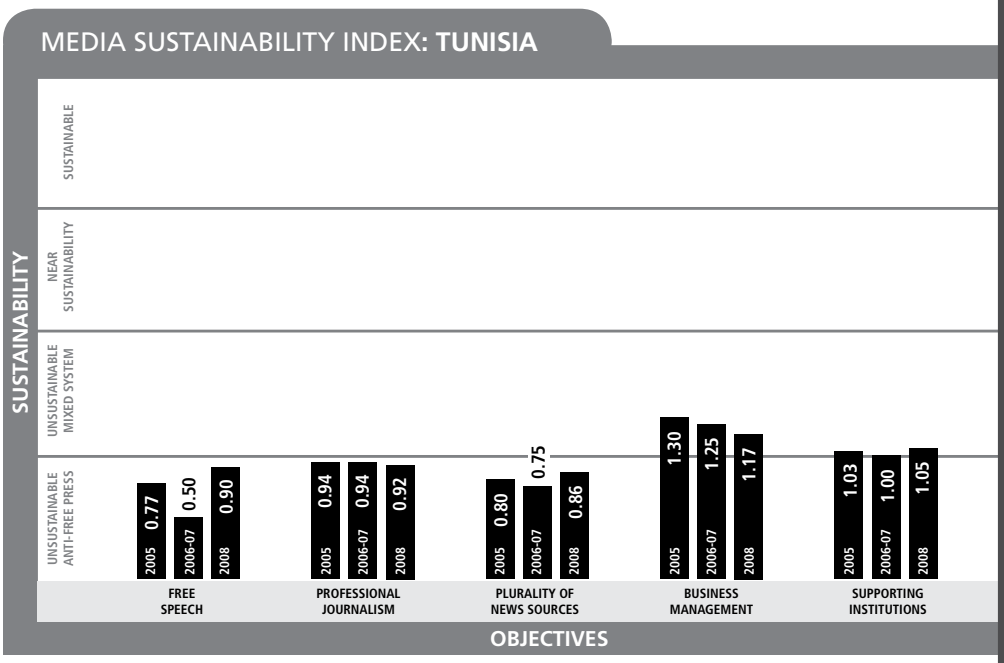
> **Newspaper circulation statistics:** Top circulating newspapers include *Al-Chourouk* (private), *La Presse* (owned by ruling party), *Al-Horria* (owned by ruling party), and *Assabah* (private)

> **Broadcast ratings:** Top 3 television stations: Tunis7 (state-owned), Tunisie21 (state-owned), Hannibal (private). Top 3 radio stations: Zitouna (religious), MFM (private), Radio Jeunes (state-owned).

> **News agencies:** Agence Tunis Afrique Presse (state-owned)

> **Annual advertising revenue in media sector:** N/A

> **Internet usage:** 1,722,000 (2007 est., *CIA World Factbook*)



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Tunisia Objective Score: 0.90

A complex system of legal restrictions—from licensing and libel to accreditation and access to information—is designed to stifle free speech and neutralize the threat to Ben Ali's hold on power posed by a free and independent media. Journalists are subject to government persecution and impunity for violations of what rights the media theoretically have.

Tunisia's constitution and Press Code offer vague protections for freedom of expression and the press. However, the laws also contain restrictions on press freedom. Furthermore, the authorities often do not observe the protections and instead opt for more draconian uses. "In Tunisia…there is a huge gap between the legislation on the press, which, in short, meets international standards, and its interpretation and application…by the state," one panelist noted.

Article 8 of the Tunisian constitution states, "The liberties of opinion, expression, the press [and] publication…are guaranteed and exercised within the conditions defined by the law." However, the constitution also contains limitations on these guarantees. Article 7 indicates that the rights of Tunisians can be restricted by laws meant to uphold "public order," defend the nation, aid the development of the economy, or further social progress. And Article 5 states that the Tunisian Republic "guarantees…freedom of conscience and protects the free exercise of beliefs with the reservation that they do not disturb the public order." Publishing information that disrupts "the public order" is a criminal offense and a conviction can result in up to three years in prison, according to testimony submitted to the UN Human Rights Council by Front Line, a Dublin-based organization dedicated to defending human rights activists.

The Tunisian government sees a critical, independent media as a threat to the public order and therefore one that must be confronted. When members of the UN Human Rights Council met in 2008 to discuss Tunisia as part of the Council's Universal Periodic Review process, the Tunisian government submitted a report that stated, "Tunisia, like other States and the whole international community, is faced with the enormous challenges of terrorism, extremism, [and] media excesses. … These challenges to human rights must be met as a matter of urgency." The statement attempted to equate media freedom with terrorism: "Tunisia wishes to draw attention to the abuses by certain satellite and electronic media that broadcast messages of hatred and intolerance, racism, fanaticism, and religious defamation."

The Press Code requires the Ministry of the Interior to authorize the publication of newspapers and other print media. The authorities consistently block the registration of independent newspapers and magazines. When this happens, there is "no possibility of legal redress," a panelist noted.

Tunisia's Press Code, which regulates print media, was written in 1975 and was amended most recently in 2006, according to Tunisiaonline.com, a website associated with the Tunisian embassy in the United States. The site boasts that, "Freedom of thought and expression is protected by law and the Press Code, which…was amended four times, to promote more freedom of the press." Improvements certainly have been made—as noted in last year's MSI report—but the Code still contains significant restrictions, including outright bans on offending the president, disturbing public order, and publishing what the government deems false news," according CPJ. One panelist explained that the Code is also vaguely written, which makes it difficult for journalists to know whether their actions will bring legal repercussions. The National Union of Tunisian Journalists (known by its French acronym, SNJT) argues that "the current legal framework

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

But government officials are often reluctant to divulge information, for reasons one panelist made clear: "The law punishes with one year of imprisonment a public officer who communicates to third parties or the public, 'any document of which he had knowledge by reason of his functions.'"

restricts the process of publication," and SNJT has called on the government to revise it.

The Press Code requires the Ministry of the Interior to authorize the publication of newspapers and other print media. The authorities consistently block the registration of independent newspapers and magazines. When this happens, there is "no possibility of legal redress," a panelist noted. This year, Sihem Bensedrine, who won the 2008 Danish Peace Foundation Prize, tried for the fifth time in nine years to obtain Ministry permission to produce a print version of her online news magazine *Kalima*, but officials refused to accept her application, according to CPJ. SNJT noted that, "Many applications for licenses to publish newspapers have been waiting for responses for a few years now." The Press Code also gives the Ministry of the Interior the authority to decide which publications can be printed and distributed, a power it has used against the opposition press, according to last year's MSI report.

The Telecommunications Code regulates the licensing of radio and television. The government had a monopoly on domestic broadcasting until 2003 and retains a tight grip on this sector of the media market. The National Frequencies Agency licenses private broadcasters, but the process is far from transparent. "Its approval criteria have never been disclosed and several applicants have never even gotten a response from the agency," CPJ found. The process is also heavily politicized. Those granted licenses are typically close to the family of the president, according to last year's MSI report. Bensedrine and her colleagues at *Kalima* started a satellite radio station without a license in early 2009. They argued that they were not required to obtain a license in Tunisia, since they were broadcasting primarily from Italy, according to the news site Menasset.com. The government disagreed and raided their office in Tunisia, confiscating equipment and sealing the door. "A number of staff have been arrested and released," according to a report from the Toronto-based International Freedom of Expression Exchange (IFEX).

When members of the UN Human Rights Council discussed Tunisia in 2008, one of the issues they raised was the country's libel law. Representatives of Belgium, Sweden, and the US called on Tunisia to revise Article 51 of the Press Code, which imposes penalties of one to three years in prison and fines of TND 20 to TND 1,200 (about $15 to $900) for libeling the courts, the authorities, or the military. The burden of proof is with the accused to establish that what was published was not libelous. Fortunately, journalists are rarely prosecuted under this law. According to panelists, this is "because there is no tradition of investigative journalism and corruption of public officials is not a [subject of] journalism in Tunisia," one panelist noted. In any case, the authorities prefer to try journalists for crimes unrelated to their professional activities in order to mask government repression of the media.

Beyond the restrictions on free speech and the media that are written into the constitution, the Press Code, the Telecommunications Code, and other laws, journalists face another problem: a lack of judicial independence. Although Article 65 of the constitution states that, "The judiciary is independent; the magistrates in the exercise of their functions are not subjected to any authority other than the law," in practice the executive branch appoints the judges and has a significant amount of influence over them. When blogger Ziad al-Heni filed a lawsuit in 2008 against the government agency that regulates the Internet, claiming it had violated his right to free expression by blocking the social networking site Facebook in August of the same year, the case was dismissed and al-Heni was left with no way to appeal the decision, according to a Freedom House report.

There is no law in Tunisia guaranteeing access to information for journalists and other citizens. "In both major events and normal times journalists face great difficulties of access to information. [What is released] is either scarce or false," according to the SNJT. Officially, foreign correspondents are supposed to request government information through the External Communications Agency and local journalists are required to go through ministry press officers, a panelist explained. But government officials are often reluctant to divulge information, for reasons one panelist made clear: "The law punishes with one year of imprisonment a public officer who communicates to third parties or the public, 'any document of which he had knowledge by reason of his functions.'"

Accreditation is required for both foreign and local journalists. The authorities "control foreign reporters by requiring them to obtain government accreditation and then get explicit permission to cover any official event," according to a CPJ report. "As part of the Tunisian government's longstanding feud with Al-Jazeera over its coverage of Tunisian dissidents, authorities have refused to accredit correspondent Lotfi Hajji since 2004," the report continued.

For local journalists, accreditation is required to receive a "special badge" that permits them access to important events, according to one panelist. Some journalists have been denied accreditation because of their political opinions, last year's MSI report stated. The SNJT has called for a review of the accreditation laws, stressing "the importance of standardizing entrance to the profession by adopting a unified law."

Crimes against journalists are frequent, and perpetrators are not prosecuted adequately when they occur, according to panelists. The SNJT made the same point: "Journalists cannot discharge their mission in a profession that is characterized by risks and hardships in an atmosphere of threat, harassment, and repeated attacks." In 2008, journalists suffered harassment, primarily at the hands of the government.

In October, the online news magazine *Kalima*, hosted in France and banned in Tunisia, was blocked and hackers destroyed its content. Its editors blamed the government, according to CPJ. The weekly newspaper *Mouatinoun* ran an editorial by Naziha Rjiba, pinning the cyber attack on the government. The government promptly seized the issue of the paper containing the editorial, according to CPJ. Rjiba was questioned by the public prosecutor, according to Amnesty International. And *Kalima* and *Mouatinoun* were not the only media outlets censored in 2008. The government also blocked distribution of at least four issues of the opposition weekly paper *Al-Mawkif*, according to CPJ.

Journalists' attempts to cover the protests over social and economic conditions in the southern mining region of Gafsa—which started in January and lasted "for months," according to Amnesty International—led to more government harassment. Fahem Boukadous, a journalist working for the Italy-based satellite television station Al-Hiwar Ettounsi, reported on the protests and was charged with "spreading information liable to disrupt the public order." He went into hiding, was tried *in absentia,* and sentenced to six years in prison, according to Amnesty International.

There were, however, positive developments in 2008. Internet journalist Slim Boukhdhir was released from prison in July after serving eight months for having written articles critical of the president and his family, according to CPJ. Unfortunately, in September he was "kidnapped" by security and threatened with "physical assault," according to IFEX.

Panelists confirmed there was widespread access to international news sources in Tunisia. One panelist noted that, "Foreign newspapers and magazines are distributed fairly well in Tunisia." The only exception, the panelist said, is when a particular issue of a specific publication contains something critical of the government. In that case, the publication might be banned and seized.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Tunisia Objective Score: 0.92

Panelists' scores in this objective reflect their concern about the professional capacity of Tunisian reporters and the quality of the work they produce. Panelists had particular concerns about the lack of observance of ethical guidelines and the widespread practice of self-censorship. On the other hand, panelists expressed greater confidence about the quality of equipment and facilities available to journalists.

A variety of media observers—the government, journalists, the journalists' union, and international organizations—have expressed dissatisfaction with the quality of journalism in Tunisia. They disagree, though, on where to place the blame. Ben Ali has called on journalists to "'be more daring' and to make sure that 'issues are addressed impartially, boldly, and responsibly,'" according to Tunisiaonline. Journalists and the organizations that support them pin the blame for the state of the profession on the government and media managers. "Today, many of Tunisia's skilled journalists lament the sorry state of their profession," according to CPJ. "They used to assassinate journalists in Algeria, but in Tunisia, they murdered the profession," CPJ quoted Tunisian journalist Taoufik Ben Brik as saying.

The issue is not the skill level of the journalists in Tunisia, panelists said, but the restrictions imposed upon them by the political situation. Tunisian journalists know how to be good journalists, but they do not have the freedom to. Working conditions are a problem, too, according to the SNJT. "The weight of weekly and even daily newspapers fall upon a small group of journalists. Some of them [are] assigned to steal

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

The issue is not the skill level of the journalists in Tunisia, panelists said, but the restrictions imposed upon them by the political situation. Tunisian journalists know how to be good journalists, but they do not have the freedom to.

some articles from foreign newspapers and the Internet and reproduce what is broadcast by satellite channels to fill their gaps instead of relying on the skills of young graduates of the IPSI [the Institut de Presse et des Sciences de l'Information, Tunisia's journalism school]."

Whatever the reason, the quality of much of the journalism produced in Tunisia is low. Reporting is generally not well sourced. Many published stories are based on a single source, according to panelists. Many others, especially in the government media, are reproductions of releases from the government's Tunis Afrique Presse agency (TAP). And, although SNJT publishes ethical standards that are binding for union members, the penalties for noncompliance are "symbolic," according to panelists. The result is a slew of ethical violations in newspapers, radio, and television. The SNJT cited instances of journalists stealing articles from other news outlets "to furnish entire pages without reference to sources." It also decried a general lack of objectivity and the practices of running "paid articles" and articles promoting superstition and "witchcraft."

Self-censorship is common among journalists in Tunisia. One panelist termed it "systematic" and attributed it to "a fear of sanctions." Many journalists try to stay away from covering sensitive events. Instead, they wait for the official version to be released by TAP and run the press release. Media managers, who are also under pressure from the authorities, have been known to dismiss journalists for being "too critical," one of the panelists said.

The result is that the media in Tunisia fail to cover many key events and issues, particularly political ones. These include the ongoing activities of civil society organizations and opposition parties as well as this year's protests in Gafsa. According to Amnesty International, Tunisian security forces used "excessive force" against the demonstrators, causing the deaths of two, and resulting in the arrest and prosecution of at least 200 protestors. Yet there was "virtually no coverage" of this in the Tunisian media, according to CPJ. Those reporters who did try to cover the protests were harassed or even arrested. Hadi al-Ridaoui, for example, interviewed and photographed wounded demonstrators and was subsequently detained by the authorities for two days, according to CPJ.

Some of these ethical violations and the failure to cover important events may be related to the low salaries journalists receive. According to the SNJT report, "instability in work and poor financial incomes break morale and limit the free initiative of journalists." Media organizations often provide journalists with meager compensation and no health coverage. They also rely on freelancers and part-timers rather than hiring full-time, permanent employees. The journalists working at the government news agency, TAP, are said to be the best paid, while "the [bulk] of journalists are temporary, freelance, or on short contracts and they cannot afford to live in dignity on their work as a journalist," one panelist explained. Meanwhile, "Large firms…offer generous gifts to some journalists to get their messages into articles," a panelist said. This may explain why business and financial articles are often "more advertising than journalistic material," one panelist noted.

In 2008, Tunisian journalists at the state television and radio broadcaster became so frustrated with their working conditions that they went on strike. Between 130 and 150 journalists and technicians staged a sit-in. Dozens of others at other media outlets reportedly went out on strike in sympathy. "The state employees involved in the protest say that the government is deliberately marginalizing media workers in order to manipulate their content more easily," according to an article on the news site Menasset.com. "Strikers have set up mattresses and have been sleeping on the floor of a state radio and TV warehouse," the article said. The protesters were angry that many journalists had been working for years without contracts and others had not received their salaries in months. The Menasset article quoted one striker as saying: "I sold some of my jewelry and my cell phone to eat and get around. How can we work while our dignity is being trampled?"

In the absence of coverage of key political events and issues and inadequate funds to further expand coverage, media outlets fill their schedules with other products. "Entertainment and sports are dominant…, including on private channels," a panelist noted. "You can write about sports all you want. But issues important to society, like the demonstrations in [Gafsa], the press can't do anything but print what the government wants," Al-Jazeera correspondent Lotfi Hajji said, according to CPJ. About 70 percent of television and radio programming is entertainment—content includes music, games, and sports programs—because it is not only safer than coverage of political events, but also gets high ratings, according to last year's MSI report.

In addition to mass market print media, the government-related website Tunisiamedia.com lists 32

publications covering niche markets such as: *Echos des Meres*, a magazine published by the Tunisian Mothers' Association; *Aladin*, a "children's magazine"; *Profession Tourism*, a private trade magazine; *L'Economiste Maghrebin*, a business and economics magazine; *Sciences Plus*, a nature and sciences magazine; *Affaires Judiciares*, published by the Association of Tunisian Judges; and *Le Septieme Art*, which covers cinema.

Panelists reported that facilities and equipment for gathering, producing, and distributing news are modern and efficient. "There is no real problem of equipment in the media in Tunisia," a respondent noted.

OBJECTIVE 3: PLURALITY OF NEWS

Tunisia Objective Score: 0.86

Although Tunisians have access to a variety of newspapers, magazines, television stations, radio stations, and websites, many observers note that due to governmental control of many news sources and pressure on many others, the content provided by the majority of these media outlets is the same. Panelists reflect this trend in a higher score for plurality of available news sources and the ability of citizens to access domestic and international media, and low scores for the objectivity of state media, the existence of independent news agencies, and original programming by independent media.

Almost every Tunisian household—"virtually all," according to Tunisiaonline; 99 percent, according to last year's MSI report—have access to state television and radio broadcasts. The state-run ERTT operates two television stations (Tunis 7 and Tunis 21) and at least eight radio stations (three national, five regional). Private stations include two television channels (Nessma, launched in 2009, and Hanibal) and three private radio stations (Mosaique, Jawhara, and Zeitouna Radio Station for the Holy Koran). About half of Tunisian homes have satellite dishes, and two "foreign companies" offer satellite-programming packages, according to Tunisiaonline.

There are 265 newspapers and magazines published in Tunisia, according to Tunisiaonline. However, only a handful of those have significant circulation and influence. Among the nationally distributed newspapers, state-owned and pro-government titles dominate in terms of circulation. These include the private, Arabic-language paper *Al-Chourouk* and the French-language *La Presse*, which is owned by Ben Ali's ruling party. "The current situation has earned Tunisia the sobriquet of being a country with seven versions of *Pravda…* Even the privately owned Arabic language dailies…contribute to the personal cult of the president and rarely challenge the government on serious policy issues," according to the Arab Press Network, which is operated by the Paris-based World Association of Newspapers. Only two newspapers "put up serious opposition to the government—the Renewal Movement's monthly *Al-Tariq Al Jadid* and the Progressive Socialist Rally's weekly *Al-Mawkif*," the Arab Press Network concluded.

The Tunisian government has made serious and successful efforts to increase Internet access over the past several years. "In just five years, Tunisia's Internet penetration rose from 1 percent (2001) to 9.3 percent (2006)," according to a report from the OpenNet Initiative (ONI), a consortium of researchers at American, British, and Canadian universities that monitors Internet filtering and surveillance around the world. A 2008 Freedom House report counted 17 percent of Tunisians as Internet users. There are 12 Internet service providers in Tunisia, five of which are privately owned.

Despite this wide range of news sources there is a relatively limited variety of news content available—even from private media outlets. In Tunisia, private ownership is "not synonymous with editorial independence," according to Human Rights Watch. There are two reasons for this. First, although the Press Code limits ownership to two publications of the same frequency that should not exceed 30 percent of the overall newspaper distribution in the country, the government is selective in licensing of new media outlets. It grants them mostly to individuals with ties to the authorities, thus creating a kind of de facto media concentration, according to last year's MSI report. Second, the government uses distribution of public advertising money as leverage to control media outlets. These two factors, combined with government harassment of journalists, result in a great deal

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

of self-censorship. "None of the domestic print and broadcast media offers critical coverage of government policies, apart from a few low-circulation magazines such as *Al-Mawkif*, an opposition party organ, that are subject to occasional confiscation," Human Rights Watch concluded. The combined circulation of the opposition papers is about 30,000, according to CPJ, less than the individual circulations of pro-government newspapers such as *Al-Chourouk* or *Assabah*.

Another reason for the relative lack of diversity in the content provided by Tunisian media outlets is the central role played in the Tunisian media market by the government-run TAP. International news agencies such as Agence France Presse and Reuters also cover Tunisia, but "the media prefer to use dispatches from TAP, as a precaution" against angering the government, a panelist explained. As a result, TAP is "the source of most editorial articles in national newspapers and radio and television news," a panelist noted.

According to SNJT, TAP "does not reflect the diversity of political, social, economic, and cultural life in [Tunisia]." It instead "covers the official activities with the same wording repeated for years and the same vocabulary…[giving it] a wooden language and a dry official style, which is often far from professional and technical rules." TAP's coverage decisions are often based on political considerations, rather than on sound news judgment or a desire to serve viewers or readers. The government's news agency also often fails to cover events in a timely manner: "We may read news of concern to our country in foreign agencies prior to their broadcast by TAP," according to SNJT.

Although the diversity of media sources available to Tunisians continues to grow, the diversity of content is unlikely to follow suit under the current regime. "Listening to foreign media is unrestricted and widespread and the foreign press is well distributed," a panelist noted. But the government has been known to ban, block, or confiscate issues of foreign media outlets containing information critical of the government, the panelist continued.

More and more Tunisians own satellite dishes. This gives them access to stations like Al-Hiwar Attounsi, which is based in Italy and is "attracting the attention of large numbers of viewers from inside and outside the country." Many feel it is the "only private channel which reports… most of the current events on the national scene, which are ignored by our public and private television channels," according to SNJT. Unfortunately, the process of collecting that news is fraught with difficulties. While the station broadcasts from abroad, its reporters must gather news in Tunisia and often face government harassment, according to SNJT.

More and more Tunisians are also accessing the Internet, either through private connections or Internet cafés. However, while there are 12 ISPs in Tunisia, "all Internet traffic flows through a central network, allowing the government to filter content and monitor emails," according to CPJ. The government uses SmartFilter software, "which allows for key words and phrases to be tagged and filtered throughout the Tunisian Internet," according to Freedom House. "Unlike other states that employ filtering software, Tunisia endeavors to conceal instances of filtering by supplying a fake error page when a blocked site is requested. This makes filtering more opaque and clouds users' understanding of the boundaries of permissible content," ONI found.

The government blocks the websites of opposition groups and international human rights groups as well as blogs and personal websites that touch on political or social issues. Sometimes the authorities block the entire site; sometimes they delete individual blog entries. They monitor not only content providers but also web users. ISPs must provide the government with lists of their subscribers monthly. The government has the ability to trace comments posted online back to the individual who posted them. The owners of Internet cafés are held responsible for the actions of their customers so, "It is common to see owners asking customers not to visit some sites," according to Freedom House.

Most media outlets in Tunisia represent only a narrow spectrum of social interests. "The media is generally aligned with the official agenda, which does not address issues of minorities, which explains the absence of articles or broadcasts on religious minorities…homosexuals, and so on. However, the private radio station Mosaique is distinguished by its program *Forum* which does not hesitate to schedule taboo topics but is limited to social topics," one panelist explained.

Programming is available in the languages of some minorities, but others are entirely left out.

According to Tunisiaonline, four of the nine daily papers are published in French. Weekly newspapers are published in French, English, and Italian. Radio broadcasts are mostly in Arabic but daily news programs are also broadcast in French and English. However, "there is no news in the Amazigh language in the written press or the state broadcast media in Tunisia," according to a report submitted to the UN Human Rights Council in 2008 by an Amazigh (Berber) group called Tamazgha. The Amazigh World Congress, in its report to the Human Rights Council, explained that, "Tunisia simply denies the very existence of hundreds of thousands of Tunisian Amazighs who comprise an indigenous non-Arabic population with its own identity [and language]."

OBJECTIVE 4: BUSINESS MANAGEMENT

Tunisia Objective Score: 1.17

In Tunisia, the advantages of a robust advertising market are offset by interference through government subsidies, which leads to a complex business environment. Indicators for the health of the advertising market and the independence and reliability of media research products scored relatively well, but the indicator covering independent media receiving subsidies from the government scored very low.

Tunisia has the 98th freest economy in the world, according to the Heritage Foundation/Wall Street Journal Index of Economic Freedom—about the worldwide average. It has private media outlets, which are supported by a healthy private advertising market. However, the government also controls a large segment of the advertising market and uses its advertising money as leverage to pressure journalists. Private media outlets are run as profit-making businesses: "Media companies are very profitable but not very professional," one respondent noted.

Advertising, both public and private, is the primary source of income for print and broadcast media in Tunisia. "With the increases in prices of paper and printing costs and the limited distribution of newspapers as a result of competition from the Internet, the basic revenue of newspapers has become advertising," according to SNJT. "Broadcast media have three sources of funds: fees, state assistance, and advertising," a panelist explained.

According to SIGMA Conseil Tunisia, $91.2 million was spent on advertising in Tunisia in 2008. Of that, $59.3 million went to television, $20.3 million to radio, $27.4 million to print media, and $1.7 million to Internet advertising. For comparison, in 2006, advertising spending amounted to $82.2 million, of which $34.7 million went to television, $21 million to the press and $7.5 million for radio, according to SIGMA data. The biggest advertisers in 2008 included Orascom Telecom Tunisia, Tunisie Telecom, Stial Delice Danonone, Unilever Tunisie, SFBT Coca Cola, and Arab Tunisian Bank, according to SIGMA. "Advertising agencies are mostly local but some have partnerships with multinational firms," a panelist noted. Some of the leading companies that do business in Tunisia's advertising market are Karoul & Karoul, MMC DDB, FP7 McCann, and JWT, according to the National Association of Television Program Executives. Advertising prices in print media vary depending on size, placement, and use of color; on television, prices vary based on the time and popularity of the program, according to panelists.

"The overwhelming majority of Tunisian newspapers and magazines…receive public advertising," according to Tunisiaonline. Public advertising accounts for 25 percent of advertising in print media, according to the site. The distribution of advertising allows the government to influence media it does not directly control. "The government…punishes outspoken newspapers by withholding advertising," according to CPJ. "Owners of press institutions complain that advertising has become a sword hanging over their necks, limiting their independence and controlling what they publish and tackle," the SNJT report said.

In addition to the advertising money it distributes, the state also subsidizes newspapers directly and indirectly. Opposition newspapers can recoup 60 percent of their production costs; other newspapers benefit from "indirect forms of support," including "exemptions from customs duties for all printing materials," according to Tunisiaonline. Government subsidies for dailies and weeklies published by opposition political parties were increased January 1, 2008 from TND 120,000

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INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

One organization that vigorously defended freedom of expression and the rights of the media in 2008 was SNJT, which was formed at the beginning of this year. SNJT quickly caused a stir in Tunisia with its advocacy.

(about $89,000) to TND 240,000 (about $178,000), according to the site.

Last year's MSI report stated that four private firms produce audience surveys and market research in Tunisia—SIGMA Conseil, MediaScan, MedNews, and Tunisiemetrie. Their research is generally considered reliable, but at least one panelist had doubts: "The lack of credibility that surrounds these results and their methodologies…[make] these figures difficult…to take into consideration." On the other hand, another panelist named SIGMA Conseil as a "more or less" reliable media research consulting firm.

According data provided by SIGMA Conseil, the top 10 television channels most watched by Tunisians in 2008 were Tunis7 (73 percent), Tunisie21 (49.7 percent), Hannibal (37.6 percent), MBC (8.6 percent), Al Jazeera (3.0 percent), Dubai (3.0 percent), El Majd (2.9 percent), HTV El Ferduoss (1.8 percent), Dream 2 (1.6 percent), and Art Sport (1.5 percent).

The top five radio stations were Zitouna, MFM, Radio Jeunes, RTCI, and RTCN. The most-visited websites were Tunisia-sat.com, mosaiquefm.net, emploi.nat.tn, clubafricain.net, edunet.tn, topnet.tn, assabah.com.tn, e-s-tunis.com, jawharafm.net, and est.org.tn.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

No data on print media circulation was available for 2008; the private newspaper *Al-Chourouk* and the newspaper of the ruling party, *La Presse*, were the two most popular newspapers in Tunisia, according to the 2006/2007 MSI report.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Tunisia Objective Score: 1.05

Supporting institutions that would defend the interests of independent media are banned in Tunisia along with other human rights organizations. Those groups that have survived wield marginal influence. Though a journalism degree program exists, its independence is becoming increasingly compromised. The panelists gave very low scores in evaluating whether trade associations represent the interests of media owners and managers, as well as whether short-term training programs exist that allow journalists to acquire new skills. However, the newly formed SNJT has the potential to become a strong advocate for press freedom in Tunisia.

There are few institutions in Tunisia that support freedom of expression and of the media. There is a Tunisian Newspaper Association, but it exists only "theoretically" and "does not perform any function," except "supporting the government," a panelist noted. In 1997, it was expelled from the World Association of Newspapers "for not opposing press freedom violations in the country," according to a WAN spokesman.

There are a handful of NGOs that support human rights, including freedom of expression, but they face government harassment. Among them, panelists named the Observatory of Freedom of the Press, Publishing, and Creation (OLPEC), the National Bar Association of Tunisia, and the Union Generale Tunisienne du Travail (UGTT), the country's trade union association. International organizations such as the International Federation of Journalists (IFJ) provide "moral support," according to panelists.

The government uses registration laws to harass Tunisian NGOs. According to Amnesty International, an NGO in Tunisia is required to apply for government recognition in order to operate legally. Once it has applied, it can operate while the government processes its application. If the government does not reject the application within 19 days, the NGO is automatically registered. The problem is that the government often short-circuits the process by refusing to provide a receipt proving that the NGO has applied for recognition.

"Authorities have refused to grant legal recognition to every truly independent human rights organization that has applied over the past decade. They then invoke the organization's 'illegal' status to hamper its activities. Human

rights defenders…face surveillance, arbitrary travel bans, dismissal from work, interruptions in phone service, and physical assaults," according to Human Rights Watch. Members of unregistered organizations can face criminal sanctions for membership in an illegal organization, and the few independent organizations that have managed to legally register still face harassment from the government, according to Front Line.

One organization that vigorously defended freedom of expression and the rights of the media in 2008 was SNJT, which was formed at the beginning of this year. SNJT quickly caused a stir in Tunisia with its advocacy. IFJ praised the new union, saying that it had "proved its commitment to journalists' rights through its defense of striking journalists, initiatives to launch a national collective agreement, and the launch of its press freedom report." SNJT replaced the Association of Tunisian Journalists, which "during its forty-year existence became known mainly for its close links to the autocratic regime," according to the Arab Press Network. Its membership in the IFJ was suspended from 2004 to 2007 for failing to defend the freedom of the press, according to the US Department of State.

There is one journalism school in Tunisia, the Institut de Presse et des Sciences de l'Information, which is connected to the public University of La Manouba. It offers both undergraduate and graduate degrees. "Its tradition of autonomy is increasingly being reduced," a panelist noted. The Centre Africain de Perfectionnement des Journalistes et Communicateurs offers short-term trainings for journalists and public relations practitioners. It is under the authority of the Ministry of Communication, and "its short sessions are focused on very technical issues, far from 'unsafe' [or] controversial questions," one panelist explained. "Its sessions are purely technical and do not address substantive issues relating to press freedom, the responsibility of journalists and ethics," another panelist noted.

List of Panel Participants

Due to Tunisia's repressive environment, IREX did not organize a panel discussion within Tunisia. This chapter represents research conducted about the media in Tunisia and discussions with various professionals knowledgeable about the situation in Tunisia. The names of those contacted will not be published to protect their personal security. This chapter therefore provides a summary of the state of media in Tunisia.

LEVANT

Although only two journalists have received prison sentences since the introduction of the press and publication law in 1953, many journalists still fear the detention "sword" wielded by the State Security Court, a joint military/civic tribunal formed by the prime minister to look into cases threatening the "security of the state."

JORDAN

OVERALL SCORE: **2.09**

In 2008, King Abdullah II pledged to newspaper editors to halt the detention of any journalist on press-related cases, reaffirming the importance of freedom of speech and altering the press landscape in Jordan. According to this year's MSI panelists, apparently the promise has yet to exactly match reality on the ground and in words in the law.

Although only two journalists have received prison sentences since the introduction of the press and publication law in 1953, many journalists still fear the detention "sword" wielded by the State Security Court, a joint military/civic tribunal formed by the prime minister to look into cases threatening the "security of the state." However, since the parliament barred the detention of journalists in an April 2007 amendment to the press law, the judiciary has refrained from detaining journalists in press-related cases.

Changes in the political structure of the information offices may also influence the media climate in coming years. In 2008, five years after Jordan abolished the Ministry of Information, the ministry was reintroduced in Nader Thahabi's first cabinet shuffle since he formed his government in the fall of 2007.

Finally, slower growth in the advertising market in 2008 began to alarm some in the media sector. Although most media remained operating as profitable businesses, Jordanian media have limited growth potential and are subject to what panelists described as an adverse tax regime.

JORDAN AT A GLANCE

GENERAL

> **Population:** 6,342,948 (July 2009 est., *CIA World Factbook*)

> **Capital city:** Amman

> **Ethnic groups (% of population):** Arab 98%, Circassian 1%, Armenian (*CIA World Factbook*)

> **Religions (% of population):** Sunni Muslim 92%, Christian 6% (majority Greek Orthodox, but some Greek and Roman Catholics, Syrian Orthodox, Coptic Orthodox, Armenian Orthodox, and Protestant denominations), other 2% (several small Shia Muslim and Druze populations) (2001 est., *CIA World Factbook*)

> **Languages:** Arabic (official), English widely understood among upper and middle classes (*CIA World Factbook*)

> **GNI (2008-Atlas):** $19.53 billion (World Bank Development Indicators, 2009)

> **GNI per capita (2008-PPP):** $5,530 (World Bank Development Indicators, 2009)

> **Literacy rate:** 89.9% (male: 95.1%, female: 84.7% (2003 est., *CIA World Factbook*)

> **President or top authority:** King Abdallah II (since February 7, 1999)

MEDIA SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: 7 Arabic daily newspapers, 1 English daily newspaper, 25 weekly, 10 magazines; Radio: 19; Television Stations: 1 public and 3 private

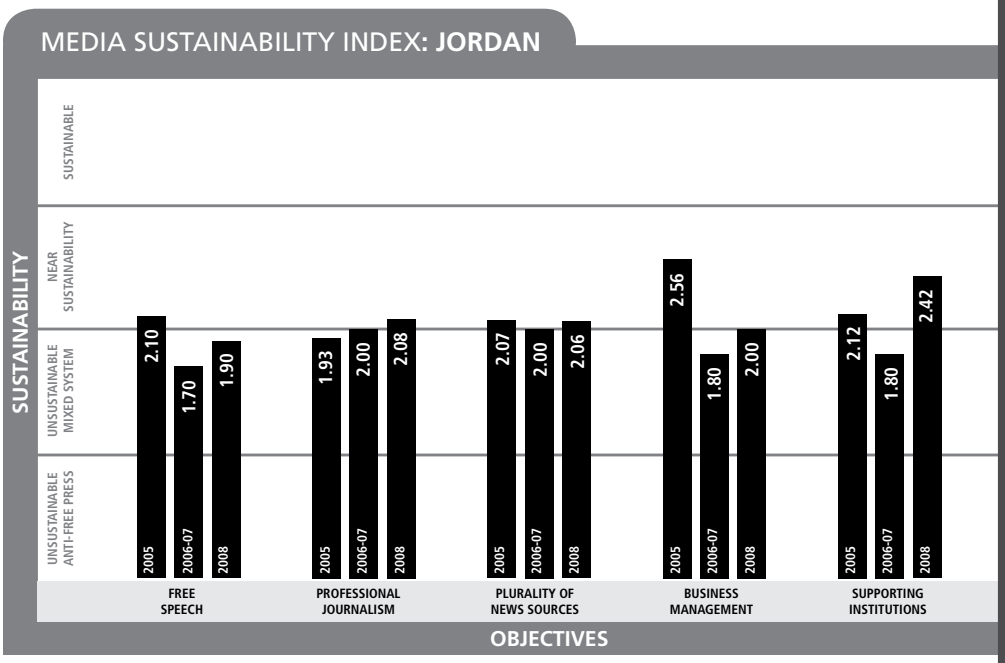
> **Newspaper circulation statistics:** Top 3 by circulation: *Al Rai* (50,000); *Al Ghad* (45,000-50,000), *Ad-Dustour* (30,000)

> **Broadcast ratings:** N/A

> **News agencies:** Jordan News Agency/PETRA

> **Annual advertising revenue in media sector:** N/A

> **Internet usage:** 1.5 million (2008 est., *CIA World Factbook*)



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Jordan Objective Score: 1.90

Twenty-four statutes regulate the media in Jordan, chief among them the penal code and the press and publication law of 1953. Amendments to the press and publications law adopted in 2007 eliminated imprisonment as a punishment for violations—but replaced it with heavy fines of up to $40,000.

Panelist Hekmat Momani, vice president of the Jordan Press Association (JPA) and senior editor at the government-run news agency Petra, said that he is skeptical of the amendments. The press and publications law still does not bar imprisonment of a journalist found guilty of certain violations, including any form of defamation, vilification, or abuse of any religion protected under the constitution, he said. (Islam is the state religion, and about 4 percent of Jordanians are Christians with full religious rights.) The law's second article includes any "defamation of prophets, whether in writings, illustrations, pictures, symbolism, or any other means." Any action that can be interpreted as an insult to people's religious sentiment or beliefs, or instigates sectarianism or racism, constitutes a third violation; and a fourth covers slander or libel against individuals or their personal freedoms, as well as spreading false information or rumors about them. The articles are ambiguous, and magistrates can interpret their contents at will.

In late 2007, King Abdullah II declared that "no journalist should be imprisoned," but journalists still face the risk of preliminary detention under the penal code. Provisions in the code allow authorities to detain, prosecute, and imprison journalists for endangering the state's internal or external security. Possible violations include publishing material that damages national unity, harms Jordan's relations with other states, instigates sectarianism or racism, insults religions, or undermines confidence in the national currency. Revealing information classified as a state secret is punishable similarly.

Panelists agreed that the penal code still restricts the freedom of speech, albeit indirectly. They argued that the authorities can always use any of Jordan's 24 media laws to detain any journalist. Instead of referring press-related cases to civil or military courts, panelists suggested, the government should create an independent specialized commission to regulate the industry. Jordan still lacks an independent common media regulator to supervise and control the flow of news from the 15-plus websites and newspapers across the country. The lower house of parliament, whose relations with the media have soured to the point of confrontation, has not acted on a draft law designed to control news sites.

Panelist Jihad Mansi, a reporter at *Al Ghad* newspaper, said that the constitutional guarantees of freedom of speech and the press need to be translated into laws. Existing laws hamper the freedom of expression and stem the development of a free press, said Mansi, who covers parliament.

"The publications law prevents the imprisonment of journalists, but when he or she is imprisoned, other laws are implemented," Momani said. An example occurred on February 4, when a civic prosecutor ordered the detention of two journalists: Jihad Momani, editor-in-chief of *Shihan*; and Hashem Khaldi, editor-in-chief of *Al Mehwar*. They were detained after their weeklies reprinted the much-criticized Danish caricatures depicting the Prophet Mohammad.

Panelists pointed out that a 20 percent tax and customs fee imposed on newsprint continues to burden the industry and squeeze profits. Outlets pay 16 percent tax on advertising sales, with an additional 1 percent paid to the JPA.

In 2008, the parliament endorsed an amendment to the culture law that imposes a 5 percent tax on revenues from advertisements placed in media. Media representatives protested this tax, claiming that House Speaker Abdul Hadi Majali pledged to push for its annulment. But when the government proposed a law annulling the tax, lawmakers rejected the amendment, and four major dailies decided to boycott coverage of the lower house.

Panelists said that physical attacks on journalists are rare in Jordan. However, they noted an incident involving *Al*

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Ghad columnist Jamil Nimri in January 2008, in which the outspoken Nimri was slashed in the face on his doorstep by "unknown assailants." The government acted swiftly to investigate the case, apprehending several suspects amid rumors that a former government official was behind the attack. The official immediately denied any involvement, and the detainees were sent to trial.

The panelists agreed that the public media—radio and television stations, as well as Petra—are not supposed to receive preferential treatment under the law. In practice, however, they do receive preferential treatment, compromising the editorial independence of government-owned media.

Panelists said that they believe that not all journalists or media outlets have the same access to public information. Despite the introduction of an access-to-information law, authorities still enforce a 1971 martial law that bans dissemination of any news deemed "classified and/or harmful to the state." Furthermore, panelists noted, media close to or owned by the government receive preferential access to breaking stories and information. In a bid to improve their ability to gain information, reporters launched a campaign called Faze'tko ("Support Us"), backed by civil society institutions across the country—but the barriers remain.

Entry into the journalism profession is unhindered in most cases. Entry into the JPA can be restricted, despite recent efforts to open up membership. Under the press association law, media outlets are forbidden from hiring journalists who are not members of the JPA, and people are not allowed to refer to themselves as journalists unless they are JPA members.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Jordan Objective Score: 2.08

Panelists agreed that reporting in Jordan still lacks professionalism and is mostly biased, particularly with regard to sourcing and accuracy. Panelists mentioned some exceptions, highlighting *Al Ghad*'s comprehensive reporting. They also praised *Al Arab Al Yawm*'s standards, but charged that it still tends to ignore competing opinions, especially when reporting government decisions.

"Sometimes journalists try to highlight specific people [i.e., promote their sources] in their articles," which affects "the level of professionalism of journalists," said Hassan Haidar, Amman bureau manager of the London-based *Al Quds,* an Islamic-leaning press agency.

Unqualified editors are a particular obstacle to quality reporting. At almost all newspapers, unprofessional editors publish pieces without proper editing. The lack of qualified editors hampers the development of high-caliber reporters, Haidar said. Other participants said that the lack of professionalism is due to media outlets employing unqualified and untrained journalists, driven by favoritism rather than merit. "People are joining this profession without training, and this affects the quality of reporting," said Suzanne Shraideh, business news reporter at Jordan Television (JTV).

Panelists agreed that private media reports employ more professional production standards than state-run media reports, because they are less subject to government intervention.

Ethical problems persist as well. The JPA introduced a code of ethics in 2003, prohibiting journalists from accepting presents, financial or material donations, or any aid of any kind without advance approval of its council. "Nevertheless, not all journalists abide by the code, and some of them do accept gifts from different parties," Momani noted. Panelists said that low wages prod some journalists to violate the JPA code of ethics.

In addition to the problems with ethical standards and professionalism, many of Jordan's journalists exercise self-censorship or cooperate with what is called a "soft containment" drive, which further undermines the quality of reporting.

When discussing coverage of key events, the panelists agreed that all public and private media cover major development relating to the state and the king. However, Jordan Radio and Television and other pro-government

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

outlets largely ignore issues such as prisoner abuse and human rights. Other outlets, including the privately-owned dailies *Al Rai* and *Al Dustour,* downplay criticism and exaggerate praise of the government.

Panelists also discussed access to technically upgraded facilities. Shraideh noted that state-owned media institutions buy the most sophisticated technology, but they do not train their employees in how to use the equipment.

OBJECTIVE 3: PLURALITY OF NEWS

Jordan Objective Score: 2.06

Jordan has eight daily newspapers, seven in Arabic and one in English. The newest is *Al Sabeel*, published by the Islamic Action Front; it became a daily in the first quarter of 2009.

Local papers are not restricted specifically from reprinting or using foreign news in preparing their news reports. Broadcast media in Jordan enjoy relatively good access to various regional and international sources, panelists agreed. They provide tickers for almost all international news agencies, as well as access to news websites, Facebook, YouTube, and other digital platforms. Jordanians receive news from a plurality of foreign sources, through regional Arab news networks such as the Doha-based Al Jazeera and the Saudi-funded, Dubai-based Al Arabiyah; Western news outlets; and the Internet.

For most Jordanians, media is accessible with few obstacles, panelists said. Newspapers are distributed across the country, including rural areas. They are sold at the equivalent of approximately 35 cents each. Pan-Arab papers such as *Al Hayat*, *Al Sharq Al Awsat*, and *Al Quds Al Arabi* are also sold in Jordan at nearly 50 cents per issue. Other foreign publications are available as well, but their audiences are limited to English-speaking Jordanians, and the price is prohibitive for many. According to a 2007 report by the Center for Defending Freedom of Journalists (CDFJ), about 80 percent of Jordanians have satellite dishes at a per-unit cost of 70 Jordanian dinars ($100).

The 2008 Jordan Media Survey (conducted by the USAID-funded Jordan Media Strengthening Program, in conjunction with IREX) showed that 36 percent of Jordanians use the Internet—an increase of 100 percent from 2007. But only 11 percent of Jordanian homes have an ADSL connection, and high Internet subscription fees are viewed as an obstacle to increased penetration.

Panelists said that the government does not restrict Internet access; but the New York-based *Arab Times*, run by Osama Fawzi, is blocked. Assaf said that it is the only blocked news website in the kingdom.

Panelists said that locals now tend to trust news websites more than the local media. "Even in villages, people have satellite dishes and access to the Internet, which is becoming the main news source for people," Moumani said. Omar Assaf, senior editor at *Al Rai* and the Amman correspondent for the Lebanese independent newspaper *An Nahar*, agreed. "After the emergence of online media, people started to depend on them as a main source for news," he said.

Assaf explained that the credibility of Jordanian daily newspapers eroded in 2008, while the Internet is allowing Jordanians to freely interact and express their viewpoints. Over the past year, private websites and blogs blossomed in Amman. Independent news sites like Ammannews.net, Sarraynews.com, Marayanews, and Rum Online attract a large number of Jordanians. Many people post comments on these sites, which often turn into platforms for debate. For example, the latest opinion polls on the performance of the lower house of Parliament have generated discussion. But user comments can sometimes trigger a war of words, especially over differences between Jordanians of local extraction and their compatriots of Palestinian origin.

Authorities require website publishers to filter comments, but the authorities and the press have yet to tailor a regulatory code to provide proper guidance.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Jordan has no independent news agencies; the only agency is the government-run Petra. However, international news agencies are permitted to operate freely in Jordan.

Recent years have seen progress in coverage of a broader spectrum of social issues. For example, topics such as honor killings, child molestation within the family, or domestic violence receive coverage now. Minority issues (religion and ethnic subjects) remain mostly uncovered, and panelists noted that no entity has applied to start a media outlet focused on minority issues or any one minority group. Private clubs run by minorities do issue periodicals covering their activities.

OBJECTIVE 4: BUSINESS MANAGEMENT

Jordan Objective Score: 2.00

In general, media outlets operate as relatively efficient, profit-making businesses in Jordan. But they still face a number of challenges—notably the taxation issues described earlier.

The Jordan Media Survey, conducted with 2,912 Jordanians aged 15 and above, revealed that radio has a much higher penetration (46 percent) than any other medium, excluding mobile telephones. On the other hand, readership of daily newspapers appears lower than the accepted industry standard, according to the pollsters. "Measuring ad and brand recall, our results challenge the conventional wisdom that print media in Jordan are by default more efficient than audio-visual media," commented Muin Khoury, project leader and owner of Strategies-Harris Interactive, which helped carry out the survey. According to project consultant Tony Sabbagh, "the results confirm that Jordan's media sector cannot mature and reach its full potential without healthy and competitive audio-visual media."

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

Cover prices cannot sustain newspaper operations, and advertising income remains the main source of income for newspapers. However, the pace of advertising growth slowed in 2008, according to the Jordan chapter of the International Advertising Association (IAA). Quoting figures from the media research company Ipsos-Stat, IAA reported that 2008 advertising of all types increased to $303 million, up 10 percent over 2007. However, that 10 percent was the lowest rate of growth since 2000.

At a July 2008 press conference, IAA Jordan President Mustapha Tabba attributed the deceleration to the instability in consumer expenditure patterns and the country's high cost of living, both of which affected companies' marketing strategies and advertising plans. Furthermore, Tabba explained, "The imposing of the 5 percent tax on all advertisement revenues to support culture and arts contributed to this decline." He stressed the importance of studying the impact of factors that slow advertising industry growth in Jordan as compared with other countries in the region, and addressing the challenges. Jordan ranked sixth in advertising spending in 2008 within the Arab world, according to Tabba.

Once again, the press (including daily and weekly newspapers) took the lead in advertising spending in 2008, with 76 percent of the total share. Television came in second with 9 percent and radio third with 8 percent, while outdoor advertising came in fourth at 6 percent.

The government does not subsidize independent media outlets. Further, outlets cannot depend on the government for advertising, because it sometimes pressures its ministries not to advertise with outlets that it dislikes.

Some media outlets hire firms, such as Ipsos-Stat, to conduct audience measurements or market research, but not in any systematic manner. Such information is used in strategic planning, marketing toolkits, etc., but is viewed skeptically, as advertisers and media outlets do not agree on available measures of circulation or audience. Recognizing that not all media outlets can afford to buy data and studies, the Jordan Media Survey was designed to help fill the gap by providing independent, reliable, updated, and free data to boost competition and the sustainability of media organizations.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Jordan Objective Score: 2.42

Panelists noted that although no trade associations are actively supporting the media in Jordan, the JPA represents media professionals. Established in 1953, it includes about 1,000 members from the private and state media. The 1998 Jordan Press Association Law mandates membership for those who want to practice journalism, and those who practice without joining the JPA are subject to penalties. Still, dozens of Jordanian journalists are not members.

Several NGOs in Jordan work in support of freedom of speech and media. CDFJ, the Arab Women's Media Center, and Amman-Net provide short-term training programs for journalists. These organizations are independent from the government and fund their activities through aid from international donors and other NGOs. CDFJ acts as a media watchdog, issuing an annual report on media freedoms; lobbying for media law reform; conducting workshops for members of parliament, legal experts, and journalists; and providing volunteer lawyers to represent journalists.

Panelists shared a concern that university graduates are not trained to uphold the standards of the profession. Recognizing the need for additional education, the pro-government paper *Al Rai* "has also started to provide in-house training to empower its staff," said Assaf, its senior editor.

In terms of newsprint and printing facilities, the government does not control the printing industry. Four of the six Arabic dailies own their own press and view the presses as profit-generating assets. Jordan has one commercial printing press also.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Finally, the government does not interfere in the distribution of newspapers. The private company Aramex is the country's only distributor of newspapers and magazines. In addition, *Ad Dustour, Al Arab Al Yawm,* and other publications have their own distribution systems.

List of Panel Participants

Omar Assaf, senior editor, *Al Rai*, Amman

Suzanne Shraideh, presenter and editor, Jordan Television, Amman

Aktham Tell, former editor, Jordan Television, Amman

Hikmat Moumani, Jordan Press Association (Petra), Amman

Walid Hosni, reporter, *Arab Al Yawm*, Amman

Hassan Haidar, Al Quds Press News Agency, Amman

Mustafa Ryalat, *Addustour*, Amman

Jihad Mansi, *Al Ghad*, Amman

Mohammad Hawamdeh, Khabberni.com, Amman

Moderator and Author

Saad Hatter, correspondent, BBC, Amman

The MSI panelists bemoaned the political climate and its distortion of Lebanese media—normally a source of great pride in a region where the majority of media is controlled by one-party states or monarchies.

LEBANON

OVERALL SCORE: **2.19**

May 2008 will be remembered in Lebanon as the month that one of the nation's leading broadcasters was forced off the air by gunmen and flames, briefly succumbing to the struggle between opposition and government supporters.

The violence graphically illustrates the political nature of media in Lebanon, a country both blessed and cursed by its diversity. Seventeen officially recognized sects share power and vie for influence in Lebanon, and sectarian identity almost always trumps nationality. The MSI panelists bemoaned the political climate and its distortion of Lebanese media—normally a source of great pride in a region where the majority of media is controlled by one-party states or monarchies.

The events of May 2008 were the culmination of an 18-month standoff between the Western-backed government and the Syrian and Iranian-backed opposition, loyal to Shia Muslim movement Hezbollah. The opposition launched an armed takeover of swaths of Beirut traditionally under the control of the Sunni Muslim parliamentary leader Saad Hariri. (Hariri is the son of five-time Prime Minister Rafik Hariri, whose assassination in February 2005 triggered a prolonged period of instability.)

The media sector, long politicized within the country, faced a multitude of attacks based on party affiliation. Television and newspaper offices belonging to Hariri's Future Movement were attacked with rockets and gunfire before being overrun, looted, and burned. Opposition fighters, including fellow Shias from Amal and the secular Syrian Social Nationalist Party (SSNP), threatened staff at Future News, cutting cables and forcing the station off the air for four days. Hezbollah and its allies accused the Saudi-backed Hariri of stoking sectarian tension, primarily against Shias, using his media company, which includes a newspaper, two radio stations, and entertainment and news channels. Pro-government loyalists pointed to the hundreds of millions of dollars a year that Hezbollah receives from Iran, and questioned the objectivity of the Hezbollah-run Al Manar television, whose programming, they assert, often degenerates into propaganda.

The effect of the global economic downturn also weighed heavily on the panelists, with some reporting severe losses in advertising revenue. As an example of the financial challenges facing media, they pointed to the brief closure in January 2009 of Lebanon's veteran English-language newspaper, the *Daily Star*.

Lebanon's overall MSI score declined moderately from the 2006/2007 score of 2.45 to 2.19, pushing Lebanon closer to a rating of "unsustainable, mixed system." This reflects a deepening pessimism among journalists and belief that the political upheaval begun in 2005 and continuing into the June 2009 general election is adversely affecting media objectivity and financial independence.

LEBANON AT A GLANCE

GENERAL

> **Population:** Estimates range from 3,971,941 (July 2008 est., CIA World Factbook) to 4.6 million (Bank Audi, 2007)

> **Capital city:** Beirut

> **Ethnic groups (% of population):** Arab 95%, Armenian 4%, other 1% (est., CIA World Factbook 2008)

> **Religions (% of population):** Muslim 59.7% (Shia, Sunni, Druze, Isma'ilite, Alawite or Nusayri), Christian 39% (Maronite Catholic, Greek Orthodox, Melkite Catholic, Armenian Orthodox, Syrian Catholic, Armenian Catholic, Syrian Orthodox, Roman Catholic, Chaldean, Assyrian, Copt, Protestant), other 1.3% (est., CIA World Factbook 2008)

> **Languages (% of population):** Arabic official language and universally spoken. Also French and English, with small minorities speaking Armenian and Kurdish

> **GNI (2008-Atlas):** $26.30 billion (World Bank Development Indicators, 2009)

> **GNI per capita (2008-PPP):** $10,880 (World Bank Development Indicators, 2009)

> **Literacy rate:** 87% (UNDP 2005)

> **President or top authority:** President Michel Suleiman

MEDIA SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: 11 leading Arabic daily newspapers, 2 French-language dailies, and 1 each in Armenian and English; Radio: 1 state-owned and 27 private; Television Stations: 1 state-owned and 6 private (Future TV, Al Manar, NBN, Orange TV, New TV and LBC)

> **Newspaper circulation statistics:** There is no central source for newspaper circulation; top dailies include *An Nahar*, *As Safir* (both report 45,000 daily), *Al Balad*, and *Al Hayat*

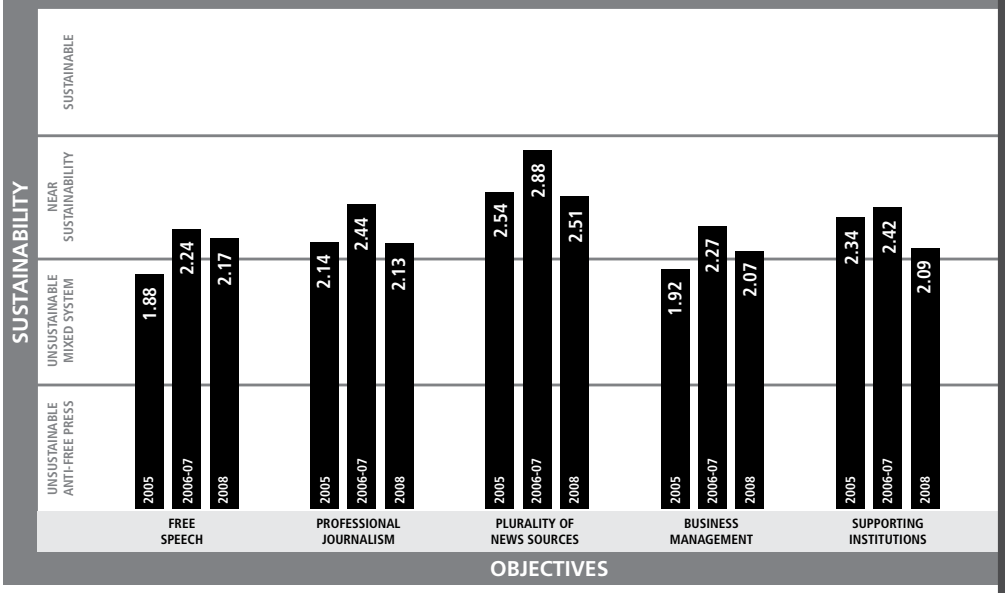
> **Broadcast ratings:** N/A

> **News Agencies:** National News Agency, Central News Agency (both state-owned)

> **Annual advertising revenue in media sector:** N/A

> **Internet usage:** Estimates range from 950,000 (CIA World Factbook, 2008) to 1.2 million (Bank Audi, 2007)

MEDIA SUSTAINABILITY INDEX: **LEBANON**



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Lebanon Objective Score: 2.17

Though guaranteed under the constitution, panelists found freedom of speech to be undermined by the chronic influence of political money and the accompanying agenda in the media. This year's score for free speech was brought down by the panel's negative impression of the condition of legal support for the media. Access to international news was the bright spot for Objective 1 this year.

Lebanese society greatly values free speech; political discussions are a source of national pride and obsession. In fact, the speak-your-mind culture may actually hinder objective media, said panelist Nadim Koteich, an executive producer for Future News television, part of the media group owned by Sunni parliamentary majority leader Saad Hariri. "The problem in Lebanon is we have an excess of free speech. Opinions are not supported by facts," he said.

Sawssan Abu Zahr, a journalist at Lebanon's leading daily newspaper *An Nahar*, said that the media is bending to political will. "The more the political tension intensifies, the more the media, especially television, tends to lose objectivity."

The application of the law to defend free speech is patchy at best, a number of panelists agreed.

"There is no First Amendment [as found in the U.S. constitution], but a modicum of freedom exists within the law. Laws and regulations are sometimes selectively enforced," said Magda Abu Fadil, director of journalism training at the American University of Beirut.

Lebanese media laws remain obsolete, imprecise, and lacking teeth. The print law originated in Ottoman times and was last amended in 1960. "You can't update a document that dates back 150 years," said Wadih Haddad, assistant general manager for Voice of Lebanon radio.

As an example of outdated policy, Haddad cited that fines of LBP 400 are being incurred based on the old print law, which predates the civil war and the hyperinflation of Lebanese currency. Today that amount is around $0.30.

A distinct broadcast law, separate from print law, first came into force in 1994. The law mandates that broadcasting licenses be controlled by the government-appointed National Council for Audiovisual Media and that broadcast media should not be majority-owned or run by any single religious group, sect, or individual. However, panelists agreed that licensing of broadcast media is steeped in political and sectarian cronyism. The example cited most often is Prime Minister Rafik Hariri's granting of a license to Future TV, majority owned by himself.

Broadcast law prohibits attacks on the character of the head of state or a foreign leader—though it is ineffectual in the latter case—while a 1991 security agreement between the government and Syria, still in effect, prohibits the publication of any information deemed harmful to the security of either state.

Broadcast licenses are divided between those airing only entertainment programming and those airing both entertainment and news. No new newspaper licenses are issued in Lebanon, due to the law that limits the number of legal newspaper and magazines in the market to 100. *Al Akhbar* newspaper, which printed its first edition in August 2006, purchased an existing but unused license in order to begin legal operation. Otherwise, market entry and taxes are generally fair in Lebanon.

Self-censorship has decreased significantly since the withdrawal of Syria's military from Lebanon in 2005, a number of panelists agreed. And the series of assassinations of journalists opposing Syria's control of Lebanese politics had ceased by 2008. In fact, since May, when Syria's Lebanese allies gained extra cabinet seats and thus veto power, assassinations of prominent Lebanese figures have nearly stopped. The exception is the killing of Saleh Aridi, a top advisor to Syrian-backed Druze opposition leader Talal Arslan.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

In fact, the speak-your-mind culture may actually hinder objective media, said panelist Nadim Koteich, an executive producer for Future News television, part of the media group owned by Sunni parliamentary majority leader Saad Hariri. "The problem in Lebanon is we have an excess of free speech. Opinions are not supported by facts," he said.

However, impunity for crimes against journalists continues to be the norm. Previous assassinations of journalists, including *An Nahar* editor Gibran Tueni and columnist Samir Kassir, remain unprosecuted, though they form part of an ongoing UN inquiry into Rafik Hariri's assassination.

"Culprits have gone unpunished, and while crimes against journalists cause outcries, there is no effective deterrent," said Abu Fadil. Or as Abu Zahr put it: "In other countries, journalists might be killed by the mob, the mafia, or the drug cartels. In Lebanon, it is politics that kills them."

Omar Ibrahim, Tripoli correspondent for the leading leftist *As Safir* newspaper and an experienced reporter in Lebanon's tense security environment, recalled an occasion five years ago in which a colleague had been beaten by an army officer and decided to sue.

"After the investigations were complete and the witnesses gave their testimonies, no one charged the officer because he was very high ranking and knows some politicians," Ibrahim said. "Law enforcement is proportional, and most of the time is subject to politics."

Political divisions even provoke citizens into committing violence against journalists. Kamal Zeibyan, editor of the pro-opposition *Ad Diyyar* newspaper, said that in May, several of his reporters were beaten as they went to report on the opposition-led clashes taking place near Tarik al Jdeide, a Sunni-majority neighborhood loyal to Saad Hariri. The largely Sunni crowd identified reporters from *Ad Diyyar* as their political and sectarian enemies because the newspaper identifies editorially with the Shia-led opposition. A number of Western journalists were also mobbed by Sunni youth in Tarik al-Jdeide while covering the funeral of a Sunni killed in the May clashes.

The panelists named one case in which authorities responded to a crime against a journalist. In November 2008, opposition members of the SSNP attacked Future News correspondent Omar Harqous as he covered municipal workers taking down party political posters on a Beirut thoroughfare. Harqous, who had previously agreed to participate in this year's MSI, was left hospitalized. The army later arrested three men accused of the beating.

The state media does not receive preferential legal treatment, but Haddad noted that the management of public media "being appointed by politicians negatively backfires on its objectivity."

Suing for libel remains a civil law issue, but the courts can be subverted by political heavyweights. "Everyone knows someone, and so cases are mediated outside court rather than having a clear-cut decision," said Koteich. "The majority end up with a consensus."

One notable exception in which the media suffered an unequivocal defeat was the case of former justice minister Charles Rizk, who had been accused of embezzling state funds by the opposition-leaning New TV. "Despite the fact that we included in our show 'corruption' documents which show the corruption of this minister...the judiciary accused New TV of defamation and the ISF [Internal Security Forces] implemented the charges very fast," said panelist and New TV producer Moussa Assi. New TV was forced to pay damages to the minister of LBP 50 million ($33,000), he said.

Access to international media is unrestricted and affordable, with the exception of media originating in Israel. However, public information is not readily available to all. "There is no FOIA [Freedom of Information Act] in Lebanon [and] journalists don't always know how to get public information," Abu Fadil said. "The government has come under foreign pressure to make its information public, but implementation has not been consistent."

Media law limits materials that can be censored to pornography, political opinion, religion, and threats to national security. The General Security service retains the right to censor newspapers, magazines, and other media entering or leaving the country and to approve all plays and films. The banning in March 2008 of *Persepolis*, the animated film of a young girl growing up in the early days of the Iranian revolution on grounds that it could offend the country's Shia Muslims, was reversed within a day, following public outcry. However, Israeli-made *Waltz With Bashir*, an animated film documenting an Israeli soldier's experience of the 1982 invasion of Lebanon, remained banned from general release in 2009, though a number of Lebanon residents claim to have obtained DVD copies.

The government places no restrictions on Internet use. An attempt to block Israeli Web sites a few years ago caused an outcry and the decision was quickly rescinded. A number of

panelists noted that Lebanon lacks media laws to cover the Internet. "ISPs have yet to be held legally responsible for content on sites," said Abu Fadil. "The laws don't know how to adapt. [Stone-age cartoon character] Fred Flintstone is more advanced."

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Lebanon Objective Score: 2.13

Since the last MSI, professionalism in Lebanese journalism has declined, according to the panelists. They said that all journalism is politically slanted, but so many media sources are available that a consumer can use several to piece together the truth.

"I don't see any objective media in Lebanon," said Koteich. "The benchmark is not objectivity, but to what degree the media is propaganda." He said that sources such as Hezbollah's Al Manar television are pure propaganda, while his own Future News is "highly editorialized."

Several panelists noted that Lebanon's media enjoys a prestigious position in the region. "The Lebanese press is considered the freest among all the Arab press," said Sami Hamad, editor of the Lebanese Media Information Services Office (MISOF) news agency. But Zeibyan warned, "We are facing an objectivity problem and this is due to the political split in the country."

The panelists were divided on whether journalists adhere to a code of ethics. Haddad argued that "reporters usually check the information they present…and abide by recognized ethical standards." Abu Fadil was less convinced: "Sadly, reporters don't always verify and fact-check adequately. They rely on hearsay and rumor." She also described the code of ethics devised by the Press Federation in 1974 as "flimsy" and "woefully outdated."

> *"Certain politicians have a budget for bribes. Depending on your rank and the media you work for, it could be a car or a laptop," said Haddad.*

Several panelists described how political agendas emerged at the forefront of news reports during the opposition takeover of parts of Beirut and the surrounding mountains. Diala Shehadi criticized her own opposition-leaning *As Safir* newspaper for taking sides during the violence and "shifting from being a biased newspaper to being part of the conflict." She criticized Al Manar's reporting of the takeover of mainly Sunni West Beirut. "How can a correspondent—who should stick to objectivity and the ethics of journalism—describe an invasion against a terrified people as 'liberation?'" she said.

Shehadi said also that journalists at *As Safir* who opposed Hezbollah were prevented from writing their opinions and at least one was fired. Following the events of May, an internal memo was circulated among the senior management admitting that the editorial line had been less than objective and promising a return to more balanced coverage, she said.

Key events are well covered by the media but physical access to the news is being hindered increasingly by the political divide. Al Manar has almost exclusive access to the Hezbollah-controlled southern suburbs of Beirut, for example. Further, sensitivities in a country of 17 religious sects remain a barrier to reporting on religion.

Safir's Ibrahim said that he carries five different press cards in order to operate in generally pro-government Tripoli, showing one to Sunnis in the Bab al-Tabbaneh neighborhood and another to pro-Syrian Allawis in the neighboring Jebel Mohsen. "Is there a campaign against journalists in Tripoli?" asked Ibrahim. "It's personal. I can go to Tabbaneh even when some from Future TV are banned for not doing a good job."

Low and static pay levels continue to provide a market for politicians or powerful figures to bribe journalists in return for favorable coverage. The practice of "gifting" journalists remains widespread also. Ibrahim recalled the example of when his $12,000 camera was broken during the war of July 2006. He and three other journalists that lost equipment received money from a range of politicians to replace it all. "They gave the money with no conditions," said Ibrahim, saying he believed Hariri's Future Movement members had

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

paid the largest share. "It was a personal gift; we did not see their faces."

Festivals such as Eid or Christmas also mark times when journalists receive formal gifts from political figures. "Certain politicians have a budget for bribes. Depending on your rank and the media you work for, it could be a car or a laptop," said Haddad.

The acceptance of money and gifts is encouraged—some would say necessitated—by pay levels for journalists that do not meet average living costs. "Journalists are woefully underpaid," said Abu Fadil, though she added that pay scales for journalists tend to be higher than those of teachers and civil servants.

Average pay for journalists ranges from $700 to $800 per month—sufficient to afford an adequate apartment in central Beirut, but nothing more. Panelist Tracy Shaker Abu Antoun, Beirut correspondent for Iraqi Al Sumariya TV, said in order to earn a livable monthly salary, she works two jobs for Al Sumariya as well writing for magazines in Kuwait and Lebanon. She recalled refusing a politician's offer of money after she had interviewed him.

Ibrahim said that he is paid just $35 for an article between 500 and 1000 words in *As Safir* and just $6.50 for a shorter news item. He said he earns between $300 and $500 a month with *As Safir* and supplements his income taking photographs for Reuters and AFP.

These financial constraints reduce the ability of journalists to produce longer, exposé pieces. "There's never time to do investigations," said Ibrahim. "If a story takes more than one day, let alone three or four weeks, it will be a loss to me."

Economic pressure also results in the predominance of less expensive content, including political debate and entertainment. Political talk shows remain the fallback for channels on a budget, often eclipsing entertainment programming.

Panelists agreed that Lebanon remains a regional leader in the use of up-to-date technical facilities for producing and distributing media. Lebanese Broadcasting Corporation (LBC) is regarded widely as leading the way in technologically advanced entertainment programming, financed by healthy advertising revenues. Less established channels such as NBN and OTV have limited advertising revenue and resort to buying old foreign-made documentaries.

Niche stories, panelists agreed, are few and far between, though some media have broken taboos with features on abuse of domestic workers, prisoners' rights, and homosexuality. Abu Fadil said that journalists often confuse feature writing with investigative reporting due to a mistranslation of the term in Arabic.

OBJECTIVE 3: PLURALITY OF NEWS

Lebanon Objective Score: 2.51

Plurality of viewpoints is one of Lebanon's strong suits. MSI scores for plurality and access to news sources were in the range of near-sustainability. The output of independent news agencies and broadcasters is also nearing sustainability.

Most panelists agreed that transparency of media ownership is less robust. Though citizens are well aware of the major power holders behind various media, they have little recourse to find out names of shareholders and other investors.

Lebanon enjoys a plethora of different local media, some of it ranking among the best or most influential in the region. There are eleven leading Lebanese-run Arabic daily newspapers: *As Safir*, *An Nahar*, *Al Balad*, *Ad Diyyar*, *Mustaqbal*, *Al Anwar*, *Al Akhbar*, *Al Liwaa*, *Al Shark*, *Al Bayrak* and *Al Hayat*. The last is the leading pan-Arab daily, owned by a Saudi prince but founded by a Lebanese and largely edited by Lebanese. *Al Kalima* is the country's leading nonparty political weekly newspaper.

Lebanon has two French-language dailies in operation: *L'Orient du Jour*, and the newly published *Action*. The Armenian-language newspaper is *Souryakan Mamoul*, while in English there is the *Daily Star*. There are also several leading Lebanese economic and political magazines in English, including *Lebanon Opportunities*, *Monday Morning*, and *Executive*.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Total circulation of all the top dailies is estimated at a maximum of 150,000, with *An Nahar* and *As Safir* leading at around 45,000 copies sold daily within Lebanon. Many media observers believe that those figures are inflated. *Mustaqbal* records the highest circulation, as it is given away free across the country. Newspapers cost between LBP 2,000 ($1.33) for *An Nahar* down to LBP 500 ($0.33) for the smaller *Ad Diyyar*.

Lebanon has seven television stations: Future TV, owned by Hariri; Al Manar, run by Hezbollah; NBN, whose news channel is owned by Speaker of Parliament Nabih Berri; Orange TV, owned by Christian opposition leader Michel Aoun and family; LBC, a Christian-run channel focusing on entertainment; New TV, considered relatively independent; and TeleLiban, run by the state. Murr TV, owned by Christian MP Gabriel Murr, is due to relaunch in 2009.

Several Arab satellite channels also broadcast from Lebanon under international license, including Iraqi-owned ANB, Al Sumariyeh, and Al Baghdadiyeh; U.S. government-funded Al Hurra; Iranian-owned Al Alam; and Palestinian Al Aqsa. Satellite television access usually comes from a single subscriber pirating out access to channels to his neighbors for a fee. In central Beirut that is now $20 a month.

There are 16 national radio stations broadcasting in Arabic, French, English or all three, and Armenian. Lebanon has 11 regional stations in operation. As well as owning TeleLiban, the government controls one radio station (Radio Lebanon) and two national news services: National News Agency and the Central News Agency.

Voice of Lebanon actively encourages its listeners to engage with foreign media, broadcasting live the Arabic programming of the BBC, Radio Canada International, and Deutsche Welle. International newspapers and news magazines are largely available only in Beirut, and sold usually a day or two after their publication date.

Israeli Web sites can be accessed freely. Internet prices start at just $20 a month for a basic service and rise to $100-plus for top ADSL or wireless access. Internet penetration has now topped one million and good coverage extends across the major port cities of the country and into the Palestinian camps. Only the most remote rural villages of the far north and south have yet to be covered.

Wireless access is still spreading through the suburbs of Beirut and out to the surrounding mountains, though it has yet to extend south of Sidon. Some observers say that Hezbollah has restricted the Internet in south Lebanon to cable because the wireless signal interferes with its own communication system.

Major international news agencies such as Reuters, AP, and AFP have bureaus in Lebanon, and their material is widely circulated. An increasing number of local, independent news agencies are distributing material through their Web sites. An Nashra is a daily political and economic bulletin produced by the Lebanese Company for Press and Publication. Blogs such as Felka Israel, Lebanon Files, Yukal, and Leewa serve various political interests and stir lively debate.

The launch of Jasad*, an online and print magazine focusing exclusively on sexual and sensual subjects in Lebanon and the region, caused a stir, challenging deep-seated conservative values, even in Lebanon's outwardly liberal society.*

NOW Lebanon, an online newsletter of features and analysis in English and Arabic, began publishing in April 2007. Though it claims independent financing, its focus on the West's agenda in Lebanon and severe criticism of Hezbollah and the opposition have led many media professionals in Beirut to question whether it receives support from the U.S. government.

The launch of *Jasad*, an online and print magazine focusing exclusively on sexual and sensual subjects in Lebanon and the region, caused a stir, challenging deep-seated conservative values, even in Lebanon's outwardly liberal society.

There is one licensed Armenian-language radio station, while Future TV broadcasts a news hour in Armenian, English, and French. Kurds can freely associate and publish their own newsletters in Kurdish, but as yet, no stations broadcast in Kurdish.

Private radio and television are required by law to cover all Lebanese territory and should therefore be accessible to even remote areas. In practice, a number of radio stations only broadcast locally; for example, a station run by the Islamist Tawheed in Tripoli, which was temporarily shut down for operating without a license.

State media remain as little watched as they are influential, peddling bland fare and, in the words of Abu Fadil, "spending an inordinate amount of time reporting on government leaders."

Dozens of local newspapers and hundreds of periodicals are published throughout the country and are financed by, and reflect the views of, various local sectarian and foreign interest groups.

"Media stations in Lebanon are not considered as independent economical and profitable projects, because they depend directly on political money. That's why we cannot consider media content as independent," Hamad said.

OBJECTIVE 4: BUSINESS MANAGEMENT

Lebanon Objective Score: 2.07

The media management score for Lebanon has slipped even closer to an "unsustainable, mixed system" rating, with many panelists expressing concerns over advertising revenues. Though panelists agreed generally that Lebanese media are run using professional business standards, the struggle to turn a profit amidst a declining advertising market means that those not supported by money from a political party are especially vulnerable to financial collapse.

In January 2009, the English-language *Daily Star*, founded in 1952, stopped printing for two weeks by court order after failing to pay interest on $700,000 owed to a Lebanese bank. The paper returned to newsstands on February 2. A number of media observers said they believed the paper had received a cash injection from a Persian Gulf investor, probably from Kuwait, though no details were made public.

By contrast, LBC consolidated its financial base, completing a merger in late 2007 with Saudi-owned Rotana to become the Arab world's leading entertainment channel. According to some panelists, the Christian-owned company benefits from close ties to the powerful Christian Shwayri family, who hold a virtual monopoly on sources of advertising in Lebanon.

Koteich mentioned the case of Murr TV, owned by Christian parliamentarian Gabriel Murr and shut down by security forces in 2002 after the station criticized the Lebanese government and its then-patron Syria. Koteich said that the relaunch of Murr TV is an example of the power of contacts. "Murr and Shwayri have a strong connection. It shows the connection between media and advertising in Lebanon," he said.

Haddad said that his station's revenues from advertising were down 25 percent in 2008. "With the poor state of Lebanese advertising, everyone's losing money," he said. "The cake keeps shrinking."

Hamad, Shehadi, and Hassan Bakir, a Palestinian journalist for the Beirut bureau of *WAFA* news agency, all echoed the refrain that Lebanese media are not profitable enterprises and rely heavily on money from politicians or rich investors abroad, particularly the Gulf, to stay afloat. "Media stations in Lebanon are not considered as independent economical and profitable projects, because they depend directly on political money. That's why we cannot consider media content as independent," Hamad said.

Assi noted two stations that operate largely without needing to generate advertising revenue. He said that *Al Manar* is financed by Hezbollah, which in turn receives the bulk of its money from Iran; and Future TV is bankrolled by the Saudi-backed Hariri family.

Stations owned by less wealthy patrons, such as NBN (partially owned by Speaker of Parliament Nabih Berri) or Christian opposition leader Michel Aoun's OTV face a greater struggle in the marketplace. Newspapers have even more oblique sources of financing, relying heavily on outside investors rather than sales or advertising in order to stay afloat.

Government subsidies are not paid directly to media companies, but the link between the two is inescapable: several serving members of parliament and key members of the government own television stations and newspapers.

LBC and New TV were held up as examples of channels using primarily advertising for their business models, while *Al Balad* newspaper relies on distributing an advertising supplement to generate revenue. All three are generally considered editorially more independent because of this strong advertising base. As Abu Zahr pointed out, "More revenues from advertising might lessen the dependence on political sponsorship."

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

Several panelists named Information International as the leading Lebanese source of market research. The company lists both *An Nahar* and *Al Anwar* newspapers as clients. Advertisers are considered more likely to conduct market research. Television stations might take straw polls, but only in neighborhoods predominantly allied to the owner of the channel. Ipsos and Gallup have conducted polls in Lebanon on behalf of media companies.

Lebanon remains without a central source for broadcast ratings or newspaper circulation figures. Total circulation of all the top dailies is estimated at most at 150,000, with many suspecting that those numbers are inflated. In April 2008, Saudi-owned *Al Arab* newspaper published results of a month-long survey of evening news audiences, finding that LBC attracted 32 percent of the audience, Al Manar took 24 percent, New TV 19 percent, Future News 16 percent, and Orange TV 9 percent. Unfortunately, the survey did not include figures on how many viewers the percentages represent.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Lebanon Objective Score: 2.09

This objective scored the lowest of all in this year's MSI objectives, underscoring the generally weak and ineffectual supporting institutions and the difficulty most journalists face in accessing a support network.

Panelists scored the indicators for trade and professional associations particularly poorly, reflecting the unanimous view that the publishers' syndicate and journalists' syndicate are run for the benefit of their immovable leadership rather than the common good. Abu Fadil spoke for many, describing the syndicates as "closed shops run by dinosaurs."

Panelists aired a range of grievances against both syndicates. Shehadi criticized the lack of opportunity to join, saying that new members are admitted only once every three or four years. Between 2003 and 2007 no new member was admitted to the journalists' union, panelists said. Describing the syndicates as mere "reception halls" rather than active unions, Shehadi said only 1,000 journalists are members, while 10,000 Lebanese journalists remain outside.

Not only are most journalists not members of the syndicate, but some syndicate members are not even journalists, according to Ibrahim. Members of the press syndicate in north Lebanon include engineers, lawyers, and a sweet shop manager, he said.

"Members are those who keep voting for the same presidents, thereby contributing to endless self-perpetuation," said Abu Fadil. "Occasional changes occur for board members, but the heads have not changed in decades. The heads and boards of these organizations wouldn't know bloggers or investigative journalists if their lives depended on it."

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Of all the panelists, only Haddad had anything positive to say about the syndicates. "They do advocate for media independence," he said, but tempered his comments by adding, "being politicized, they are usually hardly efficient."

Foreign media, meanwhile, are becoming increasingly well organized through e-mail groups and regular meetings, even as government ministries tighten restrictions on their presence. Following the May formation of the new cabinet that gave opposition members veto power, the second half of 2008 saw a concerted effort by the Ministry of Labor to organize foreign workers, which includes journalists.

Before the new cabinet formed, journalists were free to remain in Lebanon on a three-month visitor visa, which could then be renewed by traveling out of the country. Foreign correspondents registered at the Ministry of Information are

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Of all the panelists, only Haddad had anything positive to say about the syndicates. "They do advocate for media independence," he said, but tempered his comments by adding, "being politicized, they are usually hardly efficient."

now required to obtain residency and a work permit through a lengthy and complicated process.

Several panelists noted an increasing number of NGOs supporting free speech and independent media. The Samir Kassir Foundation was formed after the assassination in June 2005 of the *An Nahar* columnist and author who had criticized Syria's role in Lebanon, and acts as a watchdog for press freedom in Lebanon and across the region. The European Commission backs the annual Samir Kassir Award, open to regional journalists who advocate for freedom, democracy, and the rule of law.

The fledgling Media Association for Democracy Awareness provides some legal assistance to journalists, but overall has had little impact. Although a number of local NGOs and think tanks advocate for media freedom, most regular statements on the state of press freedom in Lebanon are issued by foreign observers, such as Reporters Sans Frontiers.

Colleges such as American University of Beirut (AUB), Lebanese American University, and Lebanese University (LU) offer journalism courses. State-run LU has offered a four-year journalism major since 1952, and Arab University has offered a major in journalism since 2007.

Many panelists said that they have taken some form of media training in Lebanon, which has aided their professional development. Assi participated in training workshops funded by the UNDP. Abu Antoun benefited from the Beirut-based Forum for Development Culture and Dialogue as well as training from Germany's Friedrich Ebert Foundation. Other foreign organizations, including the Thompson Foundation, International Center for Journalists, and BBC World Service Trust, offer training to Lebanese journalists.

Ibrahim, on the other hand, said he struggled to find any training opportunities in north Lebanon, both as a reporter and a photographer.

"Short-term training programs are on the increase, but, sadly, many are one-offs and there isn't enough sustainability," said Abu Fadil, whose own AUB journalism training course launched in 2007 attracts students from across the region. She said that the most useful trainings focus on technical training in new media—an area of expertise that she feels is lacking in the country.

The panelists shared the general criticism that journalism training focuses too heavily on theory rather than practice. A number of media companies have attempted to address the imbalance. *As Safir* admits four new trainees each month for an eight-month, partially-paid training program, which is how panelist Shehadi joined the paper. *An Nahar* has one of the wider-reaching programs, bringing in students from schools and universities to produce youth-oriented supplements. Unfortunately, due to financial struggles, its twice-annual internships open to local and regional journalists stopped soon after the assassination of former editor Gibran Tueni.

Voice of Lebanon's Haddad said his radio station is working on creating a post-B.A. journalism training school, but to date the station been unable to secure sufficient funding.

Lebanon has a number of outreach programs aimed at Palestinian journalists living inside the 12 Palestinian refugee camps. These professionals struggle to find work in a Lebanese society that refuses to grant them full citizenship rights.

Lebanon's printing industry remains a regional leader and has largely avoided politicization and government interference. The country's tiny size allows channels of distribution to reach even the most remote areas.

However, politics do affect some local broadcast distribution. In the Shia-majority, Hezbollah-controlled southern suburbs of Beirut, the owners of cable distribution systems have removed channels carrying Future News, owned by Sunni leader and political rival Saad Hariri. U.S.-financed Al Hurra and Saudi-run Al Ekhbariyeh are also banned. In response to May's takeover of Sunni strongholds in Beirut, the predominantly Sunni city of Tripoli saw Al Manar and Christian opposition leader Michel Aoun's Orange TV taken off the airways, a situation that had not changed by early 2009.

List of Panel Participants

Omar Ibrahim, correspondent, *As Safir* newspaper, Tripoli

Wadih Haddad, assistant general manager, Voice of Lebanon radio, Beirut

Magda Abu Fadil, director of journalism training, American University of Beirut, Beirut

Diala Shehadeh, Foreign Desk, *As Safir* newspaper, Beirut

Tracy Shaker Abu Antoun, correspondent for Iraqi Al Sumariya TV, Beirut

The following participants submitted a questionnaire but did not attend the panel discussion:

Moussa Assi, producer, New TV, Beirut

Kamal Zeibyan, managing editor, *Ad Diyyar*, Beirut

Nadim Koteich, executive producer and host, Future News, Beirut

Sawssan Abu Zahr, foreign desk, *An Nahar*, Beirut

Hassan Bakir, journalist for the Palestinian WAFA news agency, Beirut

Sami Hamad, editor, Media Information Services Office news agency, Beirut

Moderator

Hugh Macleod, correspondent, *The Guardian*, Beirut

A block imposed on the news website Donia Alwatan on November 3, 2008 by order of the attorney general of the Palestinian National Authority was a first in the Palestinian territories, where the Internet is regarded as an open forum where all can express their views freely.

PALESTINIAN TERRITORIES

OVERALL SCORE: **1.76**

MSI panelists agreed that the expansion in the Palestinian media landscape attained an unprecedented level by early 2008, when, as a result of the internal conflicts between Fatah and Hamas, the two movements sought to establish media outlets of a partisan nature, in particular websites. Most of their media activities were used to incite and defame, with no legal accountability whatsoever and in a manner that exacerbated the situation and increased the pressure on the private independent media to favor one party or the other. The intensification of the internal conflicts, the escalation of political polarization between Fatah and Hamas, and the division of power by the two political entities in the West Bank and Gaza Strip resulted in a worsening situation for citizens' rights and increasing violations of freedom of expression and media freedom.

Serious violations of media freedoms in the Palestinian territories occurred in 2008, including detention and illegal prosecution. The Independent Commission for Human Rights (ICHR) Ombudsman's Office described them as reaction against the unprecedented shift towards operational freedom enjoyed by the media in both the West Bank and the Gaza Strip. ICHR believes that the pattern of serious violations of media freedom and persecution of media professionals, by all the various Palestinian security forces in the West Bank and also by the deposed Hamas government in the Gaza Strip, undoubtedly points to a systematic policy designed to circumvent the limits of applicable laws in the territories of the Palestinian National Authority.

Other measures to control information were applied in contravention to applicable laws in Palestine and international human rights conventions. For example, distribution of *Al Hayat al Jadidah*, *Al Quds* and *Al Ayyam* was banned for several months in the Gaza Strip, while the distribution ban on *Felesteen* and *Al Resalah* continued in the West Bank. A block imposed on the news website Donia Alwatan on November 3, 2008 by order of the attorney general of the Palestinian National Authority was a first in the Palestinian territories, where the Internet is regarded as an open forum where all can express their views freely.

Marches and public gatherings were banned; journalists were prevented from covering those that took place anyway. Palestinian security forces confiscated various pieces of media equipment and assaulted a number of journalists. Some journalists even suffered assassination attempts. Certain non-Palestinian Arab media were targeted for being "non-neutral," while some local media institutions had their licenses withdrawn. Many had had their offices broken into.

MSI panelists concluded in the light of the above that the further aggravation of internal conflicts in 2008 claimed public freedoms, including freedom of opinion, expression, and the press, as its first victims. At the conclusion of the MSI panel meeting, which was held as a video conference between the West Bank and the Gaza Strip, the panelists highlighted the remarkable deterioration in the sustainability of media. The overall score suffered further erosion, falling to 1.76 compared to 1.84 for 2006/2007 and 2.09 for 2005.

PALESTINIAN TERRITORIES AT A GLANCE

GENERAL

> **Population:** 4,000,000 (2007 est., UNDP Human Development Report, 2009)

> **Capital city:** East Jerusalem

> **Ethnic groups (% of population):** N/A

> **Religions (% of population):** Islam 97%, Christian 3% (2002 est., PASSIA)

> **Languages (% of population):** N/A

> **GDP (2007):** $4.0 billion (2007 est., UNDP Human Development Report, 2009)

> **GDP per capita:** $1,160 (2007 est., UNDP Human Development Report, 2009)

> **Literacy rate:** male 97.5%, female 86.4% (2002 est., PASSIA)

> **President or top authority:** President Mahmoud Abbas

MEDIA SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: 4 daily newspapers (3 in West Bank, 1 in Gaza); Radio: 36 total (28 in West Bank, 8 in Gaza); Television Stations: 45

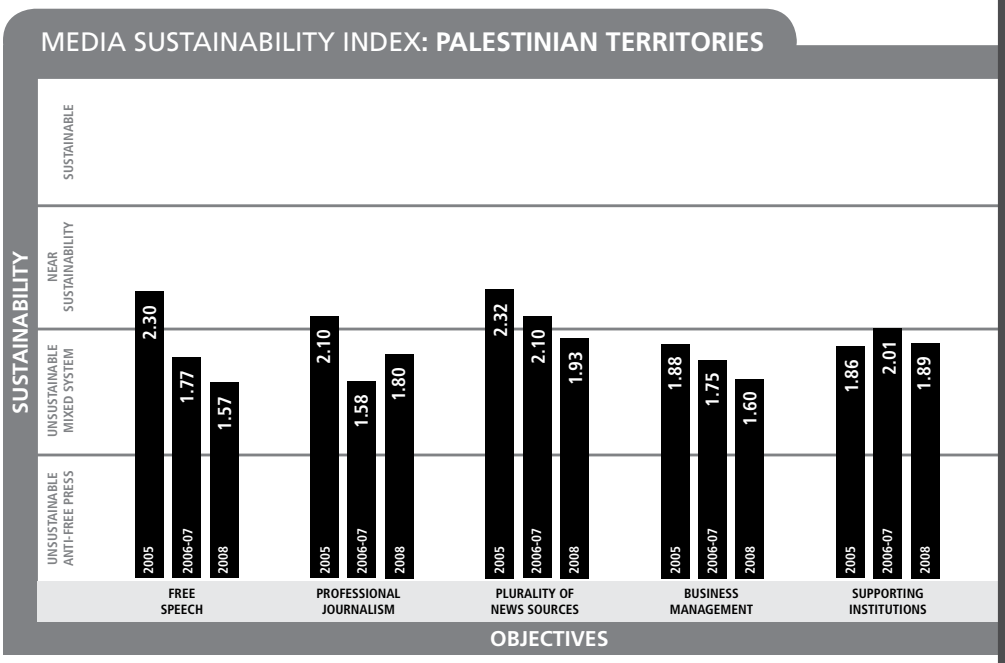
> **Newspaper circulation statistics:** Total daily circulation for 3 West Bank newspapers does not exceed 50,000

> **Broadcast ratings:** N/A

> **News agencies:** Wafa (state-owned), Ramattan (private), Ma'an (private)

> **Annual advertising revenue in media sector:** N/A

> **Internet usage:** 355,500 (www.internetworldstats.com, 2008)



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Palestinian Territories Objective Score: 1.57

There was a stark contrast and widening gap between the actual state of media freedom on the one hand and the legislation relating to freedoms in the Palestinian territories on the other. The Basic Law of the Palestinian Authority, approved by the former president, Yasser Arafat, on May 29, 2002, and the Declaration of Independence adopted by the Palestine Liberation Organization, as supreme body of the Palestinian Authority, guarantees public freedoms, human rights, and freedom of expression. The Basic Law also prohibits censorship of the media and protects personal freedom by criminalizing violations of human rights and making provision for compensation for those whose personal freedoms have been violated. The Palestinian media were organized in accordance with the Publication Act of 1995, which was issued under presidential decree by Arafat after the founding of the Palestinian Authority and before the election of the Legislative Council (parliament) in 1996. Nevertheless, it did not encompass radio and television, which have nonetheless witnessed great developments and expansion over the past few years.

The panelists took the view that although the Basic Law guarantees the freedom of expression, the Publication Act in turn restricts it. In addition, the Legislative Council, overwhelmed by the repercussions of the escalating internal conflict dating back to the beginning of 2006, has not reviewed, studied, or monitored whether the Publication Act is in conformity with the Basic Law, or with international conventions governing the media, or with the international human rights instruments which guarantee the freedom of opinion and expression.

Certain articles of the Publication Act imply disparities and contain some inherent contradictions: whereas article 4 addresses the freedom of press and publishing, article 7 contains an injunction to refrain from publishing anything that is counter to "public order," and so leaves the door open for the Authority, whether in the West Bank or the Gaza Strip, to determine from its point of view alone the necessities of "public order" and consequently for it to take whatever actions it deems appropriate to preserve public order. The guarantees set forth in the Basic Law are consequently without effect, and that ineffectiveness has aggravated the situation of the media in the light of the internal divisions.

Jumane Qunnaisse, professor of communication at Birzeit University, said that the mere existence of legal and social standards does not in itself protect and invigorate freedom of expression. Whereas laws guarantee the freedom of expression as a principle, they nevertheless leave it restricted by the limits of law itself. In Palestinian law, there are extensive passages that could be interpreted by the executive branch of the government as openings to restrict the freedom of expression. Not only that, the absence of the rule of law makes the question of resorting to the law otiose. Yahya Nafie, journalist and broadcaster, said that the Palestinian Authority experiment was not stable, and therefore, although the Palestinian Territories could not be treated as a country *without* laws, at the same time it should nevertheless not be treated as a country *with* laws.

Social norms, however, are even more powerful and limiting of freedom of expression because of the closed and restrictive nature of Palestinian society. These pressures prevent many issues from being covered, such as "honor killings." Walid Batrawi, media expert, agreed with other panelists that the Publication Act is not useful and needs to be reviewed. Generally, however, he said that the problem is protecting journalists not from the state, but from society, political groups, and various social groupings. In that context, panelist Khalil Shahin, media and political analyst, highlighted the weakness and the complicity of the Palestinian Journalists' Syndicate (PJS), the involvement of some media outlets in the exercise of incitement and defamation, and the diminishing role of political parties and civil society organizations in light of the sharp polarization between rivals Fatah and Hamas.

The court system in the Palestinian Territories does not wield sufficient power to protect freedoms and implement laws supporting them. Security agents of both the Hamas and Fatah governments have prevented reporters from working, closed media offices, and confiscated their equipment because of the nature of media coverage of those governments. Such security agencies operate without accountability to the courts. In the West Bank court decisions are routinely ignored by security officials: the Palestinian Center for Development and Media Freedoms (known by the acronym MADA) reported that Palestinian security forces in the West Bank circumvented decisions by the Supreme Court of Justice ordering detained journalists to be released. They resorted to a "revolving door" policy whereby the journalists were released for a few minutes and were then re-arrested. In the Gaza Strip, Hamas-controlled courts issue injunctions prohibiting the distribution of newspapers (for example, *Al Ayyam* and *Al Hayat al Jadidah*) and order the arrest of journalists.

The unleashing of the various security organs affiliated with the Hamas and Fatah governments affected many journalists in both the West Bank and Gaza Strip. Wafa' Abdel-Rahman, director of the NGO Filastiniyat, took the

Musa Remawy, general coordinator of MADA, noted that the security organizations of both the Ramallah and Gaza governments had violated human rights, especially media freedoms and the right to expression, either on the basis of loopholes in the laws or their own interpretations of certain legal texts.

view that the various security organizations had become the decision-makers in all aspects of Palestinian life, including the media. As a result, she said, Palestinians are witnessing an unprecedented state of self-censorship exercised by media professionals out of fear of those organizations. She concluded that after the division, Hamas domination of the Gaza Strip resulted in journalists there no longer living under law or a legitimate constitution; rather, they are subject to the prevailing power, with its factional law, and where the role of the Ministry of Media has been replaced by a government media office carrying out the job of official mouthpiece. Panelist Talal Okal, journalist and media expert from Gaza, observed that non-Hamas journalists are subjected to harassment, pressure, threats, beatings, banning, imprisonment, and destruction or confiscation of their equipment, and have been barred from covering anti-regime events.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Musa Remawy, general coordinator of MADA, noted that the security organizations of both the Ramallah and Gaza governments had violated human rights, especially media freedoms and the right to expression, either on the basis of loopholes in the laws or their own interpretations of certain legal texts. According to a MADA report, Palestinian security forces in the West Bank and Gaza Strip arrested and detained 60 journalists (some of whom, such as Aseed Amarna and Mustafa Sabri, had been arrested more than once), and some were tortured.

In 2008, ICHR highlighted the arrest of 45 journalists in the West Bank and Gaza Strip. Those arrests cast a shadow over workers in the media. In the West Bank in particular, statements obtained by ICHR showed that most arrests lacked proper legal proceedings and flouted fair trial safeguards. Many of those arrested were subjected to torture and other forms of ill-treatment. ICHR received 14 complaints from journalists who had been detained by Palestinian security forces in the West Bank without proper legal procedures. They had been arraigned before military courts or left for long periods without trial, as was the case of journalist Khaldun Mazloum, who was arrested by Palestinian Public Intelligence in Ramallah, and informed by the investigator that he had been suspended for a period of six months pending his appearance before a military court. *Al Ayyam* journalist Aseed Amarna was forced to sleep in an interrogation room for several days without either mattress or blanket and subsequently thrown into a room intended for only two people, but where there were five detainees. Journalist Mustafa Sabri was beaten by a member of General Intelligence in Qalqilya province. The family of journalist Fareed Hammad was not allowed to visit him for months during his detention by Palestinian Preventive Security in Ramallah.

ICHR found that Palestinian security offered journalists the chance of working as informers in order to beat the charges against them, although it also found that such offers were routinely turned down.

In the Gaza Strip, ICHR found that 13 journalists and media professionals had been arrested by security forces in 2008, claiming that those journalists were working with banned media, such as Palestine Television and Palestine Voice radio. In fact, no judicial decisions in accordance with Palestinian law have banned such media outlets. The Hamas government also confiscated the property of such media outlets and prevented communications with their main offices in Ramallah.

ICHR also documented ill-treatment, beatings, and threats in Gaza. Journalist Ismail Swah was jailed for several hours and beaten over accusations that he submitted material to a German television channel that adversely affected the security of Hamas.

Licensing of media is rife with political favoritism. Okal noted preferential treatment in granting media licenses in the Gaza Strip to outlets providing coverage biased in favor of Hamas. Shahin agreed that the granting of licenses was indeed facilitated in the West Bank and the Gaza Strip for media belonging to the respective ruling party, which led to an increase in purely party media, and in media which were close to one party or the other.

Panelists decried the many sources of harassment and violent attacks that media professionals suffer from. Journalists around the world suffer physical attacks, targeted killings, and accidental killings while covering war and other violence. However, Palestinian journalists are unfortunately nearly unique in the multiple threats they face from both the factionalized Palestinian governments and Israeli security forces. Panelist Kifah Zaboon, reporter in the West Bank for *Asharq al Awsat* newspaper, commented that there are no deterrent penalties against killing or assaulting journalists. Ruba Mahdawi, a writer, observed that the result of the violence against journalists is an unwillingness to discuss sensitive issues.

MADA tracked 257 violations of media freedoms in the Palestinian territories during 2008, including 147 committed by the Israeli security forces and settlers, and 110 committed by Palestinian security forces and certain armed Palestinian groups in the West Bank and Gaza Strip.

On the Palestinian side, MADA considered the most serious incidents to be: the assassination attempt on Mustafa Sawaf, editor-in-chief of *Felesteen* magazine, in Gaza on June 19; the shooting by unidentified gunmen at the house of independent journalist Mustafa Sabri on December 6, and; the shooting at the headquarters of *Al Hayat al Jadidah* newspaper in al Bireh city at around the same time. Investigations by Palestinian security forces into the shooting incidents resulted in findings that "unknown persons" were responsible.

In other incidents, journalist Mahmud Hams and Alaa Abdul-Aziz Mohammed Salameh, a reporter from *Al Quds Radio*, were abused in Gaza City by members of the police force of the Hamas Interior Ministry. Also, many media outlets in the Gaza Strip received threats. On March 21, for example, Al Jazeera received a threat from a group calling itself "Justice and Equality in Palestine," accusing Al Jazeera of meddling in Palestinian internal affairs and "fueling the internal conflict." The official news agency Wafa was threatened in an anonymous telephone call to its headquarters in Ramallah; the caller claimed that he belonged to Hamas and demanded that the agency cease publicizing the Hamas movement's practices in the Gaza Strip.

According to MADA's 2008 annual report, the most serious incident involving Israelis was the killing on April 16 of Reuters cameraman Fadl Shanaa in Gaza by a shell fired from an Israeli tank he was filming. On December 27, Israeli forces also seriously wounded journalist Basil Faraj, who subsequently died of his injuries, on January 6, 2009. Journalist Mohammad al Mujeer also suffered injuries at Israeli military hands. In addition, the occupation authorities detained and arrested a total of 51 journalists who were covering events in various areas and on December 28 destroyed Al Aqsa Television headquarters in Gaza. Similarly, on March 11 Israeli forces shut down Almajd radio in Jenin in the West Bank, and Afaq Television in Nablus on July 10. Ram FM Radio's office in Jerusalem was shut down on April 7, and its equipment was confiscated. Other radio stations suffered a similar fate.

The Israeli authorities prevented almost all journalists from entering Gaza after the siege was imposed on November 6. Palestinian journalists who did cover the war often found themselves subject to arrest by the Israelis, such as Khader Shahin from Al Alam Television. Such violations of journalistic freedom must be viewed, however, in light of the fact that the Israeli forces have been preventing almost all Palestinian journalists from moving freely for over four decades, in continuing violation of article 13 of the Universal Declaration of Human Rights. Also in 2008, Israeli forces continued their attacks on journalists covering the weekly peaceful demonstrations in the villages of Bil'in and Ni'lin, and a number of other Palestinian villages, against the construction of the separation wall.

During the past year in the Palestinian territories, the phenomenon of filing lawsuits began to emerge, as did the practice of issuing orders to arrest journalists under the pretext of defamation, libel, and incitement. Examples include the arrests of Hafez Barghouti, the editor of *Al Hayat al Jadidah* newspaper; Akram Haniyeh, editor of *Al Ayam* newspaper and Baha al Bukhari, its cartoonist, and; journalists Issam Shawar, Imtiaz al Maghrabi, Alaa Taiti, and Aseed Amarna. Prison sentences were handed down by courts affiliated with the Hamas Government in Gaza against Haniyeh, al Bukhari, and Barghouthi, who are all from the West Bank. Palestinian Authority courts in the West Bank acquitted Taiti, Amarna and al Maghrabi, although Shawar was forced to make an apology.

The panelists took the view that although the Basic Law guarantees the freedom of expression, the Publication Act plays a negative role by restricting journalistic work, given that a law granting the right to access information has not yet been adopted.

Panelist Kifah Zaboon, reporter in the West Bank for *Asharq al Awsat* newspaper, commented that Palestinian journalists lack a law that protects the right to access information. As reported last year, in practice, prior permission from officials is required before information and ordinary news can be disclosed to media agencies. Although there are no constraints on access to formal news, many officials prefer foreign journalists or agencies to local ones, which explains why foreign media often run breaking news reports on official issues before local media do.

Journalists are not entirely free to operate in Palestine. The Fatah government banned the activity of media affiliated with Hamas and prevented journalists from covering certain events, especially protests against its policies. The Hamas government took a series of actions to shut down the operation of official television, affiliated with the government in the West Bank, in Gaza. It prevented journalists from covering certain events and rallies against Hamas and mandated that they must obtain Hamas-issued government identification cards if they were to carry out their work in the Gaza Strip.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Palestinian Territories Objective Score: 1.80

The panelists agreed that the severity of the internal conflict between the Fatah and Hamas movements halted the unfinished development of media professionalism. That process of development had been under way since the rise of the Palestinian Authority. Panelists noted in their discussions that many Palestinian journalists already suffer from poor professional abilities on the one hand, and on the other from their inability to gain access to all sources of information, especially in light of Israeli restrictions on covering events. An example cited was the way in which journalists had been prevented from entering the Gaza Strip during the recent war. That led to clear professional shortcomings in news coverage by local media, such as a lack of comprehensive information, almost no verification of sources, and inaccuracies.

Panelists said that the weakness of many media organizations, both official and independent (private), undermines the ability of those organizations and of their employees to resist pressures generated by the internal conflict. Qunnaisse expressed the view that the media in Palestine do not adhere to professional standards such as impartiality, balance, and objectivity because of the complete bias of workers in media towards one particular political party. Zaboon commented that independence of editorial line was almost absent from Palestine. Even if media companies, including the private ones, did not belong to any particular faction, their editorial tone betrayed a clear bias or sympathy towards either Fatah or Hamas.

In some cases, media affiliated with Hamas used gossip or applied other forms of pressure to target other journalists, especially those belonging to Fatah. Shahin observed that many of the journalists in the official media outlets in the West Bank had shown bias against, and had exercised incitement against, the media affiliated to Hamas in Gaza. Thus, with the increase in the internal polarization between Hamas and Fatah, it is difficult for some media, especially the official and party-driven outlets, not to give in to the power of the feuding politicians. This includes adopting the worst rhetoric of politicians, including inflammatory terminology, inciting sedition, and encouraging violations of human rights.

Shahin noted, however, that a number of journalists who reported for both local and international media had provided professional and impartial reports for their international clients, regardless of their performance in the local media. International media attempting to provide balanced coverage of the internal Palestinian conflict gave Palestinian journalists working for those media an opportunity to achieve more professional and balanced reporting.

Writer Donia Al Amal Ismail, speaking from the Gaza Strip, reminded the panelists that professional and ethical standards are set forth in the Charter of Journalistic Ethics of the PJS in Gaza and also in the charters of a number of human rights organizations, and are widely accepted. However, they are not obligatory, even in theory, and are continually being violated in practice. Remawy agreed that there are indeed journalistic ethics conventions, but the problem is that the political situation dominates the media, however much journalists try to put politics aside.

In addition to those problems, the disease of self-censorship is widespread among the Palestinian media, not only with regard to coverage of Palestine-Israel conflict issues, but also to social issues. Whereas political issues, and demonstrating the coherence of society in the face of the pressures arising out of the policies of the Israeli occupation are given priority, other problems such as women's issues, the issues facing young people and children, and domestic violence and sexual harassment are hidden. Fear and censorship have been experienced by journalists under successive governments in the Gaza Strip, which has a direct impact on press freedom and freedom of opinion and expression. Zaboon expressed the view that all journalists practice self-censorship. Remawy noted also that pressure from large economic interests and businesses also increase self-censorship.

Okal said that the absence of the rule of law, the dependence of the official and semi-official media on politicians, the low level of freedom of expression, and entrenched self-censorship has forced journalists to decline to cover certain key events because of their fear of the consequences. Fear is in the driver's seat for many publishers and journalists, he said.

Mahdawi said that the media has become a low-end business, pointing to the low salaries that many journalists are forced to endure as evidence. Many media professionals must focus on making a living and so deal with low wages by working for more than one media outlet. Zaboon said he knew for a fact that some journalists are earning monthly salaries equivalent to $300 or less, particularly those at the many private television or radio stations that look like just another storefront. Ismail said the wage levels for journalists are so low in all the local media that many of them had been obliged to migrate to work abroad, or to change professions. Remawy noted that, although low wages have caused the flight of some journalists away from the profession, the biggest problem is the entry of ineligible people into the profession, with negative consequences for both professionalism and wages.

Okal argued that there are significant differences in wage levels: Palestinian reporters and staff in the non-Palestinian Arab and international media earn good wages well above the wages of employees of the local media, but there are no other options given the shadow of mass unemployment. Consequently, he reasoned, a journalist leaving the profession often has nothing to do—in the absence of alternatives—with wages, but perhaps because of pressure and fear. That pressure and fear has led a number of journalists in the Gaza Strip to leave the profession, while others fled the country entirely.

Whereas political issues, and demonstrating the coherence of society in the face of the pressures arising out of the policies of the Israeli occupation are given priority, other problems such as women's issues, the issues facing young people and children, and domestic violence and sexual harassment are hidden.

Media professionals also lack a sense of job security, as most journalists work without contracts containing clear terms protecting their rights, and because the PJS plays no influential role in defending their rights, ensuring their protection, and developing their professional capabilities.

Regarding the balance of entertainment and news in the media, there were mixed opinions that seemed to cut along regional lines. Zaboon, from the West Bank, explained the predominance of entertainment programs over the news by noting that such entertainment programs generate income through advertising. Shahin agreed, saying that the weakness of investment in the local media and the predominance of financial concerns by management led to a low level of domestic production of political, economic, and social programs. Many entertainment programs are loosely based on programs from other Arab countries.

Panelists from Gaza offered a different opinion. Okal expressed the view that there is in fact a strong predominance of political and news programs at the expense of entertainment programs. Hidayah Shimon, media coordinator for the Women's Affairs Center in Gaza, concurred: the Palestinian media focus on news and the political situation, and although there is room for entertainment and social issues, nevertheless, anything political still overwhelms other issues.

Nonetheless, some local television and radio stations have been able to achieve a remarkable degree of development in the production of news programs, and these have helped to increase audience sizes. These news and cultural programs specialize in community issues. In addition, the stations belonging to political parties, especially the Islamic ones such as Hamas, tend for ideological reasons to give priority to political, religious, and news programs over entertainment programs.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

Shahin said the situation became worse in 2008. He cited the example of Al Ayam *newspaper, whose distribution had been banned for over three months in Gaza. He observed also that as a result of Israel banning all newspapers from the West Bank from coming into Gaza, there had been a consequent drop in circulation and loss of advertising revenue from within Gaza for those papers.*

Okal, turning to the question of modern facilities and equipment, said that the long siege imposed by Israel on the Gaza Strip has impacted the ability of media institutions to update their facilities and equipment, some of which are now operating well past the end of their useful life. Shahin observed that although the situation in the West Bank is better, many media organizations prefer not to invest in the modernization of facilities and equipment in light of the global economic crisis; the increase in the cost of paper, fuel, equipment, and maintenance; the weakness of the Palestinian economy, and; declining media revenues, especially for newspapers. Investment in the latter is particularly weak because of the low purchasing power of Palestinians and declining newspaper circulation because of the growing popularity of electronic media.

As reported last year, specialized and niche reporting, such as economics and sports, exists. Newspapers, for example, also feature regular topical inserts. However, in-depth investigative reporting is lacking.

OBJECTIVE 3: PLURALITY OF NEWS

Palestinian Territories Objective Score: 1.93

Since June 2006 when internal divisions began in earnest, there has been a noticeable increase in the number of media, especially television channels and websites. Batrawi argued that during the past few years, the Palestinian media have managed to overcome many barriers. Despite State control over the official media, the presence of local media and the multiplicity of its forms allowed for the existence of alternative voices. Zaboon argued that Palestine media sources are characterized by the variety and multiplicity of sources, as Palestinians can gather knowledge from different sources about the same event. That makes it easier for people to distinguish between the various angles on the news and accept the most credible. Arab newspapers such as *Asharq alawsat*, *al Hayat*, and *al Quds al Arabiya*, which are published in London and have their own websites, are the most read daily newspapers and serve as sources for many local media outlets, especially newspapers. In addition, satellite channels such as Al Jazeera and al Arabiya are widely viewed in the West Bank and Gaza Strip.

But other panelists felt this plurality has been one of quantity and not quality. Through the endeavors of the two conflicting parties in the West Bank and Gaza, the media have been made to reflect the conflict between Fatah and Hamas. The panelists expressed their deep concern about the negative effects of the Palestinian political and geographical division and the consequent sharp polarization on the Palestinian media; it calls into question the very existence of independent Palestinian media, they said.

Okal said that Palestinians enjoy freedom of choice and comparison, particularly in relation to television, which most Palestinians can access; however, that does not mean that Palestinians receive reliable and objective news from internal sources because such news coverage is usually selective. Mahdawi observed that while there was indeed a growing number of media, most of them fell behind the policy of a particular party, and that applied even to the coverage given by some of the non-Palestinian Arab media. For example, popular opinion says that Al Jazeera shows bias in favor of Hamas, whereas al Arabiya tends to favor Fatah.

Shimon pointed to barriers Palestinians face in access some news sources. She said that the Israelis frequently prevent

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

newspapers published in the West Bank from reaching Gaza, and that the Hamas government has banned the distribution of some of those newspapers. Foreign publications are frequently delayed or blocked by the Israelis from reaching both Gaza and the West Bank. Shahin said the situation became worse in 2008. He cited the example of *Al Ayam* newspaper, whose distribution had been banned for over three months in Gaza. He observed also that as a result of Israel banning all newspapers from the West Bank from coming into Gaza, there had been a consequent drop in circulation and loss of advertising revenue from within Gaza for those papers. Similarly, *Felesteen* newspaper, published in Gaza, remained banned from the West Bank. On top of that, there had been a noticeable drop in the circulation of some newspapers in the West Bank, because of inefficient distribution policies, the weak purchasing power of most citizens, and the growing popularity of websites, which are capable of delivering news quickly to the public.

In addition, Hamas has shut down official Palestinian television, a number of radio stations had been frequently closed down for various lengths of time, and restrictions had been put in place on certain websites. Abdel-Rahman expressed worry about the possibility that security services would begin to filter the Internet, which is considered an important source of information. Websites, specifically blogs, have become a space for freedom of opinion and expression, as well as for the exchange of insults and accusations reflecting the political status quo.

Palestinians in Gaza have somewhat more limited access than their West Bank counterparts. In addition to higher poverty that limits access, there are fewer choices in print media. The daily newspapers published in the West Bank have captured the predominant share of the printing and distribution market, and only one daily newspaper is published in Gaza; that newspaper is affiliated with Hamas.

Shahin argued that given the current state of division and political polarization on one hand and the pressures faced by the media in the area of local news on the other, the situation of the official media had worsened and they had become politically aligned to the extent that it is difficult to call them public media. This is particularly true of the Palestinian presidency, which has placed the public media in the West Bank under its control. In Gaza there is no longer any significant difference between the official media and the viewpoint of the Hamas movement. The situation is such that official Palestinian television competed with the al Aqsa channel, affiliated with Hamas, in fueling the internal conflict and deepening the acute polarization between the conflicting parties.

As reported last year, news agencies include the official and Fatah-affiliated WAFA, but also two non-official news agencies, Ramattan and Ma'an.

Remawy said that whereas there are more than 60 broadcast outlets in Palestine, the volume of their own news output remains limited. There is a high degree of dependence on international sources for local coverage by local media outlets. Consequently, local newspapers and broadcast media have decreased reliance on their own correspondents.

OBJECTIVE 4: BUSINESS MANAGEMENT

Palestinian Territories Objective Score: 1.60

Panelists noted that in the West Bank, 2008 began with good news concerning the financial status of the government as a result of the external financial support that it had received, but the year ended with indications of a severe financial crisis overshadowing the situation in the Palestinian Territories. During 2008, the Palestinian Authority received direct support to its treasury in the amount of $1.7 billion, the largest amount of support received in grants since the Authority was established in 1994. Despite significant growth in the Palestinian economy as a result of such financial aid, that growth was considered fragile, as both local and international reports showed that the Palestinian economy still suffered from relatively high unemployment and poverty rates. Government spending remained the main engine of the economy; therefore any delay in payment from donors could create a domestic financial crisis, as has been seen on a number of previous occasions.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

In addition to the legal, political, and social constraints on them, commercial advertisers may refuse to place advertising with media that have criticized them directly or indirectly. Batrawi said that some private advertising agencies formulate their own special editorial policies.

However, the injection of cash in the West Bank allowed the government there to pay its debts to media for official advertisements as well as printing textbooks and official publications. That revenue created only a temporary state of equilibrium within an overall state of either stagnation or falling revenues for the media, especially newspapers, which faced high printing and distribution costs and no sign of improvement in advertising revenues during the year. Some newspapers laid off employees. In contrast, employees of the official media received their salaries regularly during 2008, in addition to the salaries owed to them for almost a year.

The Gaza Strip, on the other hand, witnessed unprecedented economic deterioration under the continued Israeli siege. Any recovery experienced elsewhere was not echoed there, because Israeli military action towards the end of 2008 severely damaged infrastructure and economic activity and pushed poverty and unemployment rates to unprecedented levels. That damaged the media market as a whole, and the incomes of the private media in particular.

Panelists agreed that although the private media in Gaza aim to achieve profitability, their weak institutional structures, a stringent Israeli blockade and widespread poverty have throttled the ability of the media there to pull in the revenue needed to manage their operations efficiently or plan for the improvement of their equipment and professional capacities.

During their discussions, panelists also reported on trends in both Gaza and the West Bank. Remawy said that most private media do not operate efficiently, professionally or profitably. Media outlets suffer from a shortage of capital investment. That shortage limits development possibilities on the one hand and causes many to neglect professionalism to the benefit of commercial and political interests. Broadcasters in particular focus on efforts to attract audiences with entertainment or certain religious and political programs that are often aired without prior permission from the Arab and foreign copyright owners. In addition, the Palestinian market as a whole is small and faces extremely tough competition from other Arab and foreign media. Advertising revenues are insufficient to cover all the needs of the private media; with the exception of a few newspapers, private media institutions are essentially small-scale businesses or even micro-projects, because the Palestinian economy is insufficient to support a full-scale media sector.

Funding for the media comes from diverse sources, but this is more a reflection of the ad hoc nature of supporting media operations in a difficult environment as opposed to an indication of robustness in sources. Media outlets, including newspapers, depend on advertising from international and civil institutions, commercial advertising, and condolence and congratulatory classifieds. Many local media, especially newspapers, have marketing departments and specialized staff or rely on advertising agencies to sell advertisements. However, panelists felt that the advertising market has been shrinking for the reasons stated above. Local newspapers, especially *Al Ayam* and *Al Quds*, have their own printing houses that are commercially operated and yield an additional and vital revenue stream.

Such sources are not deep enough to insulate media from pressure. In addition to the legal, political, and social constraints on them, commercial advertisers may refuse to place advertising with media that have criticized them directly or indirectly. Batrawi said that some private advertising agencies formulate their own special editorial policies. In Gaza, with the exception of advertisements from certain civil society organizations, the advertising market is also subject to further political scrutiny by the authorities; it is considered a form of political support. Qunnaisse argued that, in fact, the "independent" media in Palestine are neither independent nor free in their editorial policy; rather, they are independent of the government only in financial terms. Owners of media outlets, she continued, are either prominent members of the political parties, or socially influential. Both types of owners are subject to the policies of their financial backers. Mahdawi went as far as to say that, in any case, many media organizations are not interested in expanding either distribution or their markets, because their funding comes from a political source and they feel secure acting on behalf of that source.

Abdel-Rahman said that the advertising industry is still underdeveloped. Most advertisers and advertising agencies do not rely on market research, which makes them unable to develop realistic strategic plans or to identify the needs of the market. Nonetheless, some agencies operating in the local market are capable of selling advertising to international companies, which pay better than local companies.

Likewise, market research has rarely been used by media outlets in the formulation of strategic plans, or for introducing products that are tailored to the needs and

interests of the consumer. Palestinian media do not release any newspaper circulation figures or audience statistics. There is no organization responsible for providing or overseeing such statistics. Media outlets usually conceal information about their audience size and their actual reach for fear of negative impact on their advertising revenues. Shahin said media managers consider such information to be top secret, which should be hidden even from their own journalists.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Palestinian Territories Objective Score: 1.89

Regarding trade associations, panelists briefly discussed the impact of such organizations as the Union of Private Radio and Television Stations. However, the panelists stressed that, in their opinion, those organizations remained weak and had minimal overall impact on the promotion or protection of media freedom.

The PJS is the primary organization representing the professional interests of journalists. In 2008, in the face of high levels of harassment of journalists and attacks on media freedom, panelists felt that that PJS had been paralyzed. Except for issuing statements in condemnation of various violations, panelists felt that the lack of practical action had widened the credibility gap between journalists and their union. Doubts have been raised concerning union members who are also not practitioners of the profession. Panelists believed that this is because PJS membership cards enable the holder to cross the military borders established by Israeli forces.

That the chief of PJS is not a journalist adds to this credibility gap. Panelists said he is associated with President Mahmoud Abbas in the West Bank. While readily making public statements condemning violations of press freedom by the Hamas government, he steers clear of criticizing infringements by the government in the West Bank. He has on occasion kept quiet regarding the refusal of security organizations to implement orders of the Supreme Court of Justice to release detained journalists. The PJS in the West Bank appeared, according to panelists, to have adopted a conciliatory approach, playing the role of mediator between journalists, the government, and its security organizations.

In 2008, procedures had been adopted to reform the union by holding elections for officers; this had come as a response to discussions with the International Federation of Journalists and the Arab Journalists' Union. Despite promises to the International Federation of Journalists to hold elections by the end of 2008, the PJS elections had still not occurred. Abdel-Rahman said that there are no signs of elections being held any time soon. The reasons alleged for not holding it—the war on Gaza primarily, and then the division between the territories—are simply pretexts.

In Gaza, Hamas attempted to control the PJS to serve its position in the internal conflict, and rebuffed attempts by a number of journalists to create a committee to take steps towards reforming PJS and adopt measures reinforcing press freedom. Hamas had also encouraged a bloc of journalists affiliated with Hamas to take over PJS. Okal observed that PJS has effectively been put out of operation by the Interior Ministry of the Hamas government, and it is completely paralyzed and unable to provide any support or protection for journalists. He said that there are related organizations, but they also have been incapacitated and have no influence. Chapters of the PJS are few, partisan, and—except for those working for Hamas—have little influence.

Protest actions and related activities are, in the face of the ineffectiveness of the PJS, often organized by journalists themselves. The frequent journalists' sit-ins and strikes in the West Bank and Gaza come about in the absence of more effective action. This has mobilized journalists to form a professional organization worthy of respect. However, Shahin said, journalists are actually being prevented from establishing any union other than the PJS, which claims a monopoly over the representation of the press as a whole. Consequently, journalists are deprived of an opportunity to have any other union to defend their rights and serve their professional needs.

Panelists also noted that new organizations for employees of publishing, printing, and advertising houses were established recently, but because of their newness are still weak.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Zaboon said that NGOs are no better off, as their role has declined in light of the continuing divisions, and their voices are not heard. Remawy, however, pointed out that the Al Mada Center, for one, observes and monitors violations against journalists and the media, acting in their defense and also naming and shaming those responsible for those violations. In his view, Al Mada should cooperate more closely with other relevant institutions.

Panelists concluded that the government does not impose any restrictions on press and media studies. Rather, it is an open field for all under the admission criteria set by universities and colleges on the basis of criteria and requirements adopted by the Ministry of Higher Education. Nevertheless, the lack of coordination between university programs and the media results in a lack of responsiveness by the former to meet the needs of the local market. Further, the supply of media graduates exceeds the demand, which is relatively small. Abdel-Rahman emphasized that Palestinian universities offering programs in media studies produce highly competent and qualified graduates. She noted, however, a trend that female graduates work in areas other than the media. Okal disagreed with Abdel-Rahman's assessment; he commented that media education in Palestinian universities is underdeveloped and unresponsive to current requirements because graduates need further training and additional qualifications.

Okal said that nevertheless, there are NGOs working with the media and providing training programs for journalists and new graduates. Also, there are some companies and agencies that train journalists in various specializations. In general, Batrawi noted that many journalists complain of the lack of training opportunities organized by their media outlets, blaming organizational weakness for this. Panelists noted that the PSJ is very weak in this regard. Remawy observed that professional development programs supported by international donor institutions are available. Most of those programs are offered free to participants. Some media institutions encourage their employees to participate in those programs, but many institutions do not derive any benefit from those programs because they resist change and innovation, he said. Despite this, Betrawi felt that the trainings overall had helped improve professionalism.

Panelists pointed out that the Palestinian Authority does not have printing houses under its own management; rather, the existing printing houses are in the private sector, and face no specific restrictions. However, Shimon said that partisan affiliations control just about everything, including the printing presses: some political parties own their own printing presses, which refuse to print anything for other parties.

List of Panel Participants

Talal Okal, journalist and media expert, Ministry of Media, Gaza

Musa Remawy, general coordinator, Palestinian Center for Development and Media Freedoms (the Al-Mada Center), Ramallah

Ruba Mahdawi, writer, Ramallah

Jumane Qunnaisse, program director, Amin.org and professor of communication, Birzeit University, Birzeit

Walid Batrawi, director, BBC Trust Fund Project, Ramallah

Yahya Nafie, journalist and broadcaster, Ramallah

Kifah Zaboon, reporter in the West Bank for *Asharq al Awsat* newspaper, Bethlehem

Hidayah Shimon, journalist and media coordinator, Women's Affairs Center, Gaza

Dunia Al-Amal Ismail, writer and activist, Gaza

Moderator

Wafa' Abdel Rahman, director, Filastiniyat, Ramallah

Author

Khalil Shahin, writer, editor and analyst, *Al-Ayyam*, Ramallah

The Palestinian Territories study was coordinated by, and conducted in partnership with, Filastiniyat, Ramallah.

By 2008, resurgent domestic opposition had once again been silenced, with around a dozen leading pro-democracy activists jailed, some senior figures in the ruling elite either exiled or assassinated in mysterious circumstances, and Syria's Lebanese allies successfully crippling a Western-backed government in Beirut opposed to the Damascus regime.

SYRIA

OVERALL SCORE: **0.79**

In 2008, Syria experienced "a year of iron censorship," in the words of one MSI panelist. The Baath regime in Damascus used the easing of international pressure and the diplomatic engagement by the West to reassert comprehensive control over the country, including the media.

Having been rocked in 2005 by the forced withdrawal of its military from neighboring Lebanon in the wake of the assassination of former Lebanese premier Rafik Hariri, Syria's rulers successfully weathered a period of Western pressure and acute regional isolation, particularly from regional powers Egypt and Saudi Arabia. By 2008, resurgent domestic opposition had once again been silenced, with around a dozen leading pro-democracy activists jailed, some senior figures in the ruling elite either exiled or assassinated in mysterious circumstances, and Syria's Lebanese allies successfully crippling a Western-backed government in Beirut opposed to the Damascus regime.

All forms of media saw their space for freedom of expression narrowed, from leading Arabic newspapers being banned from entering the country to an expansion of Internet censorship. The infamous "red line" list of topics that media cannot discuss expanded, and Syria's first private broadcaster was closed and some of its staff went into exile.

The MSI panelists scored the country at just 0.79 overall, bringing Syria down from its previous ranking in the "unsustainable, mixed system" bracket firmly into the "unsustainable, anti-free press" bracket—a true indication of the fact that its government and laws actively hinder free media development. All objectives received lower scores this year, and all but one fell below 1.00.

Only Objective 2 scored just above 1.00, reflecting that professional standards of journalism remain institutionally poor but some effort has been made by international and local organizations over the past year to encourage training of younger journalists.

Objective 1 scored the lowest, at an average of just 0.65, reflecting the four-decades-old comprehensive system of control implemented by the Baath regime against free speech. Panelists expressed particular despair with the state of media support institutions, giving a unanimous score of zero to the question of whether professional associations work to protect journalists' rights.

These scores show that Syria remains one of the world's most repressive countries in terms of free media and its development.

Note: MSI panelists in Syria agreed to participate only if they were not named publicly. Rather than hold a group discussion that might call attention to panelists' participation in the study, the chapter is based on responses to individual questionnaires and the moderator's individual interviews with the panelists.

SYRIA AT A GLANCE

GENERAL

> **Population:** 20.1 million (est., CIA World Factbook, 2009)

> **Capital city:** Damascus

> **Ethnic groups (% of population):** Arab 90.3%, Kurd, Armenian and other 9.7% (est., CIA 2009)

> **Religions (% of population):** Sunni Muslim 74%, other Muslim (includes Alawite, Druze) 16%, Christian (various sects) 10%, Jewish (tiny community) (est., CIA 2009)

> **Languages (% of population):** Arabic official and universally spoken. Some English and French in big cities. Kurdish in north east. Armenian among small Armenian community. Aramaic among Assyrian Christians.

> **GNI (2008-Atlas):** $44.44 billion (World Bank Development Indicators, 2009)

> **GNI per capita (2008-PPP):** $4,350 (World Bank Development Indicators, 2009)

> **Literacy rate:** 83% (UNICEF, 2009)

> **President or top authority:** President Bashar al-Assad (since July 17, 2000)

MEDIA-SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: 9 state-run political daily papers, 2 private dailies, 150 magazines (though only half a dozen cover news and politics); Radio: 1 government broadcaster; Television: 2 state-run terrestrial stations and 1 state satellite channel plus 2 private stations.

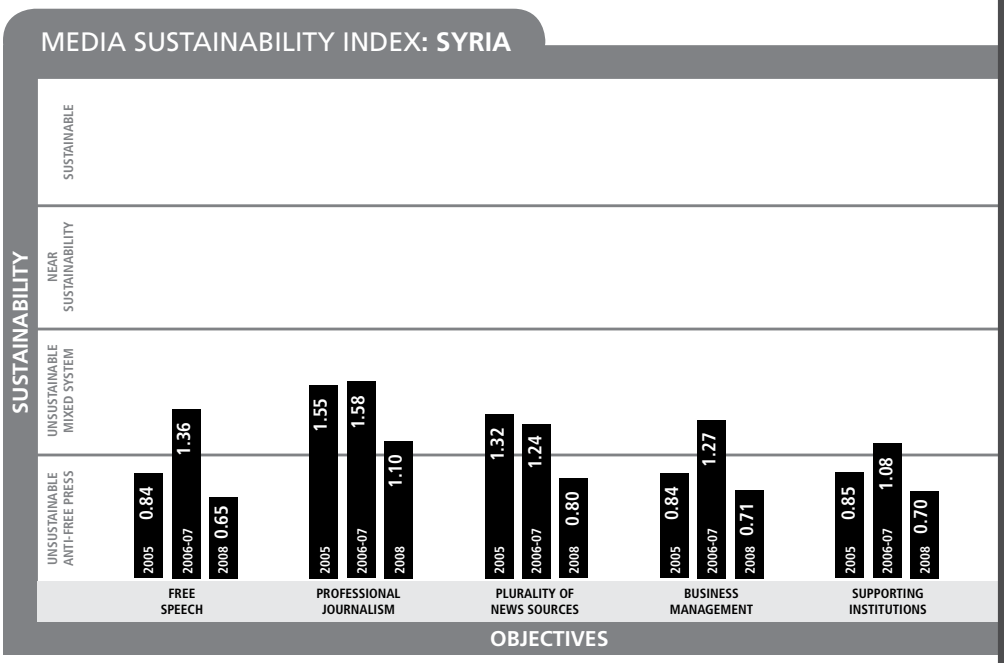
> **Newspaper circulation statistics:** There is no independent source for newspaper circulation. *Al Thawra* claims circulation of up to 60,000, the English-language *Syria Times* just 5,000.

> **Broadcast ratings:** N/A

> **News agencies:** Syrian Arab News Agency (SANA) (state-owned)

> **Annual advertising revenue in media sector:** Advertising is controlled by the state-run Arab Advertising Organization (AAO), which does not publish figures.

> **Internet usage:** 2.1 million (Reporters Without Borders, March 2009)



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Syria Objective Score: 0.65

Having suspended the Syrian constitution (including the right to freedom of expression) and with the imposition of emergency laws which are still in force 46 years after it took power, the Baath regime continues to harass, threaten, and imprison journalists whose work it deems out of line with party interests. Unsurprisingly, this objective scored the lowest of the five, with Indicator 2 (licensing of media) and Indicator 5 (the legal independence of state media) receiving particularly dismal scores.

Panelists were profoundly pessimistic over the state of governance of media in their country. Hundreds of journalists were investigated and censored during 2007 and 2008 for crossing the security establishments' "red lines," which include discussion of the president, military, ethnic minorities, and often relations with other countries in the region, particularly Lebanon, Iraq, Saudi Arabia, and Iran. The Supreme State Security Court in Damascus continued to prosecute journalists on such charges as "undermining the prestige of the state" or "weakening national sentiment."

The introduction of a new publishing law in 2001 broke a 38-year state monopoly on media, allowing for private newspapers, magazines, and television channels to cover news and politics. However, the law is regarded widely by media professionals as having seriously prejudiced the right to freedom of expression. The law builds on existing emergency laws to criminalize the passing on of "untrue news" with prison terms of up to three years and a fine of up to SYP 1 million ($20,000).

"Even if you escape the emergency law and the Union of Journalists [see below], you cannot escape the publishing law," said a journalist and rights activist.

Dozens of journalists, from investigative reporters to bloggers, have been arrested and censored, with many put on trial. Some, having served their time, have been released. Prominent journalist Michel Kilo was released in May 2009 after serving three years in prison for his sponsorship of the Damascus Declaration, which called for greater democracy and improved relations with Lebanon.

Panelists stressed that though private media exists, no media in Syria can effectively be independent of the regime. "The private media is semi-official because it is linked to the regime. There is no independent press at all in Syria. If [one] wanted to be independent, it would not be given a license," said a writer and lawyer.

Syria's first private channel, Sham TV, owned by parliamentarian Mohammed Akram Jundi, began broadcasting from Dubai in October 2005 and then from outside Damascus a year later. It immediately fell afoul of the authorities and was ordered off the air by the Ministry of Information on the day of its first local news broadcast. His parliamentary immunity lifted, Jundi reportedly fled to Cairo to re-establish his channel. No private radio stations are allowed to report news.

Syria's two private daily political newspapers are published from the Damascus free zone to skirt restrictions in the regular economy on private publishing. Both are controlled by regime stalwarts. *Al Watan*, launched in November 2006, is a daily political newspaper published by President Assad's brother-in-law, Rami Makhlouf, who was the subject of U.S. sanctions in February 2008 over "public corruption." *Baladna*, a social affairs newspaper, is published by Majd Suleiman, son of security chief General Bahjat Suleiman.

Syria Today, the country's first English-language current affairs monthly magazine, is also published from the free zone. In 2007 it was taken over by a wealthy Damascus business owner. While only occasionally falling afoul of the censors, the range of political topics that it can cover has steadily narrowed since it began publishing in 2004.

Independent Syrian news Web sites, many of them produced abroad, are mostly blocked in the country. A handful of sites (such as Syria News and Sham Press, run by figures close to the security establishment) are allowed.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

The ministry of information retained the power to revoke media licenses, via the prime minister, as it did in the case of local newspapers *Domari* and *Mabki*, which had criticized the performance of some state institutions. "The regime threatens any correspondent with terminating his license if he does not write what they want," said a leading Baath party reformer and journalist.

Those not licensed to cover politics face fines if they do so. But the licensing of political papers has been criticized by activists as being a form of censorship in itself: Magazines covering social affairs or the economy can easily be accused of having strayed into politics and thus face closure.

The ministry of information also acted to ban the entry of newspapers or magazines. The Syrian Center for Media and Freedom of Expression (SCM) reported "a clear increase in the prevention of publications entering Syria" between May 2007 and May 2008.

In September 2008, the ministry banned the entry of pan-Arab daily *Al-Hayat*, which is funded by Saudi Arabia, when Syria's relations with the country soured. Following the ban, longtime *Al Hayat* Damascus bureau chief Ibrahim Hamidi wrote an article blaming his own paper's coverage of Syrian affairs for the ban, which he said he supported. Many observers suspect his support was a trade-off for the resumption of the paper's distribution.

Another Saudi-owned pan-Arab daily, *Al Sharq Al Awsat*, has been banned in Syria since the summer of 2006, following its coverage of the war in Lebanon; while Lebanon's top daily, *An Nahar*, is also banned in Syria.

Entry into journalism requires membership in the Syrian Journalists' Union, which is restricted to Syrian Arabs and Palestinians. The result is that Syria's large Kurdish minority cannot legally work in the media.

Editors of media organizations cannot be changed without the approval of the ministry of information, but when they are changed, even in the state media, the process can be arbitrary. In May 2008, Mohammad Agha was sacked as editor-in-chief of the state-run daily *Syria Times* over a mistake on a caption to a photograph—an all too common occurrence in a paper littered with language errors. Some observers suspect that a bad relationship with the minister for information, Mohsen Bilal, may have had more to do with it.

Foreign journalists, both Arab and non-Arab, are subject to expulsion from Syria on short notice and with no stated reason. Travel bans were enforced in 2008 on several journalists to prevent them from attending conferences outside Syria.

Libel is absolutely not a civil issue in Syria. Defaming the president or the state are charges regularly heard by Syria's security courts operating under the emergency laws.

From its introduction to the Syrian public in 2000, the Internet has been as thoroughly and methodically policed as all other media sectors. Aided by web applications firm Platinum Inc., whose representative Erik Tetzlaff attended an Internet security conference in Damascus in July 2008, the Syrian authorities successfully block around 161 documented web sites, according to the SCM. Other rights groups put the figure closer to 600.

The largest number of blocked sites are related to Kurdish organizations, with several more added during 2007 and 2008; followed by domestic political opposition and Lebanese groups deemed by Damascus to be opponents. Social networking sites Facebook and YouTube continue to be blocked, along with sites where individuals can establish an online blog, such as Blogspot, Googleblog, and the largest Arabic blog site, Maktoobblog.

In May 2008, Syrian authorities ordered Internet café owners to take down the names and identification cards of their clients as well as the times they arrive and leave. The records are to be presented regularly to the authorities. In 2007, the government ordered Internet sites based in Syria to provide the "clear identity and name" of those behind any article or comment they publish.

Recent arrests and trials of bloggers include a poet who wrote about a civic society forum, a writer who highlighted fuel and electricity shortages, and a teacher from the farming province of Raqa who criticized patronage and nepotism in the state-run education system. Blogger Tariq Biasi was sentenced to three years in prison in May 2008 for "weakening national sentiment."

Citizens continued to be arrested for forwarding articles on the Internet, while media researchers found evidence of e-mails that were intercepted and added to intelligence files. A Syrian business journalist noted also that while "the ethnic and religious pluralism in Syria is a suitable environment for a free and independent media, due to some social norms—like religious censorship—the growth of such an environment is being hindered."

Put quite simply by the lawyer: "The majority of society thinks practicing freedom of speech and exposing themselves to the risk of arrest is madness."

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Syria Objective Score: 1.10

Objective 2 was the only objective to score high enough to reach the "unsustainable, mixed system" ranking. The panelists said that while professional standards of journalism in Syria remained woeful, a positive development came in recent training courses offered to Syrian journalists by foreign media organizations.

Indicator 7 (technical facilities for news gathering and distribution) scored the highest of any in all the objectives, reflecting a recent push by Syrian authorities to modernize, if in no way liberalize, their media sector. Even so, the situation remains far from ideal. While Syrian television has been given some state support to update its dated 1970s equipment, production standards remain low compared to successful commercial channels, such as Al Jazeera or Al Arabiya. Some offices of state-run newspapers resemble Soviet-era ministries rather than dynamic places of newsgathering. Some papers like the *Syria Times* lack computers, let alone Internet access, with news simply translated from a news agency printout and written by hand before going to layout. The *Syria Times* closed in June 2008 but has since signed a two-year agreement with UNDP, which will assist the newspaper with a $400,000 grant, expected to be used for training and equipment.

The Syrian media remains the antithesis of objective or ethical. Four decades of a single-party state that views the media as a means of public control, rather than information distribution, has bred generations of journalists who have never experienced freedom of the press. As a 2008 report on media freedom in Syria by SCM noted: "There is no concept of public service in the media."

"There is nothing called fair reporting in Syria," lamented a Baathist reformer. "Everything is monitored by the intelligence services and all journalists must send the intelligence [services] any sensitive report before it is published."

Self-censorship is a requirement of working as a journalist in Syria, and even to some degree for non-Syrian journalists who wish to remain in the country. "The more you filter your information, the safer you are," said a journalist and rights activist. A leading media researcher noted: "Some journalists say, 'When I finish writing my article I read it 10 times; once for review and correction, and nine times to check if I crossed any red lines.'"

Even those journalists not seeking an independent line often fall afoul, said a lawyer and writer: "The red lines change with the changing political circumstances, and many journalists become victims of these changes despite the fact that they are not independent."

Standards are corroded not just by official government censorship. As a young Syrian business journalist said: "There is nothing called the institution of the media in Syria. The majority of the private media lack a clear and specific editorial policy, regardless if it is for or against the regime. There is instability and chaos within Syrian publications and web sites, and this reflects negatively on the performance of journalists."

Work in a state-run media organization earns a journalist a state salary of around $250 per month—well below the increased cost of living that inflation has brought to the average Syrian family over the past three years. The journalist may then earn extra money per article written, encouraging some to produce as much work in as short a time as possible, while others who may not need the extra money spend hours doing nothing at all. Corruption is endemic to such a system, with bribes for coverage an accepted part of day-to-day life in the Syrian media.

As with most Arab media sectors, political talk shows dominate news programming. But they serve a particular function in Syria. "The regime is presenting itself as a 'resistance regime,' supporting resistance or liberation movements in the region [such as Hamas and Hezbollah]. That compels them to produce political shows to promote such policies," said a journalist and rights activist.

Media will cover those subjects that the state deems desirable. A huge amount of media coverage was dedicated to the parliamentary elections and presidential referendum of April and May 2007, for example.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

In the first of its kind, the SCM undertook a survey of the coverage of the election produced by 11 political newspapers and magazines, the four state-run television and radio broadcasters, and five Syrian web sites. Overall, SCM found that the media had universally ignored independent political parties in favor of the ruling Baath party. SCM singled out the monthly news magazine *Black and White* as having produced the most professional coverage of the election.

In contrast to high levels of election coverage, the local media largely ignored the U.S. raid in October 2008 on a Syrian town on the border with Iraq, which the U.S. said killed a leading Syria-based Al-Qaeda operative. The secret police had warned local residents not to talk to reporters. A couple of weeks after the attack, the ministry of information organized a heavily censored tour for Damascus-based journalists to the border town.

Journalism training is one area of the media in which some progress is being made. One panelist said that he had organized training workshops through 2008 for 180 Syrian journalists, but held them in Egypt and Jordan. Inside Syria, panelists praised the efforts of organizations such as the BBC and the Institute for War and Peace Reporting (IWPR) for providing practical training for young Syrian journalists, both in the state and private sectors.

Investigative reporting is rare in Syria. Journalists who do expose officials over issues such as corruption will swiftly find themselves before a judge, as was the case with journalist Wadhah Mohedin working in Syria's second city of Aleppo.

On a more positive note, state-run *Al Thawra* conducted a survey on corruption, published in February 2008, which the SCM called "perhaps the first poll done in a scientific manner in the Syrian press."

OBJECTIVE 3: PLURALITY OF NEWS

Syria Objective Score: 0.80

Panelists gave a high score to Indicator 1 (access to a plurality of affordable news sources). This reflects Syrians' access to affordable satellite television since the 1990s and the Internet since 2000. However, Syria's overall plurality of news sources again were rated well below 1.00, underscoring the regime's control of both the public and private media.

As the lawyer and writer noted, "Most people follow Arab and international channels to get information about local news. This is due to the lack of confidence in the local media and the blackout imposed by the security services on a lot of important events."

Even major international media channels operating in Syria are not immune from the regime's interference.

"International media is faced with two options," said the journalist and rights activist. "Either accept the employment of a reporter linked to the Syrian intelligence, or be refused entry to Syria, which will reflect negatively on the quality of media and journalism."

This panelist gave the example of the suspension of Al Jazeera's license in Damascus after its director, Fouad Sharbaji, a former head of Syrian state television, stepped down to work for another channel. "The intelligence refused to license Al Jazeera for three months until the station had appointed a director they were happy with—someone from their side."

Reuters, AP, and AFP all have offices in Damascus, but their staff members must meet the approval of the ministry of information. SANA remains Syria's only legal national news agency. Under its founding charter, SANA is supervised by members of Syria's political security department, who oversee news output and appointments. All newspapers, radio, and television news in Syria take their cue from SANA.

Syria has nine state-run political dailies, the largest among them *Tishreen* and *Al Thawra*. All are printed in Arabic except the English-language *Syria Times*. No reliable figures on newspaper circulation exist; however, *Al Thawra* claims distribution of up to 60,000 and *Tishreen* claims 50,000. *Syria Times* prints only 5,000 copies. Two private newspapers, *Al Watan* and *Baladna,* are owned by senior figures in the regime.

Al Baath newspaper is the official mouthpiece of the ruling party. Parties allied to the Baath in the ruling coalition known

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

as the National Salvation Front, such as the Communist or the Syrian Social Nationalist Party, are allowed small party newspapers. A small number of non-licensed political party newspapers are also published.

Some 150 magazines, mainly sports and entertainment, are published. *Black and White*, published in Arabic by Mohammed Bilal Turkmani, son of the former defense minister and now vice president, is the leading political magazine. *Syria Today*, launched in 2004, and *Forward*, published by historian and journalist Sami Moubayed, are the country's two English-language political magazines.

The state operates two domestic television channels and one state satellite television channel plus one government radio station. State television employs around 4,000 staff. Following the closure of Sham TV, two other private broadcasters have stepped into its place, Sama al-Sham and Al Dunia TV, located in Damascus' free zone.

Access to the Internet has exploded since its slow introduction in 2000. The number of users has grown 40-fold since 2004, with an estimated 2 million users out of a population of 20 million. Since 2005, six operators have shared the market: STE (The ministry of telecommunications), the state-owned Syrian Computer Society, and four private access providers (Aya, Cec-Sy, ZAD, and SyriaTech). However, in an effort to control information, the Internet is heavily filtered.

Ethnic minority media is almost entirely outlawed in Syria, where Arab identity is promoted above all else. Many of Syria's 1.5 million Kurds, the largest minority in the country, continue to live without citizenship, let alone licensed Kurdish-language media.

OBJECTIVE 4: BUSINESS MANAGEMENT

Syria Objective Score: 0.71

Advertising and distribution are both taxed and run by the state, and panelists spoke of the drain on vital revenue that this equals for media management and potential as businesses. Again this year, Objective 4 scored well into the "unsustainable, anti-free press" category, with no indicators managing to score 1.00 or higher.

Long used to the censor's pen, heads of new Syria media, such as Waddah Abd Rabbo, editor of *Al-Watan* newspaper or Mamoun Bunni, head of Sham TV, Syria's first private broadcaster, have said that stifling bureaucracy and heavy taxes are their primary concern.

Outside of Damascus' economically liberal free zone, private media are required to pay 25 percent of all advertising to the state-run Arab Advertising Organization (AAO), established in 1963, as well as a 40 percent tax to the state monopoly Syrian Company for Distribution (SCD). The Publishing Law of 2001 contains an article that bans the gaining of advertising revenue from a foreign state, with prison terms of up to one year.

Inside the free zone, where Al-Watan and new private channels are located, companies must pay taxes to the AAO only for Syrian advertisements or foreign advertisements that mention a Syrian name. Taxes to the SCD remain the same. Such punitively high taxes leave private media struggling to turn a profit and requiring the financial backing of powerful business figures close to the regime.

"The security controls all the media process, from journalism to printing to web sites—even podcasts," said a leading Baath reformer and journalist. "They help the media that cooperate the most through direct cash or through advertisements. They even control the rating agencies."

In addition to hampering the business of media, panelists saw the state control of advertising as detrimental to the growth of a healthy advertising industry. "As all the owners of the Syrian media are the sons of current or former officials, the advertisers advertise with them either to keep them happy or off their backs, and not because the Syrian media has an impact on consumers," said the journalist and rights activist. "Advertisements in Syria are based on the connections of the media owners."

As the lawyer and writer noted: "The link between the local media and the official advertising institute is very negative, because this lack of independence limits the audience, which in return limits the income of the advertisements."

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

In addition to rewarding compliant media with advertising, the state also sponsors all media, both public and private, with cash. The less the media challenges the regime, noted the journalist and rights activist, the more money it will be likely to receive. "In general media projects in Syria are non-profitable and a losing business," he said. "Media in Syria cannot survive without the support of the government."

State media run on government subsidies, making little if any income from advertising.

The Syrian Public Relations Association (SPRA) was founded in 2005 by Nizar Mehoub, former head of the foreign press department at the ministry of information. Its aim was to develop market research and public relations in Syria, which are sorely lacking. The SPRA spent most of its first year arranging huge rallies in support of President Assad after the Syrian army was forced to withdraw from Lebanon. By 2008, with international pressure on Syria easing, the association's activities tailed off. As a leading media researcher put it: "The government doesn't use scientific research in marketing and strategic planning does not exist in Syria."

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Syria Objective Score: 0.70

Syria's media supporting institutions can be considered, in the words of a report by the SCM, as an "integrated system of control." None of the panelists gave any positive score to the question of professional associations protecting journalists' rights. The journalists' union is a branch of the Baath party itself, but membership in the union is required for any journalist to work legally in Syria. Because laws governing the union pre-date the introduction of private media from 2001 onward, journalists working in the private sector are excluded from membership and are thus, technically, illegal. The government thus maintains direct control over the primary media support institution.

"We have never heard of a single time that the union defended journalists or asked to release a detained journalist," said a rights activist and journalist. "Instead its main role is writing security reports against journalists who do not agree with the party line."

As a leading Baath party reformer and journalist pointed out, the head of the union was the editor of *Al Baath* newspaper, the official mouthpiece of the party. The union can be dissolved at the discretion of the ministry of information.

As for NGOs supporting free speech, there are, according to a leading Baath reformer, "no NGOs in Syria, only GNGOs," meaning the government will only license those organizations that it can control.

The leading media watchdog in Syria is the SCM, but it operates without a license (it is licensed in Paris) and its staff members have been prevented from traveling abroad and are regularly investigated. The National Organization for Human Rights in Syria, also unlicensed, is active in monitoring violations of media freedom. Both organizations work alongside a small number of human rights lawyers to defend journalists on trial in the security courts, despite the impossibility of achieving an acquittal.

Reporters Without Borders has a single journalist reporting media violations back to its head office in Paris.

Media training is one of the areas that has seen some improvement over the past few years, reflected in the panelists unusual scoring of the indicator greater than 1.00.

An unprecedented international spotlight shined on Syria following the U.S.-led invasion of Iraq in March 2003 and then focused more directly after the February 2005 assassination of a former Lebanese prime minister. The events led some observers to argue that the regime has gotten on board with the need to train journalists to professional standards. There was a particular sense, said some panelists, that the Syrian media had thoroughly lost the media war with Lebanon in the aftermath of Rafik Hariri's killing, which many Lebanese and their newspapers and broadcasters blamed on Damascus.

Reuters, the BBC, and Egypt's *Al Ahram* have conducted training courses in the last three years, which have focused particularly on state television and radio and on *Al Thawra* newspaper. The National Organization for Human Rights in Syria held training courses for Syrian journalists in and outside

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Syria, including training 50 journalists in Istanbul, on exposing corruption through the media and with Britain's IWPR training journalists in Damascus.

The Syrian International Academy for Training and Development was established in September 2007 jointly between the SPRA and Al Jazeera Media Training and Development Center and offers students a diploma in media and public relations, but is relatively costly.

The University of Damascus, a state-run establishment, offers the only journalism degree, but the course is entirely theoretical and computers and other equipment are lacking. *Al Watan*, the country's first private political daily newspaper, now offers journalism students the opportunity to have work published.

Under the Publishing Law of 2001 all material to be printed in Syria must be submitted to the Information Ministry for approval prior to publication. All printing presses must be registered and present their records to state officials. Distribution of printed media is controlled by the Baath-run General Organization for the Distribution of Publications, which will refuse to distribute newspapers on the orders of the Information Ministry. Pages may also be torn out of publications as a most basic form of censorship.

On at least four occasions from December 2007 through 2008, *Borsat w Aswak*, a business and financial weekly newspaper, was banned from being distributed, having broached the sensitive subject of government mismanagement of the economy.

List of Panel Participants

Note: MSI panelists in Syria agreed to participate only if they were not named publicly. Rather than hold a group discussion that might call attention to panelists' participation in the study, the chapter is based on responses to individual questionnaires and the moderator's individual interviews with the panelists.

GULF

Although the government maintained its monopoly over broadcast media, the number of private newspapers continued to grow, with a new weekly established in June 2008. But in a country of just 1 million people, expansion of the number of publications only made competition for advertising more intense.

BAHRAIN

OVERALL SCORE: **1.76**

Bahrain's media performance in 2008 mirrored the island kingdom's deteriorating political and economic situation. Escalating sectarian rifts shook the country, whose native population is mostly Shiite Muslim but whose ruling family is Sunni Muslims. In the hope of restoring their own professional neutrality and exerting an unbiased influence on society, journalists in Bahrain took an unprecedented step, announcing an anti-sectarian professional code of honor signed by more than 200 journalists and other media workers. A group of website operators sought to fashion a similar code. The Bahrain Ministry of Culture and Information (MOCI) closed down three websites for their clear sectarian discourse, and while members of the press had renounced sectarianism, they opposed the administrative decision and called for a court ruling.

Another galvanizing issue was the government's proposal to amend to Press Law 47 of 2002. The amendments that the MOCI proposed and submitted to the cabinet would abolish imprisonment, including precautionary detention, for violations of the press law. However, they opened the door to much harsher penalties by allowing prosecution of cases against journalists under the penal code and terrorism laws. The proposed amendments frustrated observers, who have long awaited approval of a separate set of amendments that have been tied up in the legislative authority.

Although the government maintained its monopoly over broadcast media, the number of private newspapers continued to grow, with a new weekly established in June 2008. But in a country of just 1 million people, expansion of the number of publications only made competition for advertising more intense. Such unfavorable conditions were reflected in the exit of a number of veteran journalists to more professionally and financially satisfying careers.

Overall, the score this year showed slight improvement. Objective 2, professional journalism, and Objective 5, supporting institutions, showed no change. However, the other objectives did receive different scores compared to last year: Objective 4 (business management) declined by a quarter of a point, while Objective 1 (freedom of speech) and Objective 3 (plurality of news) received moderately higher scores.

BAHRAIN AT A GLANCE

GENERAL

> **Population:** 727,785 (includes 235,108 non-nationals) (July 2009 est., *CIA World Factbook*)

> **Capital city:** Manama

> **Ethnic groups (% of population):** Bahraini 62.4%, non-Bahraini 37.6% (2001 census, *CIA World Factbook*)

> **Religions (% of population):** Muslim (Shi'a and Sunni) 81.2%, Christian 9%, other 9.8% (2001 census, *CIA World Factbook*)

> **Languages:** Arabic, English, Farsi, Urdu (*CIA World Factbook*)

> **GDP (2007):** $15.8 billion (UNDP Human Development Report, 2009)

> **GDP per capita (2007-PPP):** $29,723 (UNDP Human Development Report, 2009)

> **Literacy rate:** 86.5% (male 88.6%, female 83.6%) (2001 census, *CIA World Factbook*)

> **President or top authority:** King Hamad bin Isa al-Khalifa (since March 6, 1999)

MEDIA SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: Five main daily papers; one state-owned Bahrain Radio and Television Corporation (BRTC); Radio: One radio station beaming eight channels with different programming (source: BRTC); Television Stations: One TV station with five different channels along with the main satellite channel, Bahrain TV, that is viewed throughout the Arab world through Arabsat and Nilesat (source: BRTC)

> **Newspaper circulation statistics:** Top three by circulation: *Al-Ayam*, *Al-Meethaq*, *Akhbar-Al-Khaleej*

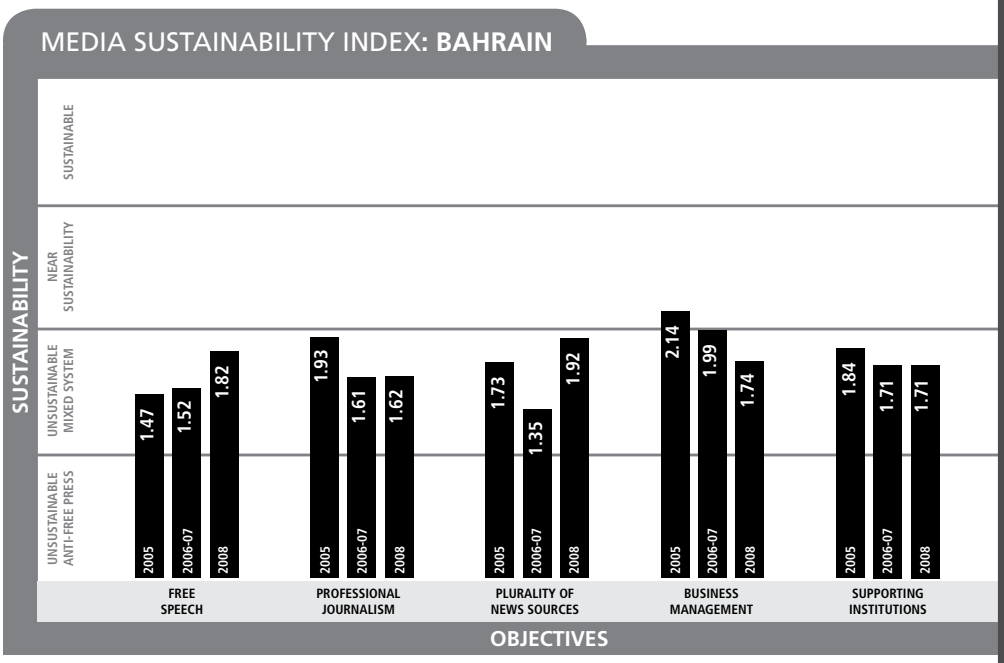
> **Broadcast ratings:** N/A

> **News agencies:** BRTC (state-owned)

> **Annual advertising revenue in media sector:** N/A

> **Significant foreign investment in the media:** None

> **Internet usage:** 402,900 (2008 est., *CIA World Factbook*)



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Bahrain Objective Score: 1.82

Articles 23 and 24 of Bahrain's 2002 constitution guarantee freedom of expression, but several factors can restrict the full exercise of that freedom of expression. For example, Article 23 states that "Everyone has the right to express and disseminate their opinion verbally, in writing, or otherwise in accordance with the terms and conditions specified by the law." However, the same article requires "observing the principles of the Muslim faith and the people's unity, as well as not causing division or sectarianism." Article 24 guarantees freedom of the press, printing, and publishing, but only in keeping with "the provisions of the previous article."

The Journalism and Publishing Law 47 of 2002 organizes press, printing, and publishing activities in Bahrain. Using language similar to the constitution, Article 1 of the law states that "Everyone has the right to express and disseminate their opinions verbally, in writing, or otherwise in accordance with the terms and conditions set forth in the law, all without compromising the principles of faith and the unity of the people, and in a way that does not cause division or sectarianism."

Nawaf al-Sayed, a lawyer who works closely with journalists, said, "Some articles of the Bahraini penal code or the Press, Printing, and Publishing Law are loose and broad. They may have more than one interpretation. Examples include observing the sanctity of the Muslim faith, the unity of the people, or national security—in contradiction with the constitution's stipulations. The interpretation and revision of such restrictions must be addressed in court to regulate controls in a way that contributes to expanding the margin of press and publishing freedom."

However, al-Sayed and other panelists said that they believe that legal norms have shown relative progress, and that Bahrain's judiciary and courts deal positively with the concepts of freedom of opinion and expression. The harshest restrictions on freedom of expression, they concurred, come not from the kingdom's laws but from its beliefs and norms. "Society exercises pressures and imposes freedom restrictions that may exceed those imposed by legislation," al-Sayed said. "There are many red lines. For example, our social reality rejects criticism of the clergy, heads of political associations, or important public figures. We have sometimes witnessed Bahrain's parliament pressuring the media on various issues."

"I can't publish negative news about Gulf and Bahraini ruling families, for example," explained Ahmed al-Abidaly, a researcher and journalist with *Al-Waqt* newspaper.

Ibrahim Bashmi, *Al-Waqt's* editor-in-chief, agreed, saying: "Newspapers bear responsibility for the news they decide to publish. The nature of our society imposes some journalistic traditions, but there is no related legal prohibition. Can I publish in a newspaper the same naked photos [shown] on foreign programs? Our religious and social systems do not accept them."

Al-Sayed contended that press freedoms are subject to legitimate legal constraints, such as restricting coverage of ongoing court cases. "There are certain controls to prevent press publication in order to achieve the higher goal of justice," he said.

Restrictions on the freedom of expression may also come from within media outlets themselves, either to avoid clashes with the authorities that may marginalize them in Bahrain's small community, or for fear of financial damage through withheld government advertising. Panelists estimated that the various government institutions allocate a total of BHD 5-8 million ($13-$21 million) each year for newspaper advertisements. The government can withdraw advertising from any paper that publishes material that these institutions do not want to be made public. Bashmi affirmed that the government withdrew advertisements from his newspaper when an article revealed the inefficiency of one of the ministries. The same is true for the private sector, where advertisers can similarly control news trends.

Al-Waqt writer Ghassan al-Shihabi said he does not foresee an end to political and economic control over free expression

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

in newspapers "as long as top men in newspapers keep frequenting councils and places where they meet senior officials. They do not wish to listen to reprimands concerning what is published in their newspaper. Rather, they want these official circles to be satisfied with them. Such cases are well known in Bahrain. Each newspaper is affiliated to one of the country's dominant politico-economic authorities."

In Bahrain, the MOCI has the authority to issue licenses for newspapers. The state holds a monopoly on broadcast media, so there is no broadcast licensing procedure. A law drafted in 2007 to regulate the broadcast sector still awaits consideration by the legislative authority.

Article 44 of the press law states that "newspapers may only be established when the minister issues a license, and is conditional on the approval of the cabinet." Article 45 requires a minimum of five people to apply for the license. Newspaper companies are registered with the Ministry of Industry and Commerce.

An applicant for a daily newspaper license must have capital of at least BHD 1 million ($2.6 million), while weekly papers are required to have BHD 50,000 ($133,000). In addition, Bashmi pointed out, "An insurance amount of 10 percent of a newspaper's capital is deposited with the information ministry under the claim that it guarantees rights in case of a future lawsuit against the publisher."

According to Mohamed Fadhel, a writer with *Al-Waqt* and secretary general of the Bahrain Journalists' Syndicate, "financial constraints are the greatest impediment to granting the licenses stated in the law." He added that the decision to issue licenses is a political decision, as the cabinet issues the final approvals. Al-Abidaly agreed with Fadhel, noting that the 10 percent set-aside "affects newspapers with little financial resources and impedes the entry of new blood to the media."

Article 51 of the 2002 press law states that the MOCI must decide whether to grant a license within 60 days of application and it must state its reasons in cases of rejection. Lack of a response is an implicit rejection. Proposed amendments to the law would reduce the decision period to 45 days. The Shura Council—the appointed upper house of Bahrain's parliament—has proposed that failure to respond to applications within 60 days would constitute implicit approval rather than rejection, according to Bashmi, who is a member of the council.

Bahrain does not have a tax system except the fees imposed for government services. However, panelists found discriminatory restrictions on the media that did not apply to other activities. Bashmi pointed out that the 10 percent of a newspaper's capital deposited with the MOCI represent a loss because it is "frozen in a bank account. This condition is not imposed on other [industries]."

Journalists have not been the victims of crimes in Bahrain, most panelists agreed, and their security is not threatened except when they are exposed to violence while covering sensitive events that take place during marches or demonstrations. However, Esmat al-Musawi, a writer with *Al-Ayam* newspaper, said that she believes that the word "security" has broader meaning, and that obstructing investigative journalism or threatening to withdraw advertising could be classified as terrorizing the media.

Government-owned media and outlets very friendly to the government enjoy preferential treatment when the government leaks news. Bashmi said that public media, as government agencies, enjoy the possibility of requesting interviews with senior officials and ministers, who likewise will often ask to be interviewed on public media. He pointed out that the government appoints officials in the state media.

Libel cases are currently tried in criminal courts. Regarding libel of public officials, Article 72 of the Journalism and Publishing Law 47 of 2002 states: "Publishing material that questions the acts of a civil servant, a person who enjoys public parliamentary capacity, or a person performing public service that involves defamation renders the editor-in-chief and the writer subject to the libel penalty stated in the penal code, unless the published incidents were verified and related to the profession or service."

Under the penal liability chapter of Law 47, journalists can be punished with imprisonment for between six months and five years for acts related to addressing religion or the king, or acts that incite crimes and overthrowing the regime. "The king and prime minister refuse the imprisonment of journalists, but the current law is not opposed to it," Shihabi pointed out.

Al-Sayed, the lawyer, said that "journalists who commit defamation are punishable under the law similar to other citizens." He added that judges seem to favor journalists if libel is proven to be without malice. Al-Sayed also pointed out that the burden of proof is on the plaintiff, not the defendant. Bashmi concurred: "It is the responsibility of officials to prove a journalist's ill intention. I do not have to prove my good intentions… Acquitted journalists have the right to demand civil compensation."

The MOCI in 2008 submitted to the cabinet a package of amendments to the press law that would abolish imprisonment, including precautionary detention, for libel cases brought under the press law. Prior censorship of domestic publications was also abolished, restricting it to imported publications. But press freedom advocates expressed disappointment with the proposal, saying that even as it removed the possibility of going to prison for press law violations, libel would be easier to prosecute under other laws—including the criminal code and terrorism laws—that carry harsher prison sentences.

The cabinet approved the MOCI amendments on World Press Freedom Day, May 3, 2008, and referred the draft law to the Legislative Authority for consideration during its next session, which began in October 2008.

"The issue of libel is somewhat complex in Bahrain because many journalists were previously political activists rather than media professionals," Shihabi explained. "Thus, their treatment of issues lacks balance, while they are unaware of legal considerations."

Blogger Mahmoud al-Yusuf, owner of the Mahmoud Den website, criticized treating libel as a criminal offense. "At the international level, libel cases are civil rather than criminal," he said. "Even if a journalist harshly criticizes a public official, it is not considered a crime internationally. The dominant philosophy in other countries is that public servants serve the people and thus accept criticism."

The 2002 press law guarantees free access to information. Article 30 gives journalists "the right to obtain information, statistics, and news available for dissemination, from their sources, in accordance with the law." Journalists also have the right to publish the information they obtain. Article 31 prohibits "the imposition of any restrictions that may impede the flow of information or prevent equal opportunities among various newspapers in obtaining information or that may disrupt the right of citizens to information and knowledge, all without prejudice to the requirements of national security and defending the homeland." The law also protects journalists and their sources through Article 30, as it does not allow for "the opinion issued by a journalist or the correct information they publish to become reason for jeopardizing their security. Moreover, journalists may not be forced to disclose their sources of information, all within the limits of the law."

However, panelists agreed that these guarantees do not meet acceptable standards, as their loose wording lends them to more than one interpretation. Moreover, failure on the part of officials to provide information is compounded by ignorance on the part of journalists of their legal rights to information.

Al-Musawi said that she believes that officials are frequently reluctant to disclose information for fear of jeopardizing their positions. "It is a real problem for journalists, because officials fear for their chairs," she said. "I sympathize with [journalists] because the higher [the official] position, the further away they want to stay from the press."

However, Shihabi said that obtaining information has become easier over time. Since establishment of a parliament in 2002, he said, "Shura Council and parliament members obtain accurate information from officials, which guarantees a reasonable flow of information to journalists." *Al-Watan* journalist Fatima al-Hajari agreed, saying: "Representatives now share the role of posing questions to officials with journalists, with the difference that answers are not obligatory in the case of [those coming from] journalists. Journalists can use the information provided by answers to queries made by representatives."

Panelists agreed that the government places no restrictions on accessing international news, either through the Internet—available to all professional journalists—or through the news agencies to which newspapers subscribe. However, Bashmi said that costly subscription rates may be an obstacle to emerging newspapers. He pointed out that the average annual news agency subscription costs about BHD 80,000 ($200,000).

Journalists can disseminate information from external media in accordance with re-publishing and intellectual property rights laws. Actual news selection, however, is based on personal evaluation and the extent to which the news approaches so-called red lines.

Panelists also agreed that the authorities do not interfere with the selection of newspaper personnel. They acknowledged that journalists must register with the MOCI, which issues a press card to be presented on demand when covering news. Fadhel said that authorities abuse the issuance of permits in the case of foreign correspondents. Because of "complicated procedures and the absence of criteria, the legal authority to accredit reporters can be exploited if the government so wishes," he said.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Bahrain Objective Score: 1.62

Despite the presence of seven daily and two weekly newspapers, the media still lack professionalism. "Poor professionalism represents one of the fundamental weaknesses of Bahrain's press and media," said Fadhel, who heads the Bahrain Journalists' Syndicate. He lamented that "in general, there are no professional traditions entrenched in newspapers, despite the courage in addressing some issues and the freedom in presenting controversial topics."

Panelists agreed that those working in local media have low standards and need further education in neutrality, objectivity, balance, and how to search for information. "The press suffers from the lack of professionalism in general. Journalists need a lot of training," Mussawi said.

Al-Hajari said that "the growing market demand and the scarcity of journalists led to the entry of many people to the profession without giving them real training opportunities. Newspapers do not care for professional standards. It is easy

for journalists to join a press institution and have their names in the paper the following day."

These problems are compounded when journalists allow their own political and sectarian affiliations to affect their work. Adel al-Marzouk, a journalist with *Al-Wasat* newspaper, said that "professional inadequacy was apparent to a large extent in sectarianism," which led the Bahrain Journalists' Association to draft a code of ethics, called Journalists Against Sectarianism, which was adopted on May 3, 2008.

Shihabi said that newspaper management is also to blame for the lack of professionalism. "Newspaper managers do not pay attention while journalists destroy professionalism [because of their] party or sectarian affiliations, which are stronger than professional affiliation." He added that "journalists are often hasty and ignore other points of view related to topics they cover."

Despite the adoption of the anti-sectarian code, Bahraini journalists do not have an official code of ethics. Al-Mussawi said that those in charge of media institutions should prepare a written, unified code of ethics outlining media's general principles, moral responsibility, and professionalism.

Panelists said the lack of a code has led some journalists to accept gifts under various pretexts. "Some receive a number of computers annually," al-Hajari said. Bashmi said that some news sources pay monthly salaries to some journalists. Al-Musawi said that such ethical breaches need to be exposed, but that newspaper managers instead turn a blind eye to them, forgetting that they undermine a journalist's professionalism or a newspaper's credibility.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

Panelists affirmed the presence of self-censorship for many reasons, some rooted in the Bahraini press, others in customary relations between official agencies on the one hand and newspapers and journalists on the other. "Self-censorship is not linked to modern issues, such as losing a job. It is linked with a cultural tradition that belongs to decades of repression, the lack of freedom, individualism, the fear of individual initiative, and the deep-rooted terror of the state's unlimited power," al-Abidaly said.

Bashmi said editors-in-chief are forced to practice self-censorship and pass it on to editorial staff below them. This is not, he said, because of fear of accountability and dismissal from their position, which might only happen as a result of cases of inexcusable acts. Rather, they practice self-censorship because ministers or officials personally call them at 7 a.m. and exert pressure when they see a topic that touches them or their ministries. He added: "In the small community, one must endure things because of social characteristics. Small [considerations] unrelated to the state or the law interfere. This is where social responsibility should come in."

Panelists said journalists choose not to publish information that may already have been published by foreign media if it relates to topics that go beyond Bahrain's red lines. In such cases, publishing would be considered tantamount to defamation or placing a person under the media spotlight. Al-Sayed explained that Bahrain has no laws governing such behavior, but it is a matter of local custom or the standards of an individual journalist or newspaper. "Those who only repeat blasphemy in newspapers are still considered infidels," he said.

Most panelists agreed that the media enjoy freedom to cover major events and issues. They acknowledged, though, that some factors interfere with the freedom to write about certain topics. "Journalists suffer from the dominance of capital owners through the familiar tool of pressure, which is commercial advertising in the case of the private sector, and the issue is similar with government advertisements," al-Marzouk said. He pointed out that his newspaper, *Al-Wasat*, was deprived of advertising from the Electricity and Water Authority and the telecommunications company, which combined represented 2 percent of the paper's total income. Advertisers can control editing and freedom of expression in newspapers on certain topics.

Editors do not prevent journalists from covering external events, but they do not spend money to send correspondents overseas. Instead, they use paid news services and the Internet.

Media wages are low, although the establishment of new papers in close intervals and the scarcity of journalists

are changing that reality. Media workers are not given benefits or annual raises like those given in government and other private organizations. Most panelists agreed that this situation has had differing effects on media workers in general, and journalists in particular. A large number have abandoned the profession in favor of more rewarding careers, while some work as part-time journalists. The media sector has therefore lost the generation that could have trained the coming generation of journalists.

"The last year in particular has seen a large number of veteran and new journalists leaving the profession to more stable and generous fields," Shihabi said. "This demonstrates that newspapers failed to fulfill the professional and material aspirations of journalists." Al-Musawi agreed, saying: "Journalism is not a profitable profession. That's why journalists leave it to pursue other careers."

This deterioration in the financial situation of journalists has led them to search for additional sources of income. "As a result of financial issues, a number of journalists found themselves obliged to perform paid work for official political circles or as writers for parliament and Shura Council members," Shihabi said. "Those who write for a member in secret must also write for them in public." He cited an incident in which a number of journalists were about to file a lawsuit against a former Shura Council member because he had "exploited" them to write speeches, then failed to pay the agreed amount.

Al-Abidaly said that he does not believe salaries are low, but they are not high enough to render recipients comfortable.

Most panelists agreed that newspaper management and readers prefer serious news to entertainment, lifestyle, and social news. Al-Musawi cited her own work as an example. She writes one column a week on a human interest topic related to love and life, while her daily column for the rest of the week addresses political, social, and economic topics. She said she was faced with attack and ridicule by those who considered the weekly column beneath the level of her political writing.

Bashmi said the proportion of entertainment news does not exceed 15 percent of the content of a newspaper. "There is no balance between entertainment and serious news," he said.

Journalism and printing establishments employ modern technology and equipment. Print media companies provide journalists with computers and fixed telephone lines, in addition to a communications bonus for the use of mobile phones. Some journalism outlets provide reporters with laptop computers to take to interviews. Moreover, newspaper managers possess modern equipment that can produce exceptional work.

OBJECTIVE 3: PLURALITY OF NEWS

Bahrain Objective Score: 1.92

Bahrain has many public and private news sources, including newspapers, official broadcast media, international satellite channels, and the Internet.

There are six daily Arabic newspapers: *Akhbar Al-Khaleej*, *Al-Ayyam*, *Al-Wasat*, *Al-Mithaq*, *Al-Watan*, and *Al-Waqt*. The weekly newspapers are *Al-Ahd* and the recently established *Al-Naba'*. A seventh daily newspaper, *Al-Bilad*, was founded late in 2008. The newspapers focus on local news, and have much to cover amid the relative openness of the past seven years.

The income levels of most Bahrainis allow them to purchase daily newspapers, and everywhere in the country one can see newspaper subscriber boxes at the entrances of houses.

According to Bashmi, the maximum local newspaper circulation is estimated at 12,000 copies each. Publishers do not disclose minimum circulation. The Internet vastly increases readership. "There is a big difference between the number of copies distributed and Internet access. Daily visitors may reach 50,000," Bashmi said.

The government does not own any newspapers, but it continues to monopolize broadcast media.

Websites are considered a part of Bahraini media, although their credibility is questionable. "I do not consider online news sources reliable," Shihabi said. "Moreover, due to the affiliations of those in charge of them, some do not observe professional standards." Al-Hajari agreed: "Websites are politicized and can often be termed 'yellow journalism' because they lack balance. Thus, they are not up to professional documentation and information standards."

Bahrain has 500 registered websites, and unregistered ones far exceed that number. Villages are increasingly starting their own websites. Each village has at least three sites, the majority of which are unregistered and address public issues and news from their own perspective rather than addressing village-specific news.

The persistence of unbalanced discourse on some websites recently led Information Minister Jihad Bukamal to issue an administrative decree suspending three sites on charges of sectarianism. At the invitation of the cabinet, a committee was formed, headed by the interior minister with representatives from the Ministry of Justice and Islamic Affairs, the MOCI, and persons the ministry deems appropriate to monitor adherence to relevant laws. Prime Minister Sheikh Khalifa bin Slaman al-Khalifa has said that he "will not tolerate any transgression from platforms, newspapers, or websites against national

values and constants, particularly with regard to His Highness the King, the Crown Prince, national unity, the issue of sectarianism, and Bahrain's Arab identity."

The number of Internet users in Bahrain reached more than 400,000 in 2008. "Internet is widespread in Bahrain, and Internet services are affordable," al-Abidaly said. He added that "there are no restrictions on accessing and contacting written and audio foreign news. High prices no longer represent an obstacle to accessing regional and international newspapers, as long as the Internet is available to the vast majority."

Al-Yusuf, the blogger, disagreed. "Some foreign sites are banned, such as missionary, atheist, and some political sites… I told the information minister that anyone who shuts websites risks looking like a fool. The minister agreed, but officials said it was necessary to have state-banned sites."

Al-Yusuf noted that 26 websites are blocked in Bahrain. When al-Musawi cited the blocking of the Google Earth site, al-Yusuf explained that "the site was closed for one day, then reopened, because it would be difficult to actually control people's access. Violations continue, however."

Official media is not independent of the state, as official news accounts for most radio and television coverage. Bashmi said that state television "broadcasts interviews with important and controversial figures, as is the case with the program *The Last Word*, hosted by journalist Sawsan al-Shaer, and *The Balance*, which hosts opposition figures from various spectrums of society."

Other panelists disagreed, pointing out the existence of an official censor. "There is an official interior ministry censor on the program *Bahrain in the Morning*," Fadhel said. "I do not know if this system continues until now, but it was there in 2002." Shihabi said: "The radio program *Keep Us on Your Mind* was banned because it addressed potentially prohibited issues."

Al-Mussawi said she sees a link between the way the rest of the world views Bahrain and the way the government addresses the issue of freedoms, including media freedoms. "The freedom that the state allows the media fluctuates," she said. "When the state index drops in international reports, the state improves media freedom on some programs, even as an exception."

Despite the presence of the Bahrain News Agency (Bahrain's only news agency, operating under the umbrella of the Ministry of the Interior), it is only used for official news. Journalist Shihabi said: "Government media do not cover all viewpoints, but rather those of the entity that funds official agencies, namely the government. However, they sometimes present some anti-government positions in the parliament without a quantitative balance with what the official side presents." Newspapers, on the other hand, depend on their correspondents and the international news agencies to which they subscribe for access to international coverage.

According to Bashmi, subscribing to foreign agencies is costly but necessary to follow and deliver news to readers. The agencies are used in a way that observes intellectual property rights: The name of the agency is mentioned in the byline or the agency is referred to when its news story is used.

Electronic commercial registration systems maintained by the Ministry of Industry and Commerce's Investors Center allow everyone to identify newspaper owners and investors. Panelists said that they believe that some of the names registered may be fronts for political forces that want their own media outlet but prefer not to be directly visible. However, in Bahrain's small society, interested parties can obtain information about ownership one way or another.

The government has sole authority to invest in broadcast media.

Despite the apparent non-interference of newspaper owners in editorial content, newspapers in fact must consider owners, as seen when some papers refrain from publishing news about certain companies controlled by owners for fear of angering them.

Newspapers generally address all local and regional issues, with less attention to external news. Moreover, Bahrain has no newspaper for minorities. Only reprints of Sudanese and Indian newspapers not edited in Bahrain are available for members of those communities.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

OBJECTIVE 4: BUSINESS MANAGEMENT

Bahrain Objective Score: 1.74

The continuing establishment of new newspapers suggests that they are potentially successful business ventures. This is what prompted the creation of a second weekly paper in mid-2008, and a seventh daily by year's end. Bashmi said that established papers have flourished, while newly established ones suffer from slow commercial progress. Mussawi said that although newspapers are good businesses, "stable newspapers no longer develop professionally, but rather become lax and stick to a rigid approach."

Panelists held differing views on the quality of media management in Bahrain. Bashmi said that he believes that newspapers are run well. Fadhel said that independent media projects are profitable businesses, but their "management methods have only evolved slightly." He pointed out that "the profitability now sought by press institutions leads to succumbing to economic influence groups, such as major companies."

Newspapers depend mainly on two sources of income: advertising and circulation. According to Bashmi, 80 percent of income comes from advertising and 20 percent from circulation.

Media industry personnel believe that newspapers suffer from financial pressures that render them susceptible to the influence and control of advertisers, be they private companies or the government, which considers advertisements a type of indirect support. In fact, the proliferation of newspapers has served to congest the market. As the readership pie is divided among a larger number of papers, advertisers gain the upper hand in controlling editorial material, which undermines independence. "Media projects were supposed to be good business ventures run in a purely commercial way," Shihabi said. "However, owing to weak organization and funding, they shortly start to seek the largest number of advertisements, which renders them vulnerable to losing their independence and giving up fixed values in order to stay alive."

"Yes, advertising affects editorial material," Bashmi said. "Newspapers waive standards for major advertisers. In return for regular advertising with the paper, there is a bank which asks that a photo accompanied by bank news be published on page 1. Its demand is met."

Fadhel said that "the relationship between press institutions and advertisers, particularly major advertisers, is currently dysfunctional. Press institution owners have no vision to defend their independence without giving in to advertiser pressures."

Panelists affirmed that government media are less vulnerable to arm-twisting than private media.

The Bahraini advertising market is relatively small compared to other states in the Persian Gulf region. "The evolution of advertising in Bahrain is estimated at half that of the United Arab Emirates and Qatar," Bashmi said. "Bahrain's position in the gulf has also retreated, in terms of advertisement spending, from fourth to fifth position, even though we previously enjoyed higher growth rates."

Bashmi said that an ideal division of advertising to editorial content would be 40 percent to 60 percent but that "newspaper advertisements here represent 15 percent [of space], compared to up to 60 percent in other gulf countries."

According to Bashmi, there are about 60 advertising agencies in Bahrain. "International advertising agencies control 80 percent to 90 percent," he said. "Without them, there would be no Arabic press."

The government allocates funds for public media in the MOCI budget, but according to the panelists, it does not grant financial assistance to newspapers, which are all private. "The last grant was given to *Al-Ayyam* newspaper, which was established in the late '80s," Bashmi said. "The government also gave special assistance to *Al-Mithaq* newspaper, but there is no publicly announced state assistance."

Marzouk, on the other hand, concluded that government assistance either exists or is available, because at an editors' meeting in 2007, participants were asked to pledge not to request or accept any government assistance. Two newspapers refused.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

Al-Abidaly said: "Official policies no longer provide direct assistance to media institutions… However, the government spends about $21 million annually on advertising, which constitutes a means of influence."

Indeed, newspapers receive direct support from the government in the form of full-price subscriptions and advertising. However, this official support comes at a price, Bashmi said: "Government ministries and institutions have suspended advertisements after the publication of articles that criticized their policies and performance, despite the presence of a system of equally dividing government advertising among newspapers."

The two regional institutions that research and evaluate media outlets are used by all of Bahrain's newspapers, as well as advertising and public relations agencies. The institutions evaluate newspapers and their performance based on research results, but they do not enjoy any credibility among media workers. According to Shihabi, "despite the large size of the two institutions, they are known to serve anybody who pays them. They manipulate issues to suit their clients. Advertising agencies are aware of this but accept it, because interests are interlinked."

"Annual evaluations conducted by classification and research institutions are gathered in a book about media situation indicators," Bashmi said. "Regardless of its credibility, advertising and marketing agencies depend on it when classifying newspapers and media to advise clients."

Research and development are not commonly practiced by newspapers. "Newspapers that have the funds will conduct studies, while newspapers that need the studies do not have the financial ability to do so," Bashmi said.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Bahrain Objective Score: 1.71

Panelists agreed that professional support institutions in Bahrain are not effective. There is a Journalists' Association, from which the Bahrain Journalists' Syndicate split over disagreements regarding membership terms. The syndicate lost most of its members partly due to ineffectiveness and partly because half of its board of directors left journalism for other occupations. Panelists agreed that the Association also is ineffective, except in appointing lawyers to help journalists. "The journalists' association exists, but does not provide anything to journalists," said Al-Mousawi, a former financial secretary for the Association.

Panelists also consider the Association not independent. "The association receives annual sums from the government as support for its work," said Fadhel, who heads the syndicate. "The headquarters is also leased from the ministry, which is certain to affect its independence." Marzook, a member of the Association's board, said that "professional institutions in Bahrain are weak and a subject of controversy among journalists. Their effectiveness is less than it should be."

The bar association and civil society institutions concerned with human rights work closely with journalists. For example, a number of lawyers have volunteered to defend journalists or other media people in courts, an effort organized by the journalists' association and syndicate. The Bahrain Center for Human Rights (BCHR) issued a statement of opinion on the MOCI's draft amendment to Law 47 regulating the press and publishing. Despite welcoming some of the draft's amendments, which it considered a step forward, BCHR stated that others "affected the essence of the right to freedom of expression and opinion and constituted a violation of Article 19 of the International Covenant on Civil and Political Rights, which guarantees the freedom to receive and impart news."

Bashmi, however, accused these institutions of not being serious about legal support for journalists. "I got no reply to my formal request for legal advice from the lawyers' association on the constitutionality of abolishing the imprisonment of journalists," he said. El-Sayed, the lawyer, explained that "voluntary work is not sustainable, as volunteers lose enthusiasm after awhile."

The University of Bahrain offers a bachelor's degree in media and public relations, and other national universities

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

offer similar academic degrees. However, press institutions complain that graduates lack journalism and media skills because the majority focus mainly on public relations. Al-Shihabi noted that the demand for journalists is greater than the supply, mainly because many move to other careers after acquiring practical experience. This has led to recruiting journalists from other Arab countries. Thus, he said, the profession "may suffer in the future from the absence of journalists who grew up in the profession until they reached top editorial positions."

Civil society organizations organize training courses for journalists, but there is little demand for them for several reasons, including workloads and pressures on journalists and the failure of media companies to promote the journalists who receive training. "No one attended the four-day legal training seminar that the lawyer's association had organized for journalists, although it was free," el-Sayed said.

Media organizations and institutions, particularly foreign ones such as Internews and Reporters Without Borders, often offer short courses. The MOCI also organized a number of short courses last year on economic and investigative reporting, part of a plan to organize 12 courses annually. But Al-Musawi criticized the ministry for bringing trainers from outside Bahrain, rather than using veteran local journalists to train new reporters.

Press institutions do not consider training a priority but do not mind that employees attend courses inside or outside Bahrain, particularly if costs are covered by the host. "The main reason for institutions' lack of attention is that training is not a main objective in the vision of press organizations themselves," Fadhel said.

Bashmi defended institutions, saying: "We pay the labor ministry for training. We have journalists learning English, while others participate in advanced production courses. The MOCI attracted Arab media professionals to provide training, but journalists lack self-motivation and fail to commit to participation."

Bahrain has four printing presses that print the daily newspapers. Three publishing houses own their presses: *Al-Ayyam*, *Akhbar Al-Khaleej*, and *Al-Wasat*. *Al-Watan* is expected to operate its own printing press in the near future, and *Al-Waqt* and *Al-Mithaq* have placed printing orders with *Al-Ayyam*.

Newspapers that do not own printing presses face difficulty in pursuing coverage of news until the last minute before going to print. Bashmi, of *Al-Waqt*, said: "I do not have a printing press, and I have to submit supplements early. The cost of printing represents a major obstacle for me."

Presses obtain paper from outside Bahrain. "Importing paper is a purely commercial operation," Bashmi said. "Paper imports are subject to a 5 percent tax, as is the case with most imports. Newsprint is no exception."

Distribution is organized by each newspaper. "Bahrain lacks a professional distribution network," al-Abidaly said. "Each newspaper has its own distribution network, thus adding to its cost. We hear from time to time about foreign companies setting up a distribution company."

List of Panel Participants

Abdulhadi Al-Khawaja, director, Bahrain Center for Human Rights, Manama

Ali Abdulemam, moderator, Bahrain Online (bahrainonline.org), Manama

Abdulaziz Abul, member, Council of Representatives, Manama

Ebrahim Bashmi, editor-in-chief, *Al-Waqt*; member of National Charter Action committee, Manama

Essa Ghayeb, lawyer and activist, Human Rights Society, Manama

Isa Al-Shaiji, editor-in-chief, *Al-Ayam*; director of the Bahrain Journalists Association, Manama

Mahdi Rabea, journalist, *Al-Ayam*, Manama

Mohamed Al-Ghasra, journalist, *Al-Watan*, Manama

Mohamed Fadhel, writer and consultant, *Al-Waqt*, Manama

Esmat Almosawi, journalist, columnist, *Al-Ayam,* Manama

Ghassan Alsihabi, columnist, member, National Charter Action Committee, Manama

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Radi Almosawi, journalist, *Al-Waqt*, Manama

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Mahmood Alyousif, blogger, Mahmood's Den, managing director, Gulf Broadcast and Professional Systems, Manama

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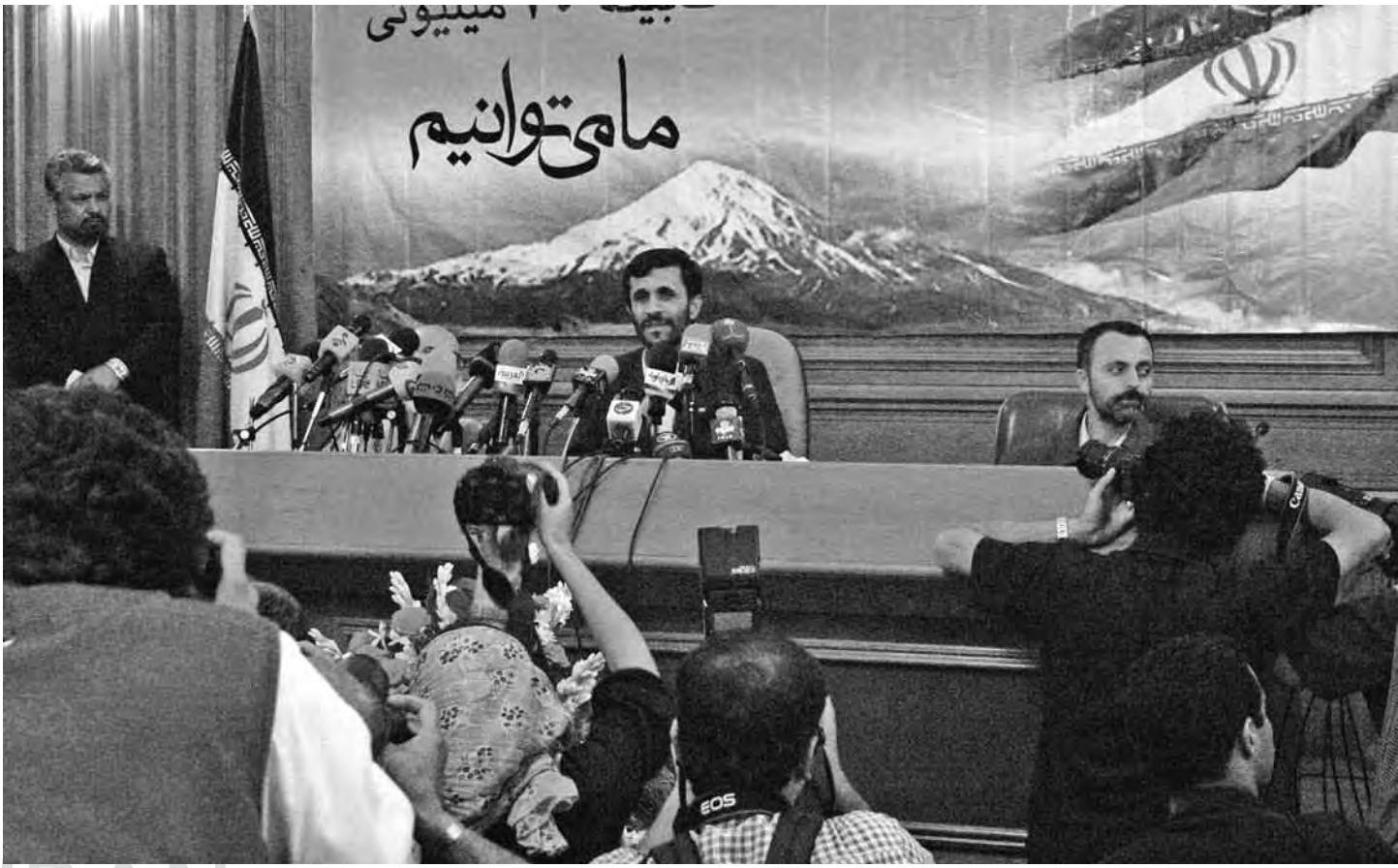
The Bahrain study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat, Oman.

According to Reporters Without Borders, Tehran's chief prosecutor Said Mortazavi is in regular touch with newspaper editors "to demand their silence on some subjects and to dictate their front page to them."



IRAN

OVERALL SCORE: **1.16**

The confluence of several negative developments affected the media adversely in 2008. President Mahmoud Ahmadinejad's government continued to clamp down on civil society, freedom of expression, and the media, detaining more than 30 journalists and putting more pressure on minority-language publications and writers. In the second half of 2008, as Iran moved closer to its June 2009 presidential elections, the government shut down two of Iran's most prominent reformist publications, the daily *Kargozaran*, and the weekly *Shahrvande-Emrooz*. Then in late 2008, it shut down seven arts and culture publications in one day.

In all, about thirty publications were shut down in 2008, many of them in minority-concentrated areas such as Kordestan, East and West Azerbaijan provinces, and the regions in the south populated by Iranian Arabs.

In August, Iran's conservative parliament reversed a 2004 law that guaranteed a randomly selected jury from the general public for media crimes to its former 2000 version, which mandates that the press jury be handpicked by heads of conservative government organs.

Also over the last year, the Supreme Council for National Security fully standardized its procedure of controlling media coverage through directives sent to newspaper editors. According to Reporters Without Borders, Tehran's chief prosecutor Said Mortazavi is in regular touch with newspaper editors "to demand their silence on some subjects and to dictate their front page to them."[1] These directives became so frequent over the last two years that the Association of Iranian Journalists (AoIJ) issued a statement protesting the illegality of this procedure. Not long thereafter, in June 2008, the Ministry of Labor announced that the AoIJ, which had been actively working for the rights of journalists since 1999, would be dissolved.

The launch of new foreign entrants into the market, chief among them BBC Persian TV, caused the migration of young Iranian journalists to Persian-language media abroad in 2008. There is no exact data, but some sources estimate that more than 500 journalists have left Iran for positions abroad. The new foreign channels broadcast uncensored news and programming into Iran that Iranian media is unable to provide for viewers. However, this migration means there are fewer journalists left inside Iran who are willing to push the envelope. The government has in effect silenced the media and civil society so effectively that it is now virtually unchallenged, and dictates the parameters under which the media is allowed to operate.

Despite a large degree of adversity, journalism remains a prestigious career field, as demonstrated by the large number of university journalism graduates. It appears that the more restrictions Iranian journalists have to put up with, the more value they see in their own profession, and the harder they work on improving their craft.

[1] Reporters Without Borders, 2008 Iran Annual Report, http://www.rsf.org/en-rapport153-Iran.html

IRAN AT A GLANCE

GENERAL

> **Population:** 66,429,284 (July 2009 est., *CIA World Factbook*)

> **Capital city:** Tehran

> **Ethnic groups (% of population):** Persian 51%, Azeri 24%, Gilaki and Mazandarani 8%, Kurd 7%, Arab 3%, Lur 2%, Baloch 2%, Turkmen 2%, other 1% (*CIA World Factbook*)

> **Religions (% of population):** Muslim 98% (Shia 89%, Sunni 9%), other (includes Zoroastrian, Jewish, Christian, and Baha'i) 2% (*CIA World Factbook*)

> **Languages (% of population):** Persian and Persian dialects 58%, Turkic and Turkic dialects 26%, Kurdish 9%, Luri 2%, Balochi 1%, Arabic 1%, Turkish 1%, other 2% (*CIA World Factbook*)

> **GNI (2008-Atlas):** $251.5 billion (World Bank Development Indicators, 2008)

> **GNI per capita (2008-PPP):** $10,840 (World Bank Development Indicators, 2008)

> **Literacy rate:** 77% (male 83.5%, female 70.4%) (2002 est., *CIA World Factbook*)

> **President or top authority:** Supreme Leader Ali Hoseini-Khamenei(since June 4, 1989)

MEDIA SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: About 500 national publications; Radio: 9 national stations, and more than 100 local stations, all state-owned; Television: 6 national TV stations in Persian, 1 Arabic station, the *Sahar* network in various languages, and 1 English news network (all state- owned)

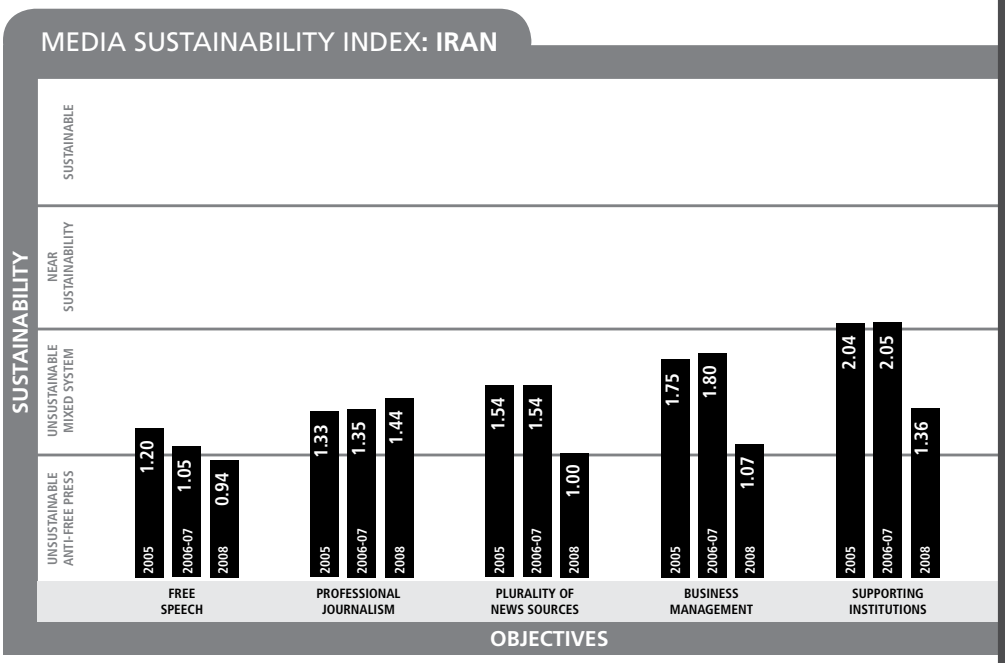
> **Newspaper circulation statistics:** Largest paper in terms of circulation is the governmental *Hamshahri,* at a circulation of about 300,000 to 400,000, followed by the governmental *Iran* and *Jame-Jam;* published circulation numbers are not available, though it has been estimated that the daily circulation of newspapers lies at around 3 million. The reformist daily with the largest circulation is *Etemade-Melli* with about 42,000, followed by *Etemaad* with a circulation of about 30,000

> **Broadcast ratings:** *Payam Radio* is generally believed to be the most popular radio station, followed by *Javan Radio* (Youth Radio); overall broadcast ratings are not available

> **News agencies:** IRNA, ISNA, IRIBNEWS, ITNA, Moj News Agency, Qods News Agency, ISCA, IPNA, IANA, SNN, Advar, Aftab, Fars, Mehr, Raja, Rasa, Alborz, Press TV News, Cultural Heritage News Agency, Ana News Agency, Arya News Agency, Center for Young Journalists News Agency, Shabestan News Agency, IKNA- Quranic News Agency of Iran, Shana-News Agency of Oil and Energy, Resa News Agency, Iran Book News Agency, Pana News Agency (Center for Student Journalists), ITKA News Agency.

> **Annual advertising revenue in media sector:** N/A

> **Internet usage:** 23,000,000 (2008 est., *CIA World Factbook*)



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

Due to the repressive environment in Iran, IREX did not conduct a panel discussion in Iran. This chapter represents research conducted on the situation and discussions with various professionals knowledgeable about the situation in Iran. The names of those contacted will not be published to protect their personal security. This chapter therefore provides a summary of the state of the media in Iran.

OBJECTIVE 1: FREEDOM OF SPEECH

Iran Objective Score: 0.94

Since the election of President Ahmadinejad in 2005, there has been an intensified crackdown on freedom of expression in general, and on the press in particular. This is a reversal of the trend that began during the two-term presidency of reform-minded President Mohammad Khatami. Although more than one hundred newspapers were shut down in 2000 after the "spring of freedom," the government was aspiring to ideals of greater freedom. Now, not only do moderate publications get shut down frequently, but the government has also reversed the social and political trend toward greater democratic aspirations by suppressing civil society.

In both letter and spirit, Iran's constitutional provisions fall short in fully guaranteeing free speech and freedom of expression for the media. At the very least, they leave a lot of room for interpretational abuse. The constitution was adopted following the 1979 revolution, and amended again in 1989, after the country's devastating 8-year war with Iraq. For years, experts and journalists have argued that Iran's constitution, in its Article 24 titled "Freedom of the Press," provides the necessary protection for the media's freedom of expression. The article reads, "Publications and the press have freedom of expression except when it is detrimental to the fundamental principles of Islam or the rights of the public. The details of this exception will be specified by law."

The constitution, in Article 23, also states that "the investigation of individuals' beliefs is forbidden, and no one may be molested or taken to task simply for holding a certain belief." However, Iran's press is discriminated against based on the views and beliefs of its writers and editors. Reporters charged with inciting the public to act against the Islamic Republic have been thrown in jail without justification.

The Iranian Press Law was formulated in the first parliament following the revolution, amended in 1986, and set the legal framework for media activity in Iran. The government frequently uses clauses under Article 6 of the Press Law to prosecute "offenders" and limit freedom of expression. Many of these clauses are vague and open-ended, and include phrases that vilify journalists for "publication of issues that are against Islam and damaging to the foundation of the Islamic Republic," or "inciting people or groups to perpetrating acts against the security, honor, and interests of the Islamic Republic of Iran inside or outside of Iran."

In 2000, the outgoing conservative *Majles*, or parliament, ratified a set of amendments to the Press Law that dealt a serious blow to the rights of media. As noted in last year's report, the Press Supervisory Board expanded by two members, guaranteeing a conservative majority. The two new members were determined to be a seminary professor from the religious city of Qom, and a member of the Supreme Council of the Cultural Revolution, a body responsible for promoting the role of Islam in the cultural field.

Article 34 of the Press Law requires that press offenses be prosecuted in a general court before a specially constituted press jury. Under articles 12 and 36 of the Press Law, prosecutions are initiated by a council within the Ministry of Culture and Islamic Guidance, which is empowered to refer cases to the press court. But in many instances, other courts have been used to punish media professionals. Additionally, newspapers and media outlets are often closed down by an administrative order, by the special court for clergy, as well as by the revolutionary court despite the constitution's stipulation in article 168 that "political and press offences will be tried openly and in the presence of a jury…"

More often than not in the past three decades, journalists have been tried in closed sessions, without jury, and sometimes even by the revolutionary court, which does not even have a jury in its makeup. The practice of trying journalists without a press jury became more frequent after the 2000 amendments, one of which stipulated that not only the editor-in-chief would be held responsible for published material, but also writers. According to the 2008 Freedom House Report, the Press Court has extensive power to prosecute journalists for such vaguely worded offenses as "insulting Islam" and "damaging the foundations of the Islamic Republic." But acting authorities do not bestow the benefit of jury trials on writers, and try them as criminals according to the Islamic penal code on libel (Article 697).

Since 2008, Iranian intelligence and security forces have detained a number of important women's rights activists, journalists, students, and human rights defenders, often charging them with "acting against national security." The courts have typically convicted activists on these charges and sentenced them to lengthy prison terms. Some prominent examples include Mohammad Sadiq Kaboudvand, a Kurdish journalist and founder of the Human Rights Organization of Kurdistan, Emadeddin Baghi, journalist and founder of the Association for Defense of Prisoners' Rights, Zaynab

More often than not in the past three decades, journalists have been tried in closed sessions, without jury, and sometimes even by the revolutionary court, which does not even have a jury in its makeup.

Bayazidi, a 26- year old journalist and women's rights activist, and Parvin Ardalan, a leading women's rights activist and winner of the 2008 Olaf Palme prize. Nahid Keshavarz, Jelveh Javaheri, and Maryam Hosseinkhah, all colleagues of Ardalan, were sentenced along with Ardalan to six months imprisonment for articles they published in the on-line magazines *Zanestan* and *Tanir Barabari*.

The state has also continued its intimidation of dual-national journalists, accusing them of assisting the U.S. government's attempts to promote regime change in Iran. The latest high-profile cases include that of Hossein Derakhshan, an outspoken Iranian blogger who was arrested in late 2008 and accused of spying for Israel, and Roxanna Saberi, a journalist who had previously worked for various media outlets including the BBC, NPR, and Feature News Story, but had remained in Iran to do research for a book three years after her permits had been revoked in 2005.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Yet another deterioration of the rights of the media came when the current *Majles* decided in August 2008 to revert the part of the Press Law concerning the assemblage of the press jury from its 2004 status to a previous version, ratified in 2000 by the conservative fifth *Majles*. While according to the 2004 version jury members would be chosen by random lottery from the general public, the 2000 version stipulates that a handful of officials heading conservative organs such as the judiciary and the policy council of Friday prayer Imams will choose a pool of 21 people of "public respect and trust" for the duration of two years. As a result, the same pool of 21 government-picked officials in Tehran (and 14 in the provinces) serves as jury for two years.

According to Article 3 of the Press Law, "the press has the right to publish the opinions, constructive criticisms, suggestions, and explanations of individuals and government officials for public information while duly observing the Islamic teachings and the best interest of the community." However, as mentioned before, the ambiguous language of the Press Law regarding observing Islamic teachings and the interest of the community has been an area of contention. This has given the Judiciary and the Ministry of Culture and Islamic Guidance wide ranging opportunities to censor, ban, and find offenses at various media outlets. Furthermore, vaguely-worded legislation serves the judiciary in sentencing journalists. Article 500 of the penal code states that "Anyone who undertakes any form of propaganda against the state… will be sentenced to between three months and one year in prison," but leaves "propaganda" undefined.

Other additions to the Press Law in 2000 included provisions that any publisher or editor applying for a publication license from the Supervisory Board had to seek clearance from the Ministry of Intelligence, the Ministry of Justice, and the police, and that journalists were legally obliged to reveal their sources and could not criticize the constitution.

As for the parameters of the authority of the Press Supervisory Board, the law stipulates that in exceptional circumstances the Supervisory Press Board within the Ministry of Culture is empowered to close newspapers or magazines by administrative order before a trial. The two instances specified in the law are for insulting the Supreme Leader of the Islamic Republic or the "recognized sources of emulation" (*marja-e taghlid*), as well as for repeatedly insulting public morals. Another charge that has been frequently used since 2000 to arrest activists and journalists is a "threat to national security," often used by the Intelligence Ministry.

Another development indicative of the diminishing freedoms of the media was the lack of public debate about such freedom. While in past years reformist newspapers had published letters of protest by writers and intellectuals

asking for greater freedoms, in 2008 no such letters were to be found in the press as papers feared this would result in dissolution. Only the Association for the Defense of Press Freedom continues to issue statements against government action, and its statements get very little attention because they are only published online and exercise no weight on government policy.

Licensing does not appear to be fair, competitive, or objective. Conservative publishers and people with connections to government, especially those with the intention of publishing material that supports the conservative agenda, have much better chances of getting permits. A survey of all licenses issued in 2008 shows that most of the granted licenses were given to scientific and research publications belonging to universities and other higher education institutions. Those licenses that were granted to publications with a political orientation belonged to government organs or individuals connected in some way to the government, such as the quarterly *Foreign Affairs*, granted to Hassan Rohani, former head of Iran's Supreme Council of National Security and currently the managing director the Expediency Council's research institute, as well as the daily *Road to Progress*, granted to Mohammad Reza Bahonar, the conservative deputy speaker of Iran's parliament.

Currently, reformists have little chance of getting permits for new publications. What they have managed to achieve several times, however, is to revive suspended permits that were previously issued for non-political publications.

One example is Iran's highest-quality news magazine of recent times, *Shahrvande-Emrooz*, which was run on a permit that had been previously issued to a publication that was supposed to deal mostly with "economic, cultural, and sports" subjects. After seventy weekly issues, the magazine was shut down in November 2008, and the Press Supervisory Board's official charge was that the magazine's editors had acted against articles 7 and 12 of the Press Law, which prescribe that publications must adhere in content to the subjects for which the permit has been issued. In 2008, the Press Supervisory Board withdrew licenses for other publications and made it increasingly difficult for reformist publications to obtain permits—especially those with a political and cultural emphasis.

Meanwhile, other important and popular publications had their permits withdrawn, including the daily newspaper *Kargozaran* on December 31 2008, which next to *Etemaad* and *Etemad-e Melli*, was the only other high-circulation reformist newspaper of import. Also losing their licenses were *Zanan*, a progressive women's magazine that had been publishing for 16 years, *Tehran Emrooz* (a daily with leanings toward Tehran mayor Mohammad-Baqer Qalibaf, a rival of

Currently, reformists have little chance of getting permits for new publications. What they have managed to achieve several times, however, is to revive suspended permits that were previously issued for non-political publications.

Ahmadinejad), and several arts and culture publications, including the progressive monthly *Haft* as well as the biweekly *Donyaye Tasvir*.

Several provincial publications were also closed down in 2008, and in general, provincial journalists, especially Kurdish ones, were put under greater pressures, facing prison terms and other fines. Among the most well-known publications to have been shut down were the Kurdish weekly *Karaftoo*, the Lori weekly *Bootak* in the province of Ilam, and the weekly *Bahar-e Boroujerd*.

Serious speculation exists that the closure of such high-quality publications was in preparation for the 2009 presidential elections, as Anmadinejad was trying to secure his victory without contest or a fraud investigation. Indeed, Iran's former Prime Minister Mir-Hossein Moussavi, who was urged to run as a candidate, said he would only run if he was able to have a media platform. Without a newspaper, any reformist candidate is unable to express his opinions through the non-electronic media, since all government print outlets as well as state television and radio support pro-state sanctioned conservative candidates. However, Moussavi, who is also liked by some factions within the conservatives, was ultimately able to obtain a license for a newspaper by the name of *Green*.

Although restrictions on foreign press and blocking of international news websites are a common occurrence in the Islamic Republic, there are no specified limitations mentioned in law. The blocking of international news websites or private weblogs is often justified by authorities on grounds of "national security," "moral corruption," and "threat to the values of the Islamic Revolution." Currently, the *Majles* is working on ways of legally sanctioning limitations on Internet access. According to the BBC, reformist and opposition journalists have increasingly moved onto the Internet, opening news sites and blogs to bypass press censorship. Iran's Internet filtering system blocks the most prominent sites, but despite authorities' efforts, Iranians are still able to receive information that challenges state broadcasters.[2]

[2] http://news.bbc.co.uk/2/hi/middle_east/4804328.stm

However, it should be noted here that while non-governmental media are barred access to certain news sites such as the BBC Persian Service or the U.S. government funded Radio Farda and Voice of America, government media such as the Islamic Republic of Iran Broadcasting (IRIB) and Press TV have ready access to these sites and all others, creating uneven and unfair access to information between governmental and private media. Section 5 of the Press Law specifies that "acquiring and publication of domestic and foreign news used to increase public knowledge…" is the legal right of all media. As such, all media have access to the big foreign news agencies, such as Reuters, Agence France Presse, as well as the American Bloomberg News and Associated Press.

Journalists are required by law to obtain a permit from the Ministry of Culture and Islamic Guidance for their reporting. The license can be revoked at any time and must be renewed every few months. Also, journalists intending to report on politically sensitive issues and matters of national security must obtain permission from the ministry in advance.

In general, there are no specified limitations on journalism schools and they are subject to the overall laws of the country. While there are also no specified legal limitations for joining state media, informally, there are certain selection procedures that are well known. Those employed by state run media must conform to the political and ideological stance of the government. State media jobs are highly sought after as they are well-paid, and often require political connections to secure.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Iran Objective Score: 1.44

The Iranian press has been at the forefront of political battles, and while the state has tried to diminish the importance of the media by censoring it, sensitivity towards the media has also boosted its importance. Publishing a high-quality publication has become a serious goal for many. For example, the front page of *Jame'e* newspaper, one of Iran's most popular newspapers in 1999, pales in comparison to one of the high-circulation paper's front pages today. The headline, for example, often had no relation to the front page photo in the past. Overall journalistic reporting in Iran has made strong gains.

The case of the impeached Interior Minister Ali Kordan is a positive sign for professional journalism. According to a CNN report, the proceedings received a large amount of press and culminated in a vote of 188 for and 45 against impeachment, despite Ahmadinejad's claim that the impeachment was illegal.[3] Kordan had lied about his educational degrees, claiming that England's Oxford University had bestowed him with an honorary law degree. The fact that the state did not interfere at all in the press coverage of the issue shows less eagerness to censor subjects that are not viewed as a threat to Iran's national security or the regime's stability.

Objectivity is difficult to maintain when Iranian journalists risk imprisonment without justification. One trend that has been on the rise is the practice of giving journalists gifts for attending press conferences, or even after interviews (usually gold coins). One story exposing such government ministry handouts resulted in the dismissal of that ministry's public relations manager. Due to the larger number of journalism school graduates in the media, the level of understanding and practice of ethical journalism has improved within the past years.

Due to the risk of closure, there is widespread self-censorship among Iranian journalists and editors. Many reformist journalists have experienced interrogations and sometimes punishment for their writing, and have seen their papers shut down. According to the International Press Institute, journalists who are jailed often end up at the Evin prison, infamous for torture. Charges of spying or collaborating with foreign enemies are frequently waged against Iranian journalists; both offenses carry heavy penalties. While held in solitary confinement, prisoners can be abused, denied medical treatment, and interrogated without representation.[4]

[3] http://www.cnn.com/2008/WORLD/meast/11/04/iran.impeachment/index.html

[4] International Press Institute, May 2008, http://www.freemedia.at/index.php?id=227&tx_ttnews[tt_news]=2519&cHash=1fc10f8e69

The media cover most key events, but also cannot report on some of Iran's most important stories. Certain subjects are clearly off-limits, including anything seen as insulting Islam and the Prophet Mohammad and criticism of the supreme leader or other pro-government persons or institutions. There are also several other subjects that are deemed very sensitive. The government sends out written directives to editors that ban them from covering certain subjects, or asks them not to cover a subject in a certain manner. Sensitive subjects include Iran's nuclear program, student demonstrations, coverage of certain persona-non-grata such as former politicians who have been sidelined, increasing energy prices, international sanctions, negotiations with the U.S., and inflation.

The AoIJ made a public statement that the Supreme Council for National Security's practice of sending these directives was in clear violation of the constitution as well as Iran's Press Law. In its statement, the AoIJ noted: "The Ministry of Culture and Islamic Guidance must be at the forefront of complying with the law. Sending letters to publications ordering them to comply with illegal demands is against article 4 of the press law of the Islamic Constitution." After making this public statement, the AOIJ came under increased pressure and its status was declared suspended until further notice on June 24, 2008. Furthermore, another directive was sent to newspaper editors instructing them not to publish any material relating to the association.

Pay levels vary across the board, but generally, government media staffers, as well as people working in broadcasting, are much better paid than journalists working for independent press outlets. Not surprisingly, considering the pressures as well as low pay levels in independent media, many young Iranian journalists who used to work for the independent press have left the country for jobs with Persian-language media organizations in the West.

Overall, there is no serious risk of entertainment eclipsing serious news in Iranian media, as viewers and readers continue to be interested in political reporting. However, people often have to get news and information from multiple sources in order to obtain a more complete, balanced picture on any subject.

The oil windfall of the past years has meant that government media organizations have updated media technologies, but lack the proper skills and staffing to put them to full use. Independent media organizations have the necessary equipment to operate, but do not have access to the most current technology.

OBJECTIVE 3: PLURALITY OF NEWS

Iran Objective Score: 1.00

Due to restrictive government measures in Iran, the variety of news sources and opinions within the official and sanctioned realm is limited. However, this does not mean that Iranians do not have access to other worldwide sources. This is in large part due to modern information and communications technology, including satellite television and the Internet. A large majority of Iranians, even those living in small towns and villages, have access to satellite television. Although owning a satellite dish is officially banned, the state generally does not enforce the law. Now and then, such as in early spring 2008, the government will announce a crackdown on satellite dishes and round up some to set an example. During these periods, people will often take their satellite dishes down from rooftops, only to install them a few days later.

Market research companies estimate that some 23 million Iranians, close to 35 percent of the population, use the Internet, a growth rate of 9000 percent since 2000. However, satellite television viewing and Internet access are dependent on income, and the majority of Iranians do not have personal access to these communications media. Iran's state broadcasting is the sole source of news, information and entertainment for many Iranians lacking such means in the provinces. A recent study has shown that even among city-dwellers and the young, the majority of Iranians receive their information mostly from state television and radio. Within state media, the diversity of views and opinions is

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

While Iran's most popular blogs oppose the political regime, the stronger their voice becomes, the greater the risk they will be shut down. Although reformist sites may be at greatest risk for government censorship, it should be noted here that the government sometimes even shuts down conservative websites, as it did with the hard-line Fars New Agency *in June 2008…*

limited, although not totally uncritical. Radio Javan (Youth Radio), for example, is often irreverent and critical of the government.

As noted earlier, the press has seen a higher number of closures since President Ahmadinejad's government took office in June 2005, although the number of closures was high during Khatemi's term as well. A report by the AoIJ stated that the profession has suffered in quality and financial stability since the conservative government began cracking down on independent newspapers. According to Freedom House, the Ministry of Culture and Islamic Guidance has banned or closed more than 100 publications since 2000.[5] The true number may be nearly double, as closures continued to rise in preparation for Ahmadinejad's reelection campaign. The number of newspapers and periodicals published in 2008 decreased, down to about 2,800, with about 500 constituting national and Persian-language dailies, and the rest either specialist periodicals or regional publications in non-Persian languages. Kurdish newspapers were hardest hit in 2008, with about a dozen closed and their licenses revoked.

Iranians living in the cities, especially Tehran, have much better access to national newspapers. It can even be difficult to obtain national papers in larger cities, such as Mashhad or Esfehan. This is largely due to a dysfunctional distribution system. Rising inflation has also caused price increases by independent newspapers. Whereas an independent newspaper cost about IRR 1000 ($0.10) in 2005, the same newspaper costs IRR 3000 ($0.30) today. Still, due to government paper and ink subsidies, the price of newspapers continues to remain low, allowing most people the financial capability to purchase them.

Internet access is relatively inexpensive, although the need for a computer may present a hindrance to poorer Iranians. In the past few years, Internet sites have taken up the role that the reformist press used to play. Currently, however, the Iranian government blocks about 5 million sites, including most reformist sites. In November 2006, government passed a law that all websites dealing with Iran must register with the Ministry of Culture. While the state has a multitude of legal options for closing down sites, this law is often invoked to shut down websites that have not registered with the government, in fear of being denied a permit. Still, according to Freedom House, "websites continue to communicate opinions that the country's print media would never publish, with both reform advocates and conservatives promoting their political agendas."[6] While Iran's most popular blogs oppose the political regime, the stronger their voice becomes, the greater the risk they will be shut down. Although reformist sites may be at greatest risk for government censorship, it should be noted here that the government sometimes even shuts down conservative websites, as it did with the hard-line *Fars New Agency* in June 2008, for reporting a scoop on the changing head of Iran's Central Bank.

There are close to 1,000 operational Internet Service Providers in Iran, and since November 2006, all have been prohibited by law to provide larger than 256K broadband service to non-governmental or private organizations or persons. While most Internet users know how to circumvent Internet filters, they are unable to bypass the bandwidth limitation, making the viewing or downloading of large audio or video files difficult or impossible.

Satellite television and Internet aside, there are about twenty Persian news agencies working and producing news in Iran today. They range from governmental news agencies such as the Islamic Republic News Agency to privately owned agencies such as the Iran Labor News Agency (ILNA) and Moj. The July 2007 suspension of ILNA was lifted a year later, readmitting an important voice to news agencies. The moderate news agency had covered protests by the truck divers' union, as well as teachers, students, and women before its closure. The news agencies' reporting is used by print publications, and they are quoted for their work.

While print media and news agencies can be privately owned, broadcast media cannot. There are no independently produced broadcast programs, but some variety exists through the channels' content. Channels 1 and 2, for example, focus on politics and more serious programming, while Channel 6 is a 24-hour news channel.

[5] Press Freedom, Freedom House http://www.freedomhouse.org/template.cfm?page=251&year=2008

[6] Freedom House data, http://www.freemedia.at/index.php?id=227&tx_ttnews[tt_news]=2519&cHash=1fc10f8e69

The variety in news and views has been widely enhanced since the launch of BBC Persian TV in January 2009. While a large number of satellite-owning viewers were watching Voice of America's Persian-language news broadcast out of Washington, DC, the launch of BBC's Persian TV is said to have attracted a much larger viewership since its launch. Many of the journalists working for the BBC were working as journalists in Iran until recently, so they have a strong grasp of Iranian affairs and good credibility.

Financial ownership of print publications is often obscure, even among the largest and most influential. While the Press Law specifies that the managing director and editor-in-chief of every publication must be made public, there are no laws that require public disclosure of monetary sponsors or investors of publications.

OBJECTIVE 4: BUSINESS MANAGEMENT

Iran Objective Score: 1.07

There is a serious business management crisis within Iranian media, which can largely be attributed to state subsidies. Because the state heavily subsidizes all government publications broadcast outlets, there is not true competition among the media. The state also subsidizes paper and ink for private publications, although to a lesser degree. The Iranian government spends about $30 million annually on newspaper subsidies, and only about 20 percent of that goes to independent publications. In addition, government owned publications and papers do not pay taxes.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

Advertisements are the main source of income for many newspapers, but there is a substantial imbalance of advertising revenues between private and government owned publications. This is due to the fact that all government organs or businesses give their advertisements to publications owned by the government. Privately owned publications cannot tap into this important source of revenue.

The cost of paper and printing increased substantially in 2008, but government subsidies in this area have not changed. Reformist newspapers have more trouble securing funding, as they cannot guarantee returns to their investors.

While the allocated budget for research of communications and expansion of telecommunication networks and media in the government budget (March 2008 - March 2009) makes up nearly 10 percent of the overall annual budget, most of this media budget goes to state-run IRIB.

The largest government subsidies are given to state television and radio, which also have high revenues independently with a monopoly on broadcast advertising as the only permitted broadcast media in Iran. Also, larger government dailies such as *Kayhan*, *Ettela'at*, *Hamshahri*, *Iran* and others receive subsidies such as office hardware as well as extra funds that allow for higher salaries, while independent publications only receive paper and ink subsidies. Furthermore, it is within the purview of the Press Supervisory Board to determine the amount of subsidy that each publication receives, which means that within the current conservative climate, moderate newspapers receive little in subsidies.

The subscription system does not function in Iran because of a missing distribution system. Subscription revenues are important for weekly or monthly publications, but daily papers rely solely on government subsidies, advertisement, and kiosk sales for their revenue. Readers often pay motorbike drivers to deliver the papers of their choice to their homes, and they rarely arrive before noon. Several newspapers have started in the past only to shut down weeks later because they were unable to sustain themselves.

The most successful newspaper business venture is the governmental *Hamshahri*, with a circulation of about 300,000 - 400,000. *Hamshahri* remains cost effective because of its large classifieds section, which is the largest section of its kind in any newspaper. Sales remain high because anyone who wants to buy or sell something must buy *Hamshahri*.

Generally, great secrecy surrounds circulations numbers, as papers do not publicize their circulation. Similarly, little is done in way of broadcast ratings or market research, and if any is done, the information is not public. Because the state keeps a monopoly over all broadcast media, any surveys and

statistics could be considered sensitive material and published data is nonexistent.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Iran Objective Score: 1.36

The AoIJ is arguably the only functioning journalists' professional association. Founded in 1999 with a permit from the Ministry of Labor, it has seen its member base grow from 730 to a current membership of about 4,000. It is the only recognized Iranian member of the International Federation of Journalists.

Over the years, the association has actively represented its members' rights vis-à-vis employers, providing members with traffic cards to enable them access to off-limit zones, and invested in a fund to provide members with the opportunity to purchase co-op apartments. However, the association has also been active in providing legal defense for charged or detained journalists (including most of the high-profile journalists who were jailed, such as Akbar Ganji, Emadeddin Baghi, and Sina Motallebi), as well as helping meet the needs of the families of jailed journalists. Furthermore, it has been vocal in protesting certain government policies, and has set up a training where students can study journalism and mid-level professionals can learn new skills, or refresh old ones.

With the onset of Ahmadinejad's term, the government, which traditionally provided the funds for the association, started withdrawing its support, both financially and politically. While the members of the AoIJ are from both reformist and conservative media, the board tended to be occupied by journalists of reformist backgrounds, elected to their positions by AoIJ members. The government had expressed dissatisfaction with the nature of the board and repeatedly asked that conservative journalists occupy these positions. Then in June 2008, in an unprecedented move, the government declared that the association was deemed to have the necessary "criteria for dissolution," and cut all funding.

Simultaneously, the Ministry of Islamic Guidance and Culture declared that it was illegal for the press to publish material containing the name of the association, presumably because it had been declared illegal as an entity. This was a major blow to the journalism profession, as it showed the government's disregard for press rights as inscribed in the constitution. The International Federation of Journalists and Reporters Without Borders issued statements condemning the treatment of the AoIJ and calling for the removal of these measures. The AoIJ organized a protest the next day, and has continued activities while its case is pending.

It was not surprising that in March 2009 a new organization by the name of Association of Iranian Journalists and Reporters was established, with its board as well as the 250 general members all hailing from conservative media. Government media reported that this new association replaced the old AoIJ.

There are other press associations in Iran such as Iran's Association of Muslim Journalists, a conservative association that was in effect established to counter the AoIJ, the Association of Iranian Women Journalists, the Association of Young Journalists (connected to IRIB), and the Association for the Defense of Press Freedom. However, none offer the level of services and moral support of the AoIJ. The Association for the Defense of Press Freedom has since taken on more of the outreach and public awareness responsibilities of the AoIJ, although it, too, can only publish on the Internet and hold gatherings.

Despite the government's interference in professional societies, journalism education had improved over the last years. Journalism is perhaps one of the hardest jobs to hold in Iran, but there is a stream of young enthusiasts willing to enter the profession every year. There are about 370 journalism graduates annually that enter the job market. In October 2007, the AoIJ launched its own college of journalism, which is considered to be one of its shining accomplishments. The program is counted among the best in the country. Most journalism higher education departments belong to public universities that teach communications, such as Azad, Tehran, Imam Sadeq, Allameh Tabatabai, Elmi va Karbordi, and Sureh universities, as well as the Faculty of News and Journalism at IRIB.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

While journalism departments are numerous, the lack of connection between academic teaching centers and employers means many students are unable to find jobs after their graduation. According to one source, only about 7 percent of the approximate 350 annual graduates are able to land jobs in the media. Oftentimes due to the lack of practical experience on behalf of journalism professors, students graduate from their respective institutions ill-equipped to deal with the practical realities of the journalism industry.

As reported last year, other institutions, such as the IRNA News Agency, the IRIB, and the Center for Media Studies and Research, which is connected to the Ministry of Culture, offer short courses and workshops to current professionals.

List of Panel Participants

Due to the repressive environment in Iran, IREX did not conduct a panel discussion in Iran. This chapter represents research conducted on the situation and discussions with various professionals knowledgeable about the situation in Iran. The names of those contacted will not be published to protect their personal security. This chapter therefore provides a summary of the state of the media in Iran.

In previous years, which saw sectarian violence and political disputes, journalists had been the targets of violent attacks by gunmen, militias, and local and foreign military personnel. That has shifted to political conflict marked by confrontation between journalists and government institutions.

IRAQ

OVERALL SCORE: **1.61**

For the sixth straight year, Iraq has been among the most dangerous countries in the world for journalists. In 2008, 15 journalists and media assistants were killed. Despite improvement in overall security, the indicators of freedom of speech have declined in the face of suppression, prohibition, beatings, arrests, and prosecutions by the state authorities in general and by various ministries in particular.

In a message to Prime Minister Nuri al-Maliki, the Committee to Protect Journalists (CPJ) and the Journalistic Freedoms Observatory (JFO) said that many journalists have faced harassment and in some cases assault by Iraqi security forces. In other cases, high-ranking government officials have used lawsuits as a political tool to obstruct and silence the media. The CPJ and JFO therefore called on the government to improve the working environment for journalists in Iraq, to publicly condemn violent attacks and acts of intimidation against journalists, and to investigate and bring to justice those responsible for killing, attacking, or harassing journalists.

Government agencies have filed politically motivated lawsuits against journalists and publications pursuant to Law No. 111/1969, the 1969 Penal Code inherited from the former regime. It contains 15 articles that criminalize press-related offenses and set harsh penalties for them, including the death penalty.

At the end of 2008, the conflict in Iraq mutated into something that had profound consequences for the media. In previous years, which saw sectarian violence and political disputes, journalists had been the targets of violent attacks by gunmen, militias, and local and foreign military personnel. That has shifted to political conflict marked by confrontation between journalists and government institutions. Organized violence committed by authorities associated with government ministries and institutions has been accepted, and coverage of news stories has been prevented, especially by local councils that have created extraordinary laws threatening journalists with arrest and fines.

The MSI panel agreed that the withdrawal of U.S. troops from Iraqi cities would provide greater opportunities for the authorities to increase restrictions on journalists and prevent them from exercising a real supervisory role over the government's performance. The dangers for journalists would be redoubled, in particular because politicians and officials, who fear oversight and the detection of corruption and abuse of public funds, would not foster the culture necessary for recognizing the role of the media in public life.

IRAQ AT A GLANCE

GENERAL

> **Population:** 28,945,657 (July 2009 est., *CIA World Factbook*)

> **Capital city:** Baghdad

> **Ethnic groups (% of population):** Arab 75%-80%, Kurdish 15%-20%, Turkoman, Assyrian, or other 5% (*CIA World Factbook*)

> **Religions (% of population):** Muslim 97% (Shia 60%-65%, Sunni 32%-37%), Christian or other 3% (*CIA World Factbook*)

> **Languages:** Arabic, Kurdish (official in Kurdish regions), Turkoman (a Turkish dialect), Assyrian (Neo-Aramaic), Armenian (*CIA World Factbook*)

> **GDP (2007):** $69,709 (*UN World Statistics Pocketbook*, 2008)

> **GDP per capita (2007):** $2,404 (*UN World Statistics Pocketbook*, 2008)

> **Literacy rate:** 74.1% (male 84.1%, female 64.2%) (2000 est., *CIA World Factbook*)

> **President or top authority:** President Jalal Talabani (since April 6, 2005)

MEDIA SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: 55 newspapers, 32 magazines; Radio: 84 stations; Television stations: 84

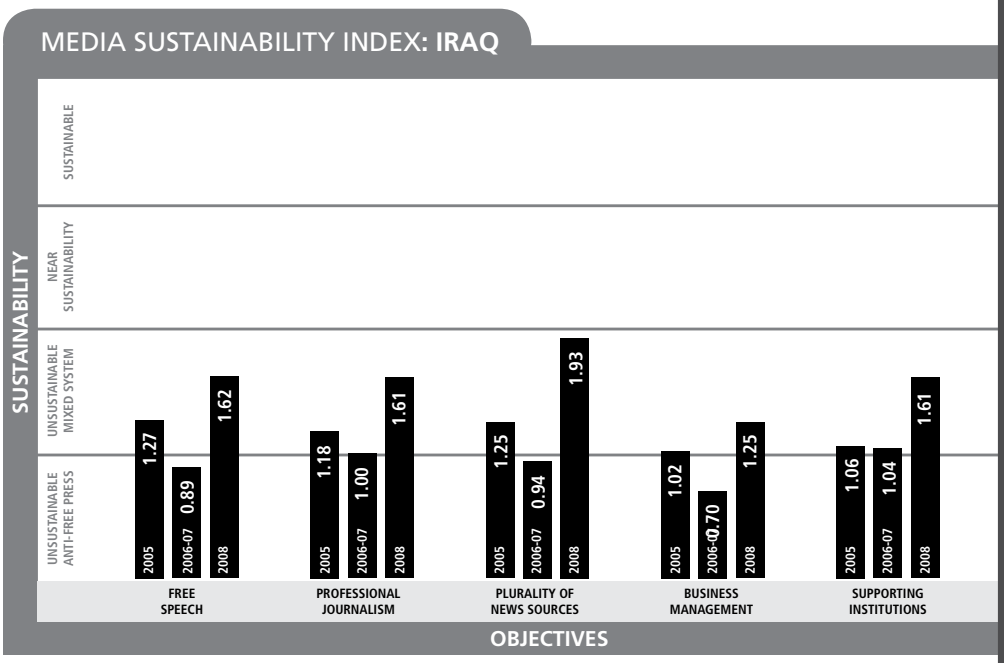
> **Newspaper circulation statistics:** N/A

> **Broadcast ratings:** N/A

> **News agencies:** Iraqi News Agency (state-controlled); 10 additional agencies

> **Annual advertising revenue in media sector:** N/A

> **Internet usage:** 300,000 (2008 est., *CIA World Factbook*)



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Iraq Objective Score: 1.62

Any optimism regarding the prospects for freedom of the media would be very much an exaggeration, panelists said. There is a need to proceed cautiously and deliberately, working to pass legislation allowing those freedoms, and trying to block demands by authorities for restrictions, especially those that would be implemented through loosely worded legislation that could be subject to interpretation.

Article 38 of the Iraqi constitution, adopted in 2005, provides for freedom of the press. But other rules and regulations dealing with media amount to a confusing mix of recent legislation, orders issued by the US-led civil authority that held power after the 2003 invasion of Iraq, and laws that date back to the rule of Saddam Hussein—and before.

Heder Al-Badri, reporter for El-Hora Iraq Television in Babel province, said he believes that the government is not serious about creating a suitable environment for free media because the majority of Iraqi leaders believe that media represent a threat to their political futures. Recent statements by President Jalal Talabani and Prime Minister Nuri al-Maliki on the need to interdict the so-called anti-political process in Iraq gave clear indications for the future of press freedoms.

On the subject of the issuance of licenses for public and private media and the journalism profession, the government is not yet intent on adopting specific legislation. Although it provides licenses without restrictions, it continues to operate under the emergency law ratified by the US-led Coalition Provisional Authority in 2004, which allows the prime minister to close down any media outlet that, according to the government, "might provoke violence."

Even as persecution of Iraqi journalists decreased during 2008, the government was not able to provide them real protection by revealing those who had persecuted them over the past few years. No Iraqi security institutions released the names of individuals or organizations behind the killing of 247 journalists and media assistants, nor had they trained their officers to deal with journalists on site.

Safaa Hajem, a lawyer specializing in media issues, noted also that there was a degree of weakness in the Iraqi judiciary's ability to combat persecution of journalists and media institutions. To date, the identities of no person or agency involved in the murder or killing of journalists has been allowed to be disclosed. Although news about persecution of journalists is always heard, there is never any news concerning the arrest by the judicial or security forces of whoever was responsible for "accidents" involving journalists.

Shawkat al-Bayati, a reporter for Aka News Agency in Baghdad, expressed surprise that the security services have not yet managed to apprehend those who had assassinated Iraqi journalists. He concluded that the government was not serious about prosecuting those responsible for violence against journalists.

The government currently is considering a law ostensibly aimed at increasing the safety of journalists. But panelists pointed out that that the so-called Protection of Journalists Act would restrict access to information under the pretext of security. One paragraph stipulated that journalists be permitted to carry out their work without interference by the security forces unless there were "legitimate grounds" for such interference. Another part of the draft defined journalists only as members of the Iraqi Union of Journalists. Journalists objected to the draft act, which was proposed to the parliament by the journalists' union in 2008, and the parliament referred the draft back to the government for examination.

Hajem pointed out that any security official could fabricate "legitimate grounds" that would be a sufficient legal justification for preventing a journalist from performing his or her work. Hadi Jallow Murae, a journalist and strategic expert, said that the clause in the act that would bar journalists from information for reasons of national security would prevent them from having any access to the truth.

The constant reliance on certain clauses of the 1969 Penal Code, in which some offenses for defamation of a public official carry the death penalty, is another serious sign that the government

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Heder Al-Badri, reporter for El-Hora Iraq Television in Babel province, said he believes that the government is not serious about creating a suitable environment for free media because the majority of Iraqi leaders believe that media represent a threat to their political futures.

has no immediate intention of abolishing legislation that is incompatible with the principle of free expression.

Basem al-Shara, a Baghdad reporter for the Institute for War and Peace Reporting, said that the increasing number of prosecutions against newspapers for publishing reports on administrative corruption was an obvious sign of officials' intent to violate the freedom of speech provided for in the constitution. The Ministry of Trade filed suit against a number of Iraqi newspapers, including the dailies *Al-Mashreq* and *Al-Barlman*, for publishing reports on administrative corruption in the ministry. The suits were quickly withdrawn, however, under pressure from organizations advocating freedom of the press and expression.

Prosecutions against journalists by the government for publishing reports about violence and corruption, together with the restriction of freedom of photography by imposing a prior-approval requirement, reflect a new policy that might eventually result in hamstringing the work of Iraq's media. Nahla Ghazi, president of the Foundation for Culture, Information, and Economic Development, argued that many Iraqi officials threaten journalists with lawsuits on charges of defamation for reporting on administrative corruption or poor services. There were signs of a governmental orientation that would be clearly formulated, following the withdrawal of the US troops from Iraqi cities, aiming to prevent the flow of any information on corruption, the level of violence in Iraq, or anything that might harm the government's image.

The Iraqi government tries to withhold any information that shows it in an unacceptable light. Imad Abbadi, director of Al-Diyar Television, said Iraqi politicians differ on everything except obstructing and silencing the media; as a result, Iraqis remain unaware that the media work for their benefit and welfare.

According to al-Shara, restrictions imposed by the security services on photography in the capital were a serious first step toward restricting the freedom of the press in Iraq. Since 2006, Iraqi authorities have prevented journalists from filming and covering events in the streets without prior approval by military commanders and local officials.

Although al-Maliki has confirmed the freedoms of the media and expression and the right of journalists to access information, in practice prior approval from his office is problematic. Samaa Metty, a community developer with Iraqi Civil Community Institutions, confirmed that it is difficult to contact any official in the Office of the Prime Minister to obtain information, and the government spokesman, Ali al-Dabbagh, does not answer any phone calls unless they are from the European or American media.

Hajem argued that Iraq needs new legislation to allow journalists access to information or to oblige government institutions to provide information requested by journalists. Citizens are denied important information if the media face problems in accessing and disseminating it. Although access to the media and to media information is available to citizens, access to information is not available to the media.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Iraq Objective Score: 1.61

The development of fair and objective media in Iraq has been hindered by constant self-censorship among media institutions that fear the reactions of the government, political actors, and various other parties. As a result, work is neither performed effectively nor is news reporting attractive to the consumer, because of its lack of professionalism, a lack of modern technology, and the persistence of some media workers who are not interested in developing or changing

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

professional methods and who reject the democratic initiatives taking place in the country.

Most media outlets in Iraq lack agreed-upon norms to ensure acceptable standards for publishing objective reports that take into account the plurality of views in Iraq. On the contrary, the organizations that own or fund Iraq's various media outlets put pressure on editors to conform to a particular political line, and editors force employees to work in a manner that does not meet the standards of professionalism. Employees, for their part, will back down because they are subordinates who want to secure their livelihoods. Indeed, most media outlets regard journalists as employees who can be easily replaced if they disagree with the view from the top.

Al-Badri said that most local media institutions exercise such self-censorship because they fear getting into trouble with the government parties and authorities. Sabah el-Taie, office director in Iraq of Al-Massar Television, argued that most Iraqi media outlets are more interested in profits than in objectivity and professionalism. Such outlets would prefer not to work according to specific norms or conventions because they are under the control of Iraq's political parties and see things from one particular point of view.

Also, the number of professional journalists is insufficient, which has a negative influence on journalistic professionalism and specialization. Most outlets suffer from the lack of a well-trained press corps able to understand the changes taking place in Iraq. Al-Shara expressed the view that the Iraqi press is still far from achieving adequate professionalism because it does not have workers who believe in democratic change in Iraq.

Ali Al-Khaiat, secretary to the editor of *Al-Da'wa* newspaper, noted that the low salaries received by Iraqi journalists had created a group called "gift and donation journalists." Such journalists were merely hangers-on of politicians and parties. They were, however, one of the reasons why the Iraqi media have not achieved professionalism and why press freedom in Iraq remains limited.

Given their lack of experience, managers cannot be relied on to eliminate all the challenges that have had a negative impact on professional standards of work. In that light, the panel concluded that the government was playing a negative role by driving the media to restrict their role to promulgation only, without regard to professionalism.

The media, including the satellite channels, are occupied almost exclusively with putting out political news and reports and show little creativity in the areas of family, reality, and entertainment programs. Broadcast media are badly in need of entertainment programs because of the predominance of news and because of the inability of Iraqi newspapers to produce entertainment sections.

The media, including the satellite channels, are occupied almost exclusively with putting out political news and reports and show little creativity in the areas of family, reality, and entertainment programs.

Murae said most Iraqi channels do not include entertainment programs because they are news or religious channels; the only exceptions were the Al-Sharqia and Al-Summaria television channels, which gave equal time to entertainment programs and to news and political reports.

The panelists said Iraqi media outlets' inability to convey their message effectively also can be blamed on their reliance on outdated methods and poor technical and financial resources.

Al-Bayati attributed the outdated equipment to journalists' unwillingness to develop their work and to their managers' interest in obtaining financial support without regard to the development of the long-term potential of their companies. Hajem said that the overwhelming majority of media outlets in Iraq rely on nonprofessional production departments, with the result that their output is substandard in terms of form and content.

OBJECTIVE 3: PLURALITY OF NEWS

Iraq Objective Score: 1.93

Panelists said that the Iraqi media have achieved progress in providing news from multiple news sources but that plurality was useless so long as media outlets are subjected to an official line that controls their output and effectively imposes self-censorship through influence over journalists. Consequently, plurality does not reflect the reality of society, and the impact of the media remains restricted to putting forward specific views and favoring one or another party, all at the expense of professionalism. However, Ahmed Alaa al-Yassiri, journalist and executive director of an advertising agency, said that the plurality of news sources in Iraq was important because of the lack of objectivity on the part of the state media in reporting key events.

Iraqi media outlets cannot be relied on to be actually independent, because even if the means of production

Ghazi said that most media owners are wary of disclosing their names or disguise them because they are afraid of exposing their families to kidnapping and blackmail.

were not state-owned, they would nevertheless be in the possession of a political party or an organization, which would inevitably give rise to questions about neutrality.

On the subject of access to sources on the Internet and satellite television, Murae expressed anxiety that a call by Communications Minister Farouk Abdul Kader for controls on certain Internet sites might be a serious step toward withholding information from the Iraqi people. Abdul Kader's proposal comes at a time when some political organizations are calling for restrictions on satellite broadcasting to block channels that "had an impact on stirring up violence against the Iraqi people." Abbadi argued that this was an indication of the government's intent to restrict satellite channels that do not conform to the views of the government and influential parties. However, such controls would be impossible to impose.

The government media are not neutral, despite changes in their management. This is true not only of the government media flagship, Al-Iraqia television, which intended to operate along the lines of the British Broadcasting Corporation (BBC), but also for the state newspaper, *Al-Sabah,* and the many affiliated stations broadcasting in national and other Iraqi languages.

Abbadi said that Al-Iraqia television reflects only the view of the prime minister and the parties that support him. Even though changes were made in its management and direction during 2008, it still does not express the views of the whole political spectrum or of the Iraqi people and is not committed to professional standards. Panelists said, however, that true neutrality was not an available option, given the diversity of Iraq.

In addition to controlling the content of their own media outlets, politicians have influence over other channels through their ability to affect the directors of institutions. In that, personal relations play a key role.

The emergence of specialized news agencies in Iraq that call themselves "independent" and "good sources of information" was a matter of interest to panelists. However, these agencies practice self-censorship when providing their subscribers with information. Al-Shara went further, saying that even though the agencies give the appearance of being important sources of news, they are merely carriers and put out news only from the government and parliamentary deputies. Such agencies avoid raising sensitive issues that might cause problems with the government and thus are more like government agencies that carry only government news-service stories.

Ownership of media outlets in Iraq is not transparent, nor is management of those outlets, which always keep quiet about themselves and about the bodies funding them. Ghazi said that most media owners are wary of disclosing their names or disguise them because they are afraid of exposing their families to kidnapping and blackmail. There was also another reason: most media outlets in Iraq are in league with certain partisan viewpoints or religious forces.

The technical and financial problems experienced by Iraqi broadcasters have not prevented them from achieving some progress in the production of their own programs, despite their lack of professionalism, experience, and proper technical production capabilities. Haidar al-Husseini, a journalist with *Al-Madaa* newspaper, said that although Iraqi satellite channels and radio stations have improved their programs, they still need strong, sustainable support from international institutions to develop their capacities. Broadcasters must overcome the administrative and technical obstacles to achieving production acceptable to the whole spectrum of Iraq's people before they can enjoy overwhelming approval.

The government media, and some private media, still marginalize minority issues because of their adherence to specific government instructions not to address them.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

OBJECTIVE 4: BUSINESS MANAGEMENT

Iraq Objective Score: 1.25

Despite the passage of several years since their entry into the media market, most Iraqi media institutions do not operate as for-profit commercial companies. They rely on both external and internal financing to sustain their work.

The commercial concept of the Iraqi media remains unformed, Hajem argued. After decades in which the economy was controlled by the ruling Baath Party, the concept of operating media institutions as commercial institutions with income streams and planned expenditures was not readily understood and has yet to take shape. Thus, all media organizations, including state media, ultimately depend on government subsidies.

Before the 2003 invasion, the media were state-owned. Since then, the number of media outlets has increased, but they are not independent, instead representing influential political parties and forces. Therefore, it is not possible to rely on self-management and self-sufficiency and still achieve the financial resources necessary for independence.

The road to investment in the media was too long, and that fact should be understood by those working in media institutions so that they were not taken in by unrealizable ambitions. The motivations of organizations backing the various media outlets were speculative, rather than professional, and they did not operate for the sake of media development. In addition, the changes that followed the ouster of Saddam Hussein have not been sufficient to ensure that investment, production, and profitable and effective advertising could be counted on for the development of the local media. The advertising market has been slow to develop, yet the media are still waiting for advertising revenue and sacrificing their professionalism in the meantime as a result. There are many media outlets whose thirst for cash prevents them from reporting the outrageous behavior and mistakes of people in power, influential institutions, and important companies.

In addition, the changes that followed the ouster of Saddam Hussein have not been sufficient to ensure that investment, production, and profitable and effective advertising could be counted on for the development of the local media.

Al-Husseini said some media institutions backed by political parties or foreign actors would close if the subsidies stopped. Because most media institutions are affiliated with political or religious organizations, it is difficult for them to be efficiently managed institutions able to develop their management practices with an eye toward financial independence.

Most Iraqi media institutions depend on direct financial support because they earn so little from commercial sources of revenue. Advertising does not play an important part in their funding. Iraq lacks an advertising industry, al-Yassiri said, because during six years of violent conflict, the advertising sector has largely been limited to parties involved in security, including the US military and the Iraqi government.

The panelists noted that the absence of the advertising sector has spurred the independent media and press institutions in Iraq to strike deals with the government over many issues to obtain advertising from government ministries or the multinational forces. Al-Shara argued that this alone turns many media outlets into simple carriers of government news and media offices for government ministers. The government provides most media channels affiliated with its parties or official figures with advertising, and provides independent outlets with advertising only if they toe the official line.

Most Iraqi media institutions lack effective research bodies to develop strategic plans for their work because there is no real seriousness about doing so—or ability among the directors of those institutions. Metty attributed this lack of capable research centers and the absence of interest in conducting scientific studies to develop media outlets' activities to an administrative mentality at media outlets that has other priorities, discussed above.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

If Iraqis are not going to form lobbies to pressure the media to change in the direction of a stable democratic system, the media need commercial or social institutions capable of supporting them. Ghazi said, however, that Iraq is one of the least likely countries in which to find investors, businesses, or unions able to support the media's efforts to cover issues of greater public interest.

Although a number of Iraqi media institutions and some government information centers had made plans for opinion polls on various issues, they remained of questionable validity, according to some panelists. Al-Badri said that such surveys had a mainly political basis and aimed to show popular support behind certain political forces, despite their lack of credibility. Surveys carried out for one or another political party or figure have been bought and paid for and do not jibe with apparent reality.

The prime minister's National Information Center has produced many questionnaires about important issues in Iraq, but they have not been comprehensive enough, and large segments of Iraqi society had not been covered. Murae argued that many questionnaires aimed to improve the image of the government or other political forces. There are no specialized survey centers in Iraq whose results can be trusted, and Iraqi satellite channels and radio stations conduct surveys that lack any scientific basis.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Iraq Objective Score: 1.61

Despite the government's increasingly belligerent language against journalists and its occasional efforts to restrict their movements, pressure from NGOs has deterred it from taking action more frequently against media figures. However, the number of NGOs that are working effectively to defend media freedoms does not exceed the number of fingers on one hand.

The presence of domestic organizations sustained by young and enthusiastic defenders of press freedoms has had a major impact in Iraq. Such organizations warned the government of the serious risks faced by journalists and asked that if the state could not protect them that it at least stop harming and harassing them. At the same time, by drawing worldwide attention to the government's practices, they achieved a kind of mutual confidence in and confirmation of their work. They not only helped Iraqi journalists develop their skills and capabilities and build on their ongoing training, but they provided ways to protect them, to train them at special courses, to issue publications developing their awareness of the risks they ran, and to communicate to the security apparatus an awareness of the journalist's role, so that they did not regard journalists as enemies but as partners in protecting and ensuring the public interest.

The Journalistic Freedoms Observatory carried out a joint program with the Interior Ministry to promote the security of journalists. The program had four stages: agreement with the security services to provide a safe environment for journalists and their movements; to train journalists in physical protection; to provide journalists with protective equipment such as helmets and body armor; and to establish a joint-operations room to gather information on places where journalists could safely go. In July 2008, the Observatory signed a memorandum on joint cooperation with Interior Minister Jawad al-Bolani.

Nevertheless, the traditional organizations continue simply to follow the government and look to it for support in matters affecting what journalists could do, and for the possibility of having an appropriate environment in which to move and work without fear. Depending on subsidies has hurt the effectiveness of these organizations because of the nature of the relationship in the past and the close relations they imposed, such as following the official line.

Abbadi said that although NGOs had played a key role in restraining the government, the Iraqi Union of Journalists had become an instrument of the government, which it defended

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

more frequently than it defended journalists. The panelists attributed this to the union's inability to respond to the democratic developments in Iraq since 2003 and the greater plurality they have brought to the media.

Al-Badri argued that most press associations, including the Iraqi Union of Journalists, consist of senior figures who do not support democratic change in Iraq and tend to favor dictatorship. They have never argued with or criticized the government but instead followed silently behind it as they did during the era of Saddam Hussein. If Iraqis are not going to form lobbies to pressure the media to change in the direction of a stable democratic system, the media need commercial or social institutions capable of supporting them. Ghazi said, however, that Iraq is one of the least likely countries in which to find investors, businesses, or unions able to support the media's efforts to cover issues of greater public interest.

Iraqi media institutions still lack training programs and specialized institutions to educate a new generation of journalists in a satisfactory manner. Metty said the problem stemmed from the fact that courses organized by international media organizations in Iraq were attended by journalists chosen on the basis of kinship and friendship rather than qualifications, and that attendees showed little interest in the courses and were unable to pass along instruction to their colleagues.

Nevertheless, non-Iraqi organizations could offer important programs to develop journalists capable of working under difficult circumstances in Iraq. Al-Yassiri, speaking as a journalist, agreed and said there is now a significant number of young journalists who have been trained by such organizations and have quickly shown themselves capable of working for major Iraqi news organizations, and who have had a clear impact.

Some of Iraq's print media outlets and private printing institutions have succeeded in steering clear of political influence. Private printing presses and publishing houses so far have not been a target for the government or political parties. Distribution of newspapers and other publications has shown progress despite security conditions in Iraq. Internet cafés have operated freely but could be threatened by restrictions proposed by certain political and government figures.

List of Panel Participants

Imad Abbadi, director, Al Diyar Television, Baghdad

Basem al-Shara, reporter, British Institute for Peace and War Reporting, Baghdad

Hadi Jallow Murae, journalist and strategic expert, Baghdad

Safaa Hajem, lawyer specializing in media issues, Baghdad

Shawkat al-Bayati, reporter, Aka News Agency, Baghdad

Heder Al-Badri, reporter, El-Hora Iraq Television, Baghdad

Nahla Ghazi, president, Foundation for Culture, Information and Economic Development, Baghdad

Samaa Metty, community developer, Iraqi Civil Community Institutions, Baghdad

Sabah el-Taie, office director, Al-Massar Television, Kut

Al-Khaiat, secretary to the editor, *Al-Da'wa*, Baghdad

Ahmed Alaa al-Yassiri, journalist and advertising agency executive director, Baghdad

Haidar Al-Husseini, journalist, *Al Madaa*, Mesan

Moderator and Author

Ziad Al Egaly, head, Journalistic Freedoms Observatory, Baghdad

The Iraq study was coordinated by, and conducted in partnership with, the Journalistic Freedoms Observatory, Baghdad.

Though political and government officials consistently expressed commitment to media freedoms as an important element of Kurdish society, MSI panelists suggested that such words amount to little more than talk. The ongoing violations show that respect for journalists' rights and freedoms is not well developed in Kurdistan.

IRAQ-KURDISTAN

OVERALL SCORE:
1.80

Like the rest of Iraq, Kurdistan—the largely autonomous northern region that includes the Erbil, Sulaimaniya, and Duhok governorates—has witnessed continued media development in both quantity and quality. During last year, the number of private and partisan media outlets increased significantly, with new satellite and local television channels, radio stations, newspapers, magazines, and websites.

Passage of a media law by the Kurdistan regional parliament on November 20, 2008 marked one of the most important developments of the year. The law improves many aspects of freedom of expression and journalism, bringing Kurdistan closer to international standards by prohibiting detention of journalists, allowing establishment of a new newspaper or magazine simply by notifying the Kurdistan Journalists' Syndicate, and not requiring journalists to be members of the syndicate. Still, the law has some shortcomings, including not guaranteeing access to information.

Implementation and enforcement of the law have been problematic as well. After its passage, some journalists were detained in Erbil and Sulaimaniya. In 2008, the Kurdistan Institute for Human Rights recorded more than 75 violations of members of the media, with abuses ranging from humiliation and threats to forcible confiscation and destruction of equipment, detention, and killings. Though political and government officials consistently expressed commitment to media freedoms as an important element of Kurdish society, MSI panelists suggested that such words amount to little more than talk. The ongoing violations show that respect for journalists' rights and freedoms is not well developed in Kurdistan.

Media outlets in Kurdistan are also in a nascent period. Most are owned and directed by political parties and are more committed to the principles, policies, attitudes, and interests of their backers than to international standards of rights, freedom of expression, and professionalism. Very few could be productive on their own and self-sustaining.

The Kurdistan region of Iraq comprises integral territory of the Republic of Iraq; it has not been recognized as a sovereign country by any nation or international organization. However, the many differences between it and the rest of Iraq, including legal and regulatory regimes governing the media, warrant a separate study of media in the Kurdistan region.

IRAQ-KURDISTAN AT A GLANCE

GENERAL

> **Population:** 3,757,058 (Oil-for-Food Distribution Plan, approved by the UN, 2002)

> **Capital city:** Erbil (known locally as Hawler)

> **Ethnic groups:** Kurds, Turkmens, Arabs, Chaldeans, Assyrians, Ashourians, Armenians Yazidis, and Shabaks

> **Religions:** Sunni Muslim, Christian, Yazidism

> **Languages (% of population):** Mainly Kurdish; Turkmani, Arabic, Armenian, and Assyrian in some areas

> **GNI (2008-Atlas):** N/A

> **GNI per capita (2008-PPP):** N/A

> **Literacy rate:** N/A

> **President or top authority:** Prime Minister Nechirvan Barzani (since May 7, 2006)

MEDIA-SPECIFIC

> **Number of active print outlets, radio stations, television stations:** N/A

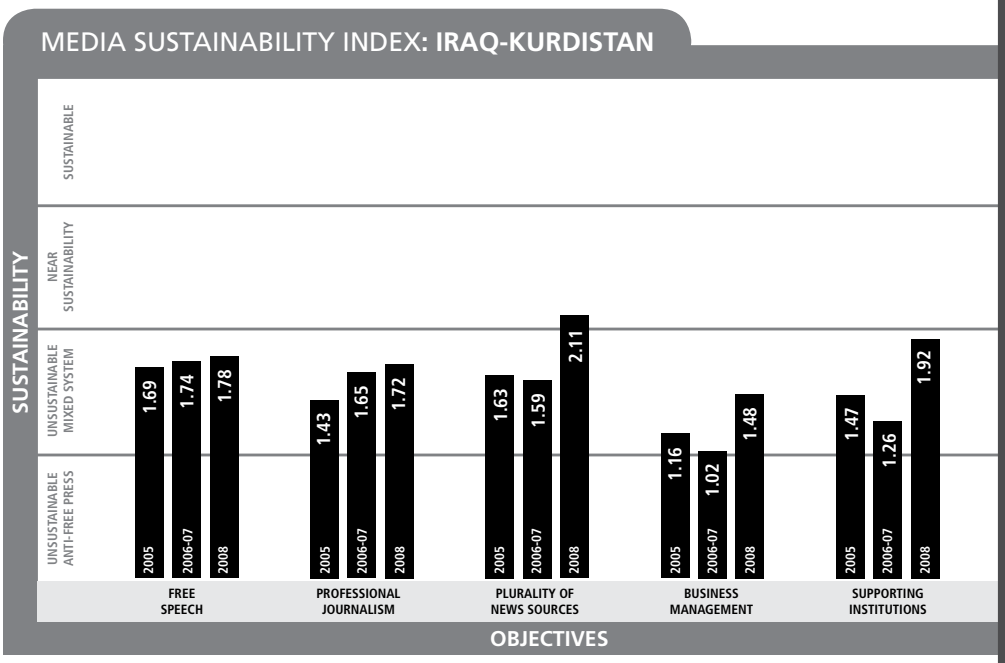
> **Newspaper circulation statistics:** The best-selling newspaper does not exceed 25,000 copies, which go only to Erbil and Sulaimaniya, with a limited number going to Duhok because its residents speak a different dialect.

> **Broadcast ratings:** N/A

> **News agencies:** N/A

> **Annual advertising revenue in media sector:** N/A

> **Internet usage:** N/A



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Iraq-Kurdistan Objective Score: 1.78

In a significant step forward, in 2008 the regional parliament passed a media law guaranteeing journalists' rights and freedoms, consistent with international standards. An earlier version of the law, passed by parliament in 2007, contained many restrictions on freedoms. But under pressure from journalists and local and international organizations, Kurdistan President Massoud Barzani did not sign it, and the parliament subsequently approved an improved version.

Panelist Haval Abu Bakr, a professor of media at Sulaimaniya University and media consultant for Wusha Corporation, said that the new media law has some strengths but contains some obscure passages, does not guarantee the right to access information, and leaves publishing rights vague. Another drawback of the law is that it applies only to print and neglects other media, according to panelist Maghded Sapan, media professor at Salahaddin University in Erbil. Sapan said that the primary obstacles to a courageous, free, independent, and professional media are the partisan leanings of the majority of media outlets, lack of understanding between journalists and officials, and the chaotic nature of the media and politics.

Some elements of the new law are not being implemented, panelists said. "The law says that no journalist should be detained, but we see that many journalists are detained," said Haimen Mamend Hadi, correspondent for Nawa radio.

Panelist Saman Fawzi, a professor at Sulaimaniya University who specializes in journalism law, said that although progress in Kurdistan's media development has not yet attained international standards, the Kurdish people respect freedom of the media at all times.

Panelists pointed out that many avenues exist for issuing newspapers and magazines, but conditions for setting up a radio or television channel are difficult. This situation stems from old laws that are still being enforced. In addition, Fawzi said, "there is no [favorable] tax law in Kurdistan. Some media organizations depend on sales from their products."

As mentioned, Kurdistan's new media law does not guarantee access to information. "Not only is information not provided, but even if we get information through a personal contact with an official and publish it, we'll be fined severely through court tricks," said panelist Niaz Abdulla, a journalist with *Medya* newspaper.

Panelists disagreed on the extent of limitations to access. Some said that access is not granted equally among media members. "Usually journalists from local and even satellite channels of Kurdistan do not get access to information, while foreign journalists have full access," said panelist Sirwa Abdulwahid, Iraq reporter for the U.S.-government-funded Al-Hurra radio network. Abdulla said, "The discrimination among journalists is based on gender, and daring female journalists are threatened with defamation." However, panelist Hazhar Mohamadamen, Erbil office manager for Gali Kurdistan Satellite television, said that he believes that independent, private, and politically affiliated media outlets all face similar problems in accessing information.

When laws protecting journalists are violated, no action results, particularly when the violations are committed by police or other security forces. The government routinely neglects to follow up on or investigate such violations.

In 2008, the Kurdistan Institute for Human Rights reported 75 violations against journalists in the Kurdistan region; Reporters Without Borders, Amnesty International, and UNAMI reported similar numbers for violations in the same year. Unfortunately, panelists said, courts have not stepped up to deter those violations. "Judges are not acting independently in announcing their sentences and fining journalists," said Nazar Zrar, Erbil office manager for *Awena* weekly newspaper. Dlzar Hasan, from *Kurdistan Report*, said that he believes that courts are not independent because political leaders lack independence in decision-making.

The panelists said that the current fine structure for the local private media organization is overly punitive. In their

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

view, if the media are not receiving adequate support, they should not be fined so heavily. Similarly, Kurdistan has no law regulating online reporting, and eventually that will affect freedom of expression negatively.

Court procedures appear designed to intimidate journalists, especially independent private journalists. For example, *Hawlati* newspaper was fined NID 15 million ($12,500) for defaming Iraqi President Jalal Talabani. This was a clear attempt to deter journalists from practicing journalism freely in Kurdistan. Such fines have had a chilling effect and have narrowed the scope of reporting.

Regarding free entry into the journalism profession, panelists reported no government interference or limitations with who may practice journalism.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Iraq-Kurdistan Objective Score: 1.72

Lack of compliance with ethical standards and the low level of professionalism are two major issues holding back the development of serious journalism in Kurdistan. Despite some attempts to build the capacity of local journalists, the problem remains. Sapan suggested that in some cases, threats against journalists could have been avoided with better standards of reporting.

Another issue is the passivity of news collection. Most media organizations do not seek out news, but instead wait for a telephone call or a political party telegram, or they use international news agencies without regard to copyright or other limitations, said panelist Hamad Amin Khidir of *Chrka*.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

Panelists cited a number of reasons for the low level of professionalism, including the lack of specialized training, the dominance of political parties over most media organizations, the elevated patriotic and nationalist sentiment among Kurds, inadequate legal awareness among journalists, and the increased number of media organizations in Kurdistan. "What is written here is not professional, but subjective," Abdulwahid said.

A few journalists comply with professional standards, despite the consequences. Abdulla said that she was threatened with rape and has been accused of sinful acts, yet she has adhered to standards of professionalism and ethics. Abdulla said that she did not report any of these violations to the journalists' syndicate because she considers the syndicate a political entity.

Lvin magazine is the only media organization in Kurdistan that has a code of conduct, and it also has transparent financial statements, according to panelist Halgurd Samad, a correspondent for the magazine. "We are a self-sufficient media organization, and we administer the organization from the revenues of the magazine's sale. We even turn a profit," Samad said.

The lack of strong training opportunities further explains deficiencies in professionalism. The media departments at Kurdistan's two universities and the one at Erbil Technical Institute are not sufficient to produce professional, technical, and academic staff for the many media outlets in Kurdistan, Fawzi said.

Finally, panelists also agreed that salaries and benefits for journalists are far below what is deserved. Furthermore, salaries are disparate between the political media organizations and private and independent companies. "Working for a political party media outlet counts as a government job, and journalists will receive a pension after being laid off," said Abu Bakr.

OBJECTIVE 3: PLURALITY OF NEWS

Iraq-Kurdistan Objective Score: 2.11

Throughout 2008, the number of the media organizations in Kurdistan increased notably. They included the creation of a number of media channels specializing in news in a variety of platforms, such as satellite, radio, newspapers, magazine, and websites. Panelists expressed hope that this will help create multiple-source news in Kurdistan.

Panelists said that although Kurdistan has many easily accessible news sources, outlets offer little variety in news, language, topics, and presentation. The editor-in-chief of *Al-Hiwar* magazine, Faris Mohammed Khaleel, said that the

media lack variety because most work in support of political agendas, not the community.

Hadi questioned the public accessibility of Kurdish media. "People generally are unaware of or do not use the Internet, or they do not have access," he said. "Most of the newspapers and magazines do not reach the remote areas, and there is a serious distribution problem with the remote areas, just like the limited television or radio channels' broadcasting coverage outside of the big cities. All of these news sources do not reach most people; thus, people have to depend on certain channels to get news."

Because local journalists are marginalized and have limited access to information, the people of Kurdistan tend not to view them as reliable, Abu Bakr said. Panelists said that citizens mostly turn to external Arabic media organizations such as Al-Jazeera and Al-Arabiya satellite channels, even for local news and events.

As for governmental media, panelists agreed that all are under the control of political parties, while minority-focused independent media organizations cater only to those minorities.

Independent news agencies cannot succeed in Kurdistan, Khaleel and Hasan both claimed, because of a climate that rewards political affiliations for media outlets. An independent media organization in Kurdistan likely could not generate revenue solely from its sales of news and information, as would a typical news agency.

During 2008, journalists of the Chaldean, Assyrian, and Turkmen minorities pursued their profession in Kurdistan, freely operating television and radio stations and websites and publishing magazines and newspapers in their mother tongues. Some Kurdish channels have special spots and times allocated to programming for those minorities. Butrus Hurmuz Nabati, editor in chief of *Banibal* magazine and manager of the Assyrian Cultural Center, said: "We have several kinds of products and we publish them without obstacle, but we receive [outside] assistance."

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

OBJECTIVE 4: BUSINESS MANAGEMENT

Iraq-Kurdistan Objective Score: 1.48

Though Kurdistan authorities have marketed the region as ripe for investment, and several international companies have spurred noticeable development in the area, no international investment has been made in the media.

All panelists agreed that the Kurdish media market is limited. The best-selling newspaper does not exceed 25,000 copies and is distributed primarily to Erbil and Sulaimaniya, with only a limited number going to Duhok because its residents speak a different dialect. Publications from Kurdistan do not go to other Iraqi provinces because of poor security and unfavorable economic conditions, Abu Bakr said.

Although many media organizations, including those of political parties, are registered as companies, they are facades—political parties finance most of them. Panelists said that government support of media outlets is unfair and generally linked to party affiliation, and no external financial support is given to private, independent media. Fawzi said that government assistance goes only to one or two specific party media outlets, not to all. Also clear is that support for

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journalism is not a government priority, noted Marmand. "The Ministry of Sport and Youth requests NID 2 billion [$1,700,000] for *peshmerga* [militia] training—which is in their specialization—but nobody assists independent media," he said.

Niaz Abdulla, of *Medya* newspaper, said that government corruption is the primary explanation for the lack of financial support for independent media. Panelists agreed that while the Kurdistan government allows independent and private media, it does not develop them actively. As those outlets uncover corruption scandals and report deficiencies, they pose a threat to many high-level government officials.

Furthermore, party and private media alike lack financial transparency, which decreases their credibility, Mohamadamen said. Abu Bakir believes that the financial weakness of media organizations leads to continued losses, compounded by the fact that some newspapers and magazines are distributed for free. Dlzar Hasan believes that media organizations need to think more like businesses, attempting to market their products, develop niches, and become profitable. Sapan also said that one reason for the low investment in the media sector is the lack of awareness by Kurdistan's wealthy people.

In addition, panelists criticized the absence of market studies and research. Media managers, they said, do not grasp the cultural standards of their society. "Lack of psychological, legal, and social consultants has resulted in weak media in Kurdistan that is not influential compared with the number and the financial resources of the media organizations," Zrar said.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Iraq-Kurdistan Objective Score: 1.92

In Kurdistan, institutions that support the media are limited locally. "Media organizations are not supporting the civil society organizations in Kurdistan, and this is why they cannot support and protect each other," Khidir said. Some work in cooperation with international institutions, which take the lead in providing opportunities for technical and human resources development for the local media.

In the past year, the journalists' syndicate remained focused on the concept of alliance among the political parties. "There are several steps in the procedure of joining the journalists' syndicate for independent journalists, while there are none for the journalists affiliated with political parties," Samad said. "They gain membership with an endorsement from the political party." Panelists said that this creates a need for other institutions and syndicates to monitor and protect journalistic rights and freedoms and develop journalists' capacities and skills.

Many international organizations reported violations of journalists' rights in 2008. Local and international organizations published memoranda and strongly condemned murder, threats, and violations of rights, and have worked to develop journalist capacities and skills. Participation in the training courses is mostly free, and the supervising organizations usually cover all expenses.

Panelists indicated that available training, most of which is offered outside Iraq, is limited, and participation is further restricted by partisan affiliations. Independent journalists are nearly deprived of the opportunities, except for those offered by international organizations. Corruption, nepotism, and a lack of fairness mark the nomination process for journalists to attend trainings, and qualified candidates often do not benefit. Unfortunately, often a great deal of funding is spent on training courses that are not useful in the end, because the supervisors share benefits with party officials and focus less on the content and success of the training.

Yet these opportunities are important, panelists said, because that there are no government centers for training and educating the journalists about violations of law, plus there are no training workshops in the media departments of Kurdistan's institutes and universities, other than formal journalism education. Sapan and Hurmuz agreed that journalists in Kurdistan need to develop capacity and experience in line with the media culture of developed countries. Abdulla said that organizations offering training assistance should be aware of the conditions but remember the positive aspects of offering help to journalists in Kurdistan.

Kurdish media does show some encouraging signs. For example, publishing houses work independently and freely in the market and people can publish or broadcast anywhere they desire. Moreover, the Internet is not controlled or censored in Kurdistan.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

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List of Panel Participants

Fars Mohammed Khalel, editor-in-chief, *Alhewar*, Mosel

Haval Abubakr, media consultant, Wusha Corporation, Sulaimaniya

Saman Fauzy, professor, Media Department, University of Sulaimaniya, Sulaimaniya

Halgord Samadm, correspondent, *Livn*, Erbil

Maqded Sapan, professor, Media Department, University of Sallahadden/Erbil, Erbil

Srwa Abdul Wahed, correspondent, Al-Hurra Iraq, Erbil

Amadamen Khdr, media consultant, *Chrka*, Sulaimaniya

Hazhar Mohamadamen, director of Erbil office, Gali Kurdistan Satellite, Erbil

Dlzar Hasan, managing editor, *Kurdistan Report*, Erbil

Neaz Abdulla, managing editor, *Medya*, Erbil

Heamn Mamand, reporter, Radio Nawa, Erbil

Hanan Autesha, programmer, Radio Ashore, Duhok

Nzar Zrar Ahmad, director of Erbil office, *Awena*, Erbil

Moderator and Author

Ali Kareem, head, Kurdistan Institute for Human Rights, Erbil

The Iraq-Kurdistan study was coordinated by, and conducted in partnership with, Kurdistan Institute for Human Rights, Erbil.

The new law created a liberalized process for new licenses, and allows applicants to go to court if their application is refused. As a result, daily newspapers proliferated in the period 2007-2008. The number of Arabic-language dailies reached 14 by August, 2008.

KUWAIT

OVERALL SCORE: **2.17**

The past year saw a boom in the business of Kuwaiti media and some unwelcome challenges to its practice—both because of recent changes to the country's media laws.

In March 2006, after years of demands, a new printing and publication law was finally issued to replace one that was issued in 1961 and had granted the executive the authority to grant, cancel or freeze newspaper licenses through administrative decree. The new law created a liberalized process for new licenses, and allows applicants to go to court if their application is refused. As a result, daily newspapers proliferated in the period 2007-2008. The number of Arabic-language dailies reached 14 by August, 2008. In all, 110 applications for publication licenses were submitted and 37 were approved by July, 2008.

However, the new law not only sustained prohibition of materials that criticize Islam, the emir, the constitution, or offenses to public morality, it expanded the scope of crimes involving media. The number of possible media crimes rose from 253 in 2006 to 462 in 2008, with 382 classified as felonies.

In addition, two leaked official documents published by a daily newspaper, *Al Qabas,* appeared to show that the Kuwaiti government was considering steps to rein in the media for what it called "the abuse of rights and public freedom." One of the documents stated that "political authorities should take many steps, mainly exercising discretional power (and prudence) in licensing new newspapers, enhancing the print and publication law implementation, and punishing journalists, especially non-Kuwaitis, who publish rumors or false news that harm society."

At the same time, general prosecutor Hamed Al Othman said in an interview that he had prepared a bill that criminalizes promoting vice, inciting against the country's leadership, divulging state secrets, or insulting Islam on the web. Convicted offenders would be sentenced to up to one year in jail and/or a fine, but face seven years in prison if their victims were minors.

MSI panelists agreed that Kuwait's media possess important freedoms that exceed those enjoyed in other parts of the Middle East. But some panelists expressed concern that the media sometimes exhibit irresponsibility that induces mutual attacks among political views, persons, or ideologies, and sometimes leads to lawsuits. The dilemma, they said, is how to balance free speech against the need for balance and the rights of individuals.

KUWAIT AT A GLANCE

GENERAL

> **Population:** 2,691,158 (July 2009 est., *CIA World Factbook*)

> **Capital city:** Kuwait

> **Ethnic groups (% of population):** Kuwaiti 45%, other Arab 35%, South Asian 9%, Iranian 4%, other 7% (*CIA World Factbook*)

> **Religions (% of population):** Sunni Muslim 70%, Shi'a Muslim 30%, other (includes Christian, Hindu, Parsi) 15% (*CIA World Factbook*)

> **Languages:** Arabic (official), English widely spoken (*CIA World Factbook*)

> **GNI (2008-Atlas):** $99.86 billion (World Bank Development Indicators,2009)

> **GNI per capita (2008-PPP):** $52,610 (World Bank Development Indicators, 2009)

> **Literacy rate:** 93.3% (male 94.4%, female 91.0%) (2005 census, *CIA World Factbook*)

> **President or top authority:** Amir Sabah al-Ahmad al-Jabir al-Sabah (since January 29, 2006)

MEDIA SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: 14 Arabic language newspapers, 2 English language newspapers, several weekly newspapers, 70-75 magazines; Radio: 1 private (Marina FM) and many other state-owned stations; Television Stations: 1 private (Al-Rai TV), 9 other restricted stations

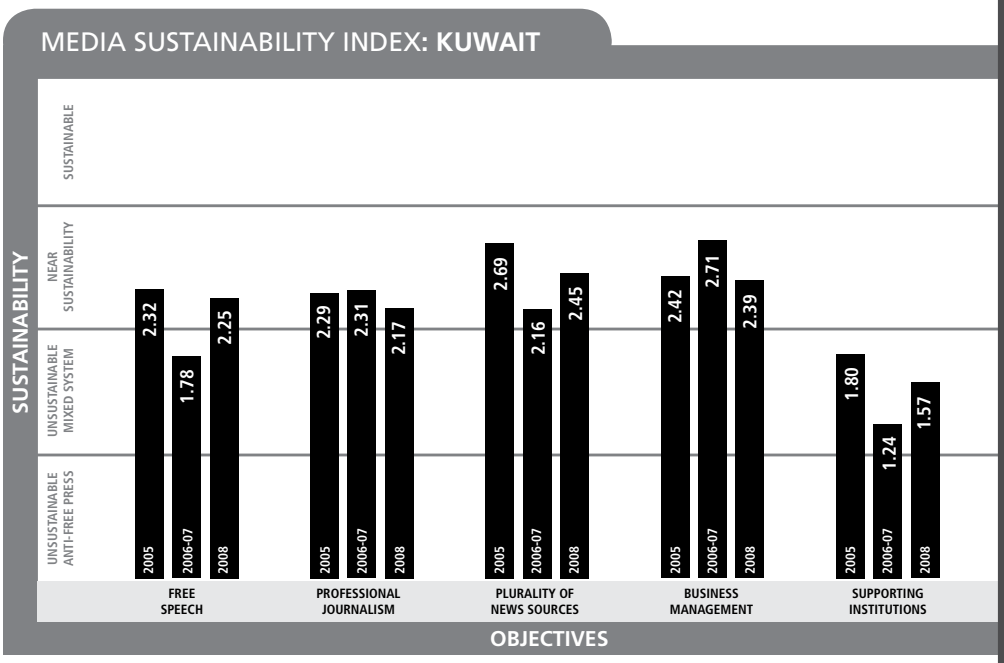
> **Newspaper circulation statistics:** N/A

> **Broadcast ratings:** N/A

> **News agencies:** Kuwait News Agency (KUNA); it has an independent budget and 33 bureaus and correspondents outside of Kuwait

> **Annual advertising revenue in media sector:** $375 million in 2007

> **Internet usage:** 1,000,000 (2008 est., *CIA World Factbook*)



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Kuwait Objective Score: 2.25

Free speech is considered an essential facet of life in Kuwait, where intense interplay among the media reflects the country's diverse political opinions, views, and approaches. But while Kuwaiti law and social norms promote free speech, journalists observe certain "red lines" and often practice self-censorship to avoid crossing them, panelists said.

Aseel Al Awadi, an instructor of philosophy at Kuwait University and a nominee for the 2008 parliamentary elections, said that while freedom of speech is secured, some red lines—including those relating to religion and tribe—may make it hard to say that Kuwait is really a free-speech country. She added that it is not possible to say or write something that contradicts the dominant public view. Other panelists noted that criticism of Kuwait's ruling family, except for the emir, is no longer considered taboo, but that religion is becoming the main red line.

Article 36 of the Kuwaiti constitution states: "Every person has the right to express and propagate his opinion verbally, in writing or otherwise, in accordance with the conditions and procedures specified by law." And under Article 37, "Freedom of the press, printing, and publishing is guaranteed in accordance with the conditions and manner specified by law."

In 2006, the country replaced its 45-year-old printing and publishing law with a new one. The new law expanded the scope of media offenses, some of which are vaguely defined, according to most panelists. Defaming religion may provoke one year of imprisonment and a fine of about KD 20,000 ($75,000). At the same time, any Muslim citizen may sue a journalist for offending Islam. A new broadcasting law passed in 2007 contains the same provisions about restrictions and punishments. Ghanem Al Najjar, a professor of political science at Kuwait University, said the laws have many deficiencies that make it easier to limit media freedom.

In fact, Kuwait has seen an increase in legal action against the media, mostly personal cases brought to courts by individuals, but also instances of the government bringing up charges against journalists. Panelists pointed out, however, that even this trend has a positive side, because the authorities are acting through the courts rather than taking discretionary measures.

Hesham Mesbah, an assistant professor of media at Kuwait University, expressed concern about the new printing and publication law's proscription against "harassing the allies of Kuwait," or the clause prohibiting the publication of "materials disturbing relations between Kuwait and Arab or friendly countries." He said that these provisions are "vague" and may affect the coverage of foreign affairs.

> *There has been a sort of chaos on the airwaves, Al Anezi said, because some are controlled by the Ministry of Information, and some by the Ministry of Communication. As a result, he said, the government will soon create an association to organize communications.*

Saoud Al Anezi, assistant managing editor of *Al Jarida* and head of the Kuwait Graduates Association, said the broadcasting law is worse than the printing and publication law and threatens many freedoms ensured by the constitution. Nevertheless, said Muzaffar Rashed, who heads the staff of the parliament's Defense of Human Rights Committee, the revisions of both laws constitute fundamental changes in the relationship between media and government, regardless of how the laws are implemented.

Amer Al Tamimi, an economics researcher, said Kuwaiti laws protect, to some extent, free speech much better than many countries in the region. The problem, he said, lies in the interpretation of the laws and their implementation. He cited the prohibition of public employees from writing in newspapers as one example of the government's overreaction to the media.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

On June 28, 2008, Al Qabas *published a leaked official document that discussed dealing with "the abuse of rights and public freedom." It said that "some movements (sectarian, etc.) began to appear through new newspapers, and some newspapers became a means for interest groups to attempt to dominate the executive institutions through threats, rumors, and misleading news."*

Al Anezi said he was very concerned about two official documents published by *Al Qabas* that appeared to reveal a tendency within the government to limit free speech. On June 28, 2008, *Al Qabas* published a leaked official document that discussed dealing with "the abuse of rights and public freedom." It said that "some movements (sectarian, etc.) began to appear through new newspapers, and some newspapers became a means for interest groups to attempt to dominate the executive institutions through threats, rumors, and misleading news." The document suggested ways to "adjust" the situation, "mainly the use of discretional power and prudence in licensing new newspapers, stepping up implementation of the print and publication law, and punishing journalists, especially the non-Kuwaitis, who publish rumors or false news that harms society."

Soon after, on July 6, *Al Qabas* published another official document revealing that the government was considering imposing more limits on freedoms, especially in media. Although the minister of information distanced the government from this document, *Al Qabas* confirmed that it was distributed and discussed during a governmental session in January 2008. The documents either were leaked as a trial balloon to test whether restrictions could be implemented successfully, Al Anezi said, or were intended to remain confidential and therefore reflected a desire to reduce free speech.

At the same time, the new printing and publication law also liberalized the creation of new newspapers, eradicating a virtual monopoly held by a few families. The law permits the issuance of newspaper licenses—with the requirement that applicants post a deposit of about $950,000—and permits applicants to go to court if they are refused. As a result, most of Kuwait's political groups have launched newspapers, said Iman Hussein, a journalist with *Al Jarida.*

Similarly, the 2007 broadcasting law allows the licensing of new television channels and radio stations. It required applicants to deposit more than $1 million for a television station and more than $300,000 for a radio station. The number of broadcasters is expected to increase, but not as much as newspapers.

Al Najjar said that while the changes in the law have promoted fairness and competition in the print sector, the television sector remains weak. There are only two private television channels: Al Watan and Al Rai. Many television channels obtained licenses, but did not launch operations. Al Tamimi said that some newly licensed newspapers obtained a television license as well.

There has been a sort of chaos on the airwaves, Al Anezi said, because some are controlled by the Ministry of Information, and some by the Ministry of Communication. As a result, he said, the government will soon create an association to organize communications.

Al Najjar noted that there are many ways to broadcast, a fact that became clear during the 2008 elections campaigns: many groups tried to obtain licenses abroad to broadcast back into Kuwait.

There are no taxes in Kuwait, other than deductions for the charitable donations, or *zakat*, required of Muslims. It is unlikely any tax proposal would be approved by the parliament.

Media market entry is complicated only by the relative difficulties of getting a license and going into operation, which is still influenced, in many cases, by those in power. The monetary requirement for licensing could be considered an indirect restriction, Al Anezi said.

Crimes against journalists are very rare, panelists said, though there were some cases in 2008 where policemen beat photographers covering certain news events. Some panelists blamed individual policemen for the abuse, yet they suggested that punishment would prevent its recurrence.

Most public information or news issued by the Ministry of Information is declared through government-run Kuwait TV, Al Anezi and Mesbah said. With the television sector gradually opening up, it is too early to judge whether public media do receive preferential treatment, Al Najjar said.

Libel is typically punished by fines, but Al Anezi said that the new printing and publication law opens a "dangerous" bridge into the penal code. A journalist may be severely punished, often on the basis of vaguely worded offenses.

Rashid expressed concern about sections in the legal code that forbid addressing some political and religious issues.

In a sense, Kuwaiti media enjoy a high ceiling, as no one other than the emir is explicitly protected in the media, Al Najjar said. However, the "protection of individuals is weak, especially in the case of television," Al Najjar said, "which has caused direct harm to individuals." He said this raises a problem that Kuwait needs to address, how to implement relevant laws without harming free speech principles.

Al Tamimi raised concerns about "social harassment," when some groups, especially radical ones, bring lawsuits targeting outspoken writers, film makers, and poets who they believe have insulted Islam. He says that this issue has no remedy in the Kuwaiti legal system.

Access to public information varies widely, depending on the type of information. Some news or press releases are sent to all media; only well-connected journalists gain access to other news, especially important releases. Panelists said that journalists have their own methods to get news, which are not always fair or objective.

For example, Al Anezi said it is not possible for a journalist to approach a public agency for information; rather, they must employ other tactics. For example, "After Council of Ministers meetings journalists try to call ministers privately to get information," Al Anezi explained. "Then a minister often makes the release of information conditional, attempting to influence content and even the writing… If information were transparently available, the media's work would be much better."

The government also deploys bureaucratic stalling techniques to hide information, Rashid said. For example, presented with information requests, they might direct journalists to the public relations office to submit an inquiry—a lengthy process, so that the news may be out of date by the time the release is secured.

Al Najjar said that every newspaper has journalists who work delegates to get inside information from ministries; these journalists often turn out to be the ministries' delegates to their newspapers. Such journalist are, in effect, being influenced by powerful people in the ministry, he said, because they are urged to publish the news that is fed to them. Otherwise, these journalists will be denied information later on.

Al Anezi said that 94 percent of Kuwaiti workers are employed by the public sector, so the government controls them, and it is not possible for Kuwaitis to get information easily.

Reporting presents problems, panelists agreed, especially where objectivity is abandoned. Many reports contain definite judgments, which do not leave any choice of interpretation for readers, Al Anezi said.

Mesbah said the law imposes a double standard by punishing the publication of rumors, while not ensuring access to information in a transparent way.

There are no restrictions on entering journalism. Al Anezi said that, along with the booming of newspapers and the need for more editors, a "lot of very low-standard persons" are being hired at newspapers. Foreign correspondents need permission to work in Kuwait.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Kuwait Objective Score: 2.17

Professionalism varies from one newspaper to another, yet common weaknesses include news writing, language styles, and accuracy. Many newspapers also show weakness in editing, even Arabic grammar mistakes. Mesbah, who teaches news writing at Kuwait University, said his students often find examples from newspapers "full of mistakes" in language, editing, and meaning, even in front-page headlines. He mentioned that some local reports contain sarcasm, which undermines professionalism. Mastery of news writing, especially the harmonization between the headline, the introduction, and the body, seems to be lacking. Layout quality also varies greatly among newspapers.

Panelists expressed hope that the growing number of newspapers would in fact boost competitiveness, and they urged editorial teams to pursue greater professionalism.

Reporting presents problems, panelists agreed, especially where objectivity is abandoned. Many reports contain definite judgments, which do not leave any choice of interpretation for readers, Al Anezi said. He emphasized that objectivity has been fading. Rashid said, however, that analytical articles are rare, and commenting is mostly left to columnists, who analyze issues according to their own views.

Local reporting suffers the most from a lack of objectivity; reports often contain questionable facts or improper

Kuwait has a relatively high standard of living, and salaries are generally high—especially in comparison with those in the home countries of the foreign workers who make up two-thirds of the country's 2.6 million residents. Nevertheless, most Kuwaiti journalists have extra jobs, especially in public institutes, and this may reflect insufficient salaries in media.

reasoning, or they may rely on anonymous sources, Al Najjar said. Reporting on foreign issues appears more objective.

It is common to find newspapers used unprofessionally for attacks on rival owners or political opponents. Such attacks may appear as articles or reports that include sarcasm, defamation, libel or caricatures.

Credibility is also a problem, Al Anezi said. He said a journalist may take a story or information from a colleague and publish it days later as his own report. It is also common, he said, "for a journalist to ask the person he wants to interview to write everything and send it to him." Adherence to ethical standards also differs among media outlets, and can even fluctuate within the same outlet.

Self-censorship is present in all media, but especially in newspapers, some panelists said. Journalists are used to steering clear of "red lines" linked to religious and tribal issues, partly to protect public order. Other topics that may spur self-censorship but are not considered red line issues include news about certain foreign countries.

Key events are covered fairly, but the repercussions of such events are worth examining in newspapers, which can vary in their objectivity of coverage, especially when the issue is related to a political group or to public policy. Events related to a key person or political group may put self-restrictions on news coverage, or cause weak and unfair coverage.

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The desire to maintain high living standards drives some journalists to accept gifts, even informal monthly salaries, from politicians or other important people. "The journalist goes and gets an envelope every month," said Al Najjar. In some cases, Al Najjar continued, one journalist will specialize in distributing money to other journalists. In return for these gifts, a patron gets inside information about the newspaper, and stories set to be published. "All newspapers are breached," Al Najjar said. In one instance, Al Anezi added, "an officer in the capital municipality got mad because an editor didn't agree to take money from him. This officer considered it an offense!"

Entertainment and information programs are relatively balanced in newspapers; some newspapers give substantial play to culture and the sciences. But television, especially public channels, devotes more time to entertainment. Mesbah said that the budget for entertainment programs in public television surpasses that of politics and news.

Most media outlets have modern equipment, and public media's equipment was recently upgraded. News rooms are computerized, except at a few newspapers, and are linked to news agencies. Most newspapers have websites.

Regarding specialized journalism, Al Tamimi said that many business reporters and editors do not properly understand their field, which can make their reports—even their questions in interviews—irrelevant. He said that some have been working since the 1970's, but have failed to update their skills.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

OBJECTIVE 3: PLURALITY OF NEWS

Kuwait Objective Score: 2.45

Media outlets are diverse in Kuwait, but not in a proportional way. Citizens, as well as residents, have access to all media outlets except blocked web sites or unauthorized foreign publications.

The medium that most effectively keeps Kuwaitis well connected is mobile telephony, panelists said. Instant messaging by mobile phone, or SMS, is the most essential news medium in Kuwait, especially for urgent news. "When there is a secret meeting of the parliament or Council of Ministers, the entire country knows what happened before the meeting finishes, thanks to SMS," Al Anezi said.

Private newspapers have gotten a big boost from the new printing and publishing law, making them the most widespread medium in the country. The number of newspapers reached 14 in August 2008, with two more in the works.

Broadcasting outlets are still limited, with a few radio stations and three television stations, one of them public. The Internet is a vital and essential form of communication in Kuwait. There are dozens of Kuwaiti blogs—political, social, and entertainment. The government blocks offensive websites, and some political or religious sites may be temporarily blocked for reasons of "national security."

Al Najjar said websites have been blocked both by government order and by Internet providers. The Interior Ministry sometimes asks Internet providers to block sites, although it does not have the legal right to do that. Furthermore, there is no legal channel for contesting bans; a person can only post a note on the blocked site. However, there are many ways to bypass the blocking.

Instant messaging by mobile phone, or SMS, is the most essential news medium in Kuwait, especially for urgent news. "When there is a secret meeting of the parliament or Council of Ministers, the entire country knows what happened before the meeting finishes, thanks to SMS," Al Anezi said.

It is important to clarify that the printing and publications law does not apply to the Internet. The general prosecutor, Hamed Al Othman, said that he prepared a bill that criminalizes promotion of vice, incitement against the country's leadership, divulging state secrets, or insulting Islam on the web. If convicted, offenders would be sentenced to up to one year in jail (seven years if their victims are minors) and/or fined. Kuwaiti bloggers are angry at this proposed law, which they claim would eradicate their freedom.

Foreign publications are allowed in Kuwait, but only with official permission. Foreign news agencies are not restricted; it is up to local editors to decide whether to publish their material. News from satellite television can reach almost every home in Kuwait, eclipsing local television.

Some foreign radio services are very familiar in Kuwait, mainly the BBC and U.S. government-funded Radio Sawa. Local stations, mainly privately owned Marina FM, government-owned Kuwait FM, and the new Mix FM have a big share of listeners.

Public media mostly reflect the official view. Public television "lives in another world," as one panelist put it.

Kuwait News Agency, run by the state, gathers and distributes news of different varieties, but employs relatively less diversity of opinion when dealing with local stories. There are no independent news agencies, and media outlets depend on the major foreign agencies, such as Agence France-Presse, Reuters, the Associated Press, and Deutsche Presse-Agentur.

Most people generally read one or two familiar newspapers, often sharing their political or ideological outlook. Politicians tend to read most newspapers.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

OBJECTIVE 4: BUSINESS MANAGEMENT

Kuwait Objective Score: 2.39

Notwithstanding the fact that most media outlets in Kuwait are on good financial footing, some aggressively pursue profits while others seem indifferent, satisfied with their strong political, ideological, or family agendas and backed by huge budgets and supplies from allies.

In Kuwait, independent media do not receive direct government subsidies. The only form of government support is bulk subscriptions: the Ministry of Information buys about 1,000 subscriptions from each newspaper, as a means of subsidy.

Kuwait has the third-largest advertising market in the Persian Gulf region ($650 million), and it is clearly growing. Advertising sales for newspapers surpass KD 100 million ($374 million). Kuwait is the fourth largest among the Arab countries in advertising sales, after Egypt. However, despite the spread of newspapers, a few papers still monopolize the advertising market. Advertising revenues vary among papers, with the older ones possessing bigger shares due to their long cooperation with advertising companies. In contrast, most newly launched newspapers obtain much smaller shares, and Al Tamimi said their sustainability is questionable as a result. Many newspapers, especially the new ones, distribute a large number of free issues.

Newspapers undertake independent research and studies, and they may ask advertising companies to conduct them, but such research and studies remain few. Al Anezi said that some research institutions ensure that every newspaper is "first" in at least one category, in order to keep a good relation with all of them.

Although print-run statistics are easily found, real circulation figures seem to be abstract. Some panelists charged that circulation figures declared by newspapers are fake or misleading. Many companies that examine circulation figures have been operating in Kuwait for a long time, but their work is inaccurate, Al Najjar said. They examine the quantity of papers, which is not the same as the number of circulated copies.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Kuwait Objective Score: 1.57

In Kuwait, there are no media trade associations, and such associations are not likely to be established, since media outlets belong to political opponents and rivals. Some ad hoc gatherings for editors in chief take place, usually in response to specific incidents.

The Kuwait Journalists Association was established in 1964, but panelists agreed the association does not represent journalists or journalism. One panelist said, "This so-called association is far from journalism." Al Anezi said the association includes several hundred members who are not journalists, and those members do not pay annual fees.

A syndicate of journalists was founded in July, and registration has begun. This syndicate was founded by court order, after the Ministry of Social Affairs refused to authorize it. Some panelists expressed concern about the sustainability of this syndicate, fearing it could collapse over conflicts among the many political and ideological groups. Al Najjar

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

pointed out an important difference between the association and the syndicate: the first can be dissolved by the minister of social affairs, whereas the latter cannot be dissolved without a court order.

There are no real media NGOs in Kuwait. The Kuwait Graduates Association includes a committee for defending journalists, who have no special rights.

Training programs occasionally are conducted by foreign agencies. The Kuwait News Agency organizes training courses from time to time, but training programs remain rare. However, Mesbah said the media faculty at Kuwait University is interested in cooperating with foreign institutions to develop more training opportunities. Additionaly, Al Najjar described plans to found a Journalism Training Institution.

Printing has been mainly monopolized by a few powerful people in the country. These people may prevent some competitors from accessing newsprint, which has spurred some newspapers to secure paper from foreign sources.

List of Panel Participants

Saoud Al Anezi, assistant managing editor, *Al Jarida*; director, Kuwait Graduates Association, Kuwait City

Ghanem Al Najjar, professor of political science, Kuwait University, Kuwait City

Mudaffar Abdallah Rashid, journalist; head of a committee office in the parliament; Defense of Human Rights Committee, Kuwait City

Aseel Al Awadi, professor of philosophy, Kuwait University; member of parliament, Kuwait City

Iman Hussein, journalist, *Al Jarida*, Kuwait City

Fatima Dashti, journalist, *Al Jarida*, Kuwait City

Amer Al Tamimi, economic researcher, Kuwait City

Jenan Tamer, journalist, *Awan*, Kuwait City

Hesham Mesbah, professor of media, Kuwait University, Kuwait City

Kamal Al Ters, journalist, Kuwait City

Moderator and Author

Jihad Al Mallah, consultant, Gulf Forum for Citizenship; head of foreign desk, *Al Jarida*, Kuwait City

The Kuwait study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat, Oman.

The government retained the right to close down any media outlet at any time, and Ministry of Information censors strictly enforced the Press and Publication Law, which authorized the government to censor all domestic and imported publications.

OMAN

OVERALL SCORE: **1.96**

In October 2008, the Minister of Information announced that the Sultan of Oman ordered the training of all Omani print and broadcast journalists, both public and private. The announcement led Omani journalists to believe there was the political will to empower the media and give it more press freedom.

Other media developments during 2008 included the launch of a new entertainment radio station and the start of the television station Asala and the television channel Majan. A new commercial Internet provider was licensed to operate. Al Nawras was also the first private and the only telecommunication company providing mobile phone service in Oman.

But other facets of Oman's media structure remained the same: The government retained the right to close down any media outlet at any time, and Ministry of Information censors strictly enforced the Press and Publication Law, which authorized the government to censor all domestic and imported publications.

Information and news are widely available in Oman, and foreign broadcasts are often accessed via satellite in urban areas. However, there is a basic lack of coverage of local topics such as the economy, unemployment, or minority and migrant issues. Candidates for the October 2007 Consultative Council elections were allowed to place campaign advertisements in the local papers for the first time, and foreign journalists were invited to cover the voting. While both private and state-run print and broadcast media tend to support the government's views, some "constructive" criticism of the government is permitted. Journalists, however, still practice a high degree of self-censorship, and reporters have been jailed in the past for coverage of colleagues' arrests. Journalists are required to obtain licenses to practice, and since 2005 they have been obliged to reapply each year as an employee of a specific media outlet, thus making the practice of freelance journalism problematic. Journalists may have their licenses revoked at any time for violating press laws or for crossing red lines.

Various media companies reportedly refused to publish articles by journalists who previously criticized the government. Some journalists alleged that the government maintained a "black list" of journalists and writers whose work could not be published in the country. The authorities tolerated a limited degree of criticism of policies, government officials, and agencies, particularly via the Internet; however, such criticism rarely appeared in the mass media. The government used libel laws and concerns for national security as grounds to suppress criticism of government figures and politically objectionable views.

OMAN AT A GLANCE

GENERAL

> **Population:** 3,418,085 (*CIA World Factbook,* 2009 est.)

> **Capital city:** Muscat

> **Ethnic groups (% of population):** Arab, Baluchi, South Asian (Indian, Pakistani, Sri Lankan, Bangladeshi), African (*CIA World Factbook*)

> **Religions (% of population):** Ibadhi Muslim 75%, other (includes Sunni Muslim, Shia Muslim, Hindu) 25% (*CIA World Factbook*)

> **Languages:** Arabic (official), English, Baluchi, Urdu, Indian dialects (*CIA World Factbook*)

> **GNI (2008-Atlas):** $32.76 billion (World Bank Development Indicators, 2009)

> **GNI per capita (2008-PPP):** $20,650 (World Bank Development Indicators, 2009)

> **Literacy rate:** 81.4% (male: 86.8%, female: 73.5%) (2003 est., *CIA World Factbook*)

> **President or top authority:** Sultan and Prime Minister Qaboos bin Said al-Said (sultan since 23 July 1970 and prime minister since 23 July 1972)

MEDIA SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: 7 dailies (4 in Arabic, 3 in English), 40 other newspapers and magazines, 13 bulletins; 8 media establishments and 70 printing presses Radio: 2; Television Stations: 2 (Ministry of Information)

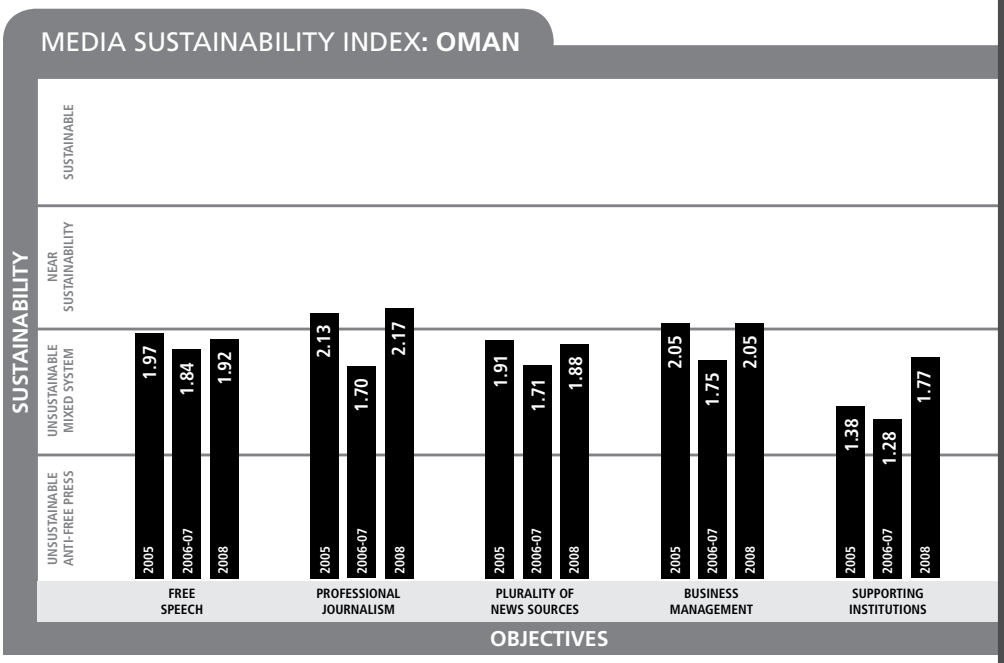
> **Newspaper circulation statistics:** Top 3 by circulation: *Al Watan* (circulation 34,000), *Times of Oman* (circulation 34,000), *Oman Daily* (circulation 26,000) (Arab Press Network)

> **Broadcast ratings:** N/A

> **News agencies:** Oman News Agency (state owned)

> **Annual advertising revenue in media sector:** N/A

> **Internet usage:** 465,000 (2008 est., *CIA World Factbook*)



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Oman Objective Score: 1.92

The 1984 Press and Publications Law is one of the most restrictive in the Arab world and serves to create a highly censored and cautious media environment. Articles 29, 30, and 31 of Oman's 1996 Basic Law guarantee freedom of expression and of the press; however, these rights must be exercised "within the limits of the law."

Panelists said if Omani journalists were working according to the limits of the law, the media environment would be much better than it is now. Faiza Al Himli, a reporter for *Al Zaman* newspaper, explained there are no clear or specific rules that protect or encourage freedom of expression or open access to information. Even so, some individuals try to create a professional environment.

Kalfan Al Abri, public relations officer at the Ministry of Heritage and Culture added that there is some freedom provided by the law, but it is restricted by many unwritten rules and instructions. These rules force journalists confront editors who often refuse to publish investigative stories. Kalfan said that self-censorship and withholding information, along with fear of making mistakes that could result in a charge of libel, are additional obstacles for journalists, making them cautious and afraid to pursue stories.

Fatima Al Ismaili, public relations officer for the Disabled Children's Association, mentioned that in 2008 many journalists reported on daring stories that would not have been published before. Journalists have started to write what readers think is important and relevant, she said. Salima Al Ameri said private newspapers started recently to publish bold stories about sensitive issues without any punishment by the government. However, people are divided in Oman between conservatives who do not want these kinds of stories to be publicly discussed and those who think publishing such stories would lead to solutions of intractable problems.

Professor Anwar Al Rawas of the Mass Communication and Journalism Department at Sultan Qaboos University said that as Oman is a developing country, the government sets its own rules and instructions to control the media. While the basic law granted freedom of expression and freedom of press, there are some barriers to media development. Bader Al Nadabi, producer at Oman Radio, said that the biggest problem facing journalists is editors who are afraid of government and business pressures. Al Rawas added that there are some journalists who are eager to establish new professional standards, and their new vision will ultimately change the government policies.

Licensing is fair and not political, confirmed some journalists; instead it relies on the amount of investment, which is very high and feasible for only the wealthiest investors. Khalfan Al Abri said capital is the most important consideration in opening a media outlet. The level of capital needed is very high and difficult to meet for most journalists seeking an independent media. Mohamed Al Bulushi, the head of local news for *Al Shabiba Daily,* added that licensing could be political because of the high capital requirements—about $1 million. Only powerful business people and royals close to the government have this level of capital. The Ministry of Information might delay or refuse a license for "untrustworthy" people, even if they have the capital required, he said.

Journalists in Oman often complain about restrictions on access to information. While international information is easily accessible, local news and information are not, and details are hard to come by. Mariam Al Abri, reporter for *Al Zaman*, said that government organizations usually refuse to release information and require official letters from the editors and signatures from certain senior supervisors, so journalists frequently abandon or delay stories. Information is accessible for most issues except for local news. It is difficult to obtain from officials who mark it as confidential.

Al Bulushi said the situation is different from one media outlet to another, depending on the editors and the people dealing with journalists at the Ministry of Information. The Publications Law gives journalists some space to tackle

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

social issues but traditions and societal rules play the role of censors. Many journalists restrict their reporting based on these social traditions, because they believe in them. In fact, when some journalists try to write about social issues, other journalists oppose them. Issues such as marriage, racism, and homosexuality are extremely sensitive and fall into this social issue category.

Khalid Al Adawi, reporter for *Oman*, added that government officials and editors sometimes request that all news sources be Omani and do not accept foreigners as valuable sources. Faiza added that even photos published with stories must be of Omanis. There are restrictions in using non-Omani citizens in the media, whether as sources or subjects of news. Al Bulushi explained that approach does not stem from discrimination but from the government's desire to emphasize patriotic aspects in all news and programs. But that limits access to information and puts more difficulties in the reporter's way.

Whether Omani or not, all doctors are required to have permission from the Ministry of Health to speak with the media, whether or not the subject matter is related to medical issues.

Most panelists expressed hope that more freedom would be gained in the near future because the number of journalists and private media outlets is increasing. Equally hopeful are the signs that young journalists are willing to challenge past restrictions and to address issues that matter to readers, viewers, and listeners.

Journalists can use news from foreign sources and the Internet without restrictions, except for stories considered sensitive by the state or to other friendly states.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Oman Objective Score: 2.17

As media competition grows, more journalists are adopting professional principles in order to compete and achieve success. MSI panelists said that they try to write and broadcast news stories as professionally as possible, but they are confronted with obstacles: limited access to information, few resources, and official requirements by government employees. Furthermore, despite the efforts of some to improve professionalism, other journalists still lack sufficient skills.

Al Bulushi said that having many nonprofessionals with poor reporting skills leads to low quality reports and raises questions regarding overall professionalism. He said Omani newspapers have no research departments to support the editorial departments. Khalfan Al Abri said that one problem in improving reporting skills is that originally Omani media outlets were opened to support government development plans and policies. They cannot move ahead from there and keep playing the same role.

Hamood Al Touqi, editor-in-chief of *Al Waha* magazine, said many journalists work in media just to make a living, because it was an available job for them, and once they find a better one leave the profession. Al Touqi added that many journalists learn their profession on their own or from other reporters. The awareness of the real mission of journalism is very low.

In addition to lack of skills, obtaining information is the most difficult problem facing journalists. It is difficult to get information directly from sources. Sometimes journalists have to simply depend on public relations people or press releases. Mariam Al Abri said some journalists do not bother to produce stories, choosing instead to write exactly what they were told. Therefore, journalists write news in the same style. Khalfan Al Abri said some journalists have become lazy because of this and prefer to wait for news instead of looking for stories. Al Adawi indicated that some journalists ignore professional obligations in order to retain their sources, regardless of the specifics of the story. He said some journalists look for information undercover. Getting information depends on the personal skills of the journalists, as there is no law that requires officials to release information.

All panelists agreed that none of the media organizations in Oman have a code of ethics and journalists as a group have yet to adopt one. In general journalists follow acceptable

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

ethics in pursuing their stories in spite of this. Salima Al Ameri said some media organizations do not respect the ethics of the profession because they do not consider them obligations like laws.

Al Rawas said that self-censorship is widespread among journalists. The government practices censorship on some levels, but it leaves it to journalists themselves, who very strongly practice self-censorship. Lots of journalists are afraid of being fired. All stories or comments that criticize the government might lead to questioning journalists or detaining them. Some journalists have been banned from writing, or they were transferred to another job.

Faiza Al Himili, a reporter with *Al Zaman*, said editors often censor stories, so even when stories are executed according to professional standards, the story that is published does not resemble what was originally written. Al Ameri said editors prefer to accept the influence of commercial interests over maintaining professional, independent editorial policies.

Coverage of key events is limited by editors to those topics that do not create undue controversy. Journalists cover all events they are asked to, but they cannot freely choose what to cover. They might be threatened or banned from writing if they dare to publish articles on forbidden subjects.

Panelists had mixed reviews of salaries for media professional in Oman, but said that salaries are increasing because of the growing number of private media outlets being launched and the rising competition between them. Many journalists are paid poorly, especially those who work for the private sector, and can be as low as $500 a month. Mariam Al Abri said journalists do not feel satisfied by the salaries they get, so they do not care about their work. "Most of these journalists are young people like me, who graduated from college and are enthusiastic and want to practice good journalism, but low salaries made them hopeless," she said. She expressed fear that most young journalists would leave for other jobs. She said that many of her colleagues already left to work in public relations departments in different organizations.

On the other hand, Al Ismaili said, "Regarding salaries, I know that they are good. I work as a freelancer and with a comparison to other careers, working in journalism is rewarding," she said. She said that competition is the reason for this, because most media outlets are looking for good professional journalists.

Entertainment programs dominate the radio and television channels, compared to newspapers that present news stories and are balanced with entertainment pages.

Al Himili added that 2008 was notable in that newspapers tried to stick to high quality layout and printing standards. Media outlets usually own modern tools and equipment which allow them to have good quality production.

Specialized reporting is rather lackluster. Al Bulushi noted that many journalists who write about the economy do not know how to report on the issue to make it understandable for readers or viewers. Instead, they usually print their sources' information without any analysis. Investigative journalism is almost absent from Omani media. Frequently investigative journalists are asked not to do stories because the media outlet fears legal reprisals or other problems with the government. "Several times I did investigative stories, but I could not publish them," Al Himili said.

OBJECTIVE 3: PLURALITY OF NEWS

Oman Objective Score: 1.88

The number of newspapers, magazines, and broadcasting outlets has grown. A new radio station and two television stations started operating in 2008. Panelists expect that many other media outlets are on their way, due to the successes of current media outlets. While many sources of information exist in Oman, there are limitations to the plurality of news that local media provide to Omanis. The state still dominates news over broadcast channels, with local private broadcasters providing little in the way of an alternate. Instead private broadcasters focus on entertainment or other shows that remain on the fringe of "news and information."

Furthermore, journalists attempting to do professional quality reporting with a plurality of views face problems, including lack of access to sources and information and a lack of awareness about the media's role. Journalists are afraid of the Ministry of Information, which practices severe censorship on both public and private media organizations. Government censorship of private media is more stringent, which affects how news stories are presented even when information is accessible.

However, panelists noted that since last year there has been progress regarding the plurality of news sources, as journalists are eager to do a professional job despite government control of most news resources.

Most media establishments are in Muscat. However, most people have access to, and can afford to buy or subscribe to, local and international media outlets. Omanis rely on television, including international and regional satellite, and radio for much of their news. Print media is less in use, mostly because of poor readership. Newspapers are read

mainly by employees of government ministries and state-run companies because all government bodies subscribe to them. Nonetheless, the number of newspapers is increasing in Oman, and international publications are easily found at local newsstands.

While the Internet is widely available, there is no professional, independent news web site to take advantage of the relative freedom that the Internet provides. Omanis cannot create serious forums for discussions and political debates in cyberspace. But the existing Internet forums give local events more importance and allow for more free expression on some web sites.

The state-owned media reflects government views and dominates all media, including the private sector. Some panelists said the government's views might on occasion reflect the public interest or represent the people's views, but that different points of view do not commonly appear in Oman's television and radio.

The state-owned Oman News Agency (ONA) is the only one in Oman. Local media have to use news broadcast by ONA as the official news from the government. ONA is considered the spokesperson for the government, and any official news must be taken directly from it and confirmed by the agency, especially important stories involving the Sultan or government VIPs. Al Touqi said that Omani media depends on the official agency because it is the most trusted source on that level. But citizens do not usually trust the government sources and prefer stories told by journalists directly.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Other foreign news agencies are accessible and affordable through the Internet. But media outlets can use the Gulf, Arab, and international news agency stories without changing or adding information or only making changes with caution.

Omani state television and radio produce their own programs, which panelists said mainly express the government's views more than the people's. As noted above, local private broadcasters produce little news and information programming; what little is to be found is taken primarily from government sources. Media owners are known for being either part of the government or powerful investors.

Oman does not allow minorities to own media. The owner and editors-in-chief have to be Omanis, according to the law. However, Al Rawas said there is more freedom to report stories about social or community problems. But reporting them has not yet reached a high professional level because the process reflects the journalists' views and incorporates self-censorship.

OBJECTIVE 4: BUSINESS MANAGEMENT

Oman Objective Score: 2.05

The media business is growing in Oman. Al Nadabi confirmed that optimism about the media means more will flourish in the future. Good management would make media more successful and independent. He mentioned that the market share of advertising for private media is growing compared to the state-owned media outlets. Al Ismaili said having many media outlets helps to open the market commercially and advances the quality of the media product. Many people believe that privately owned media are independent, and they are trusted more than the state-owned media. People also consider private media better sources of information. Therefore, they have a competitive edge.

Al Bulushi said that some media outlets are linked to the profit they make from other businesses. For example, some private newspapers were established because of the profits made by their printing companies. The managers of these media outlets realized their businesses could grow if they owned a newspaper or a radio station. But this did not free the media and did not make it independent, he added.

Al Adawi said that business people who do not have any real interest in journalism operate most of the private media outlets. Profit is the goal of owning a media company. The managers of private media outlets come from various backgrounds unrelated to media. Management employees also suffer from low salaries.

Al Ismaili said that private media has many financial resources. Faiza Al Himli said private media makes a lot of profit from advertising, making them independent financially but not editorially. They have the choice to be different but not to the extent that they upset the government. Mariam Al Abri explained that because management of media establishments is weak, advertisers apply a lot of pressure. Private media is established on a commercial basis, so it does not try to balance editorial content and advertising. This confuses journalists about their real mission.

Al Zaman, the newest newspaper in Oman, tried to be independent but faced financial problems. It had to abandon its goals of independence in order to continue to pay employee salaries.

The Internet has helped in opening new advertising space, and this may gradually allow media outlets to become independent. Lately some media outlets have used text messages and other means to advertise.

Although only Omanis can own media companies, non-Omanis dominate the advertising market. Businesses believe that Omanis do not have enough experience in this field, which limits the opportunities of young graduates seeking careers. Panelists noted that the number of advertisements in Oman is not as numerous as in neighboring countries' media outlets.

Advertising is the main financial support for private-sector media. Subscriptions and sales form a much smaller source at print media.

Al Touqi, the editor and owner of Al Waha magazine, said independent media in Oman do not receive funding or subsidies from the government and rely completely on commercial advertising and circulation. Until recently the government subsidized the private media, but now it is giving loans on easy terms as an alternative. The government has supported media outlets such as newspapers through subscriptions and advertising as well. Many government bodies and private companies put pressure on and attach conditions in order to have a business relationship. They sometimes stop their advertisements and subscriptions if a media outlet does not obey them.

Panelist Salima Al Ameri said market research is done by academic institutions and there is no cooperation between them and the media. Panelists agreed that studies and research are not really used for strategic planning. A few establishments understand its importance but are not yet conducting research. Mariam Al Abri said most Omani media outlet do not realize the importance of research.

There is no independent organization that provides statistics about circulation or audience size in Oman. Print media companies announce any circulations numbers they want for propaganda purposes and without any references. Some private media companies make false claims about their products and provide false statistics, saying the information came from experts and specialists.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Oman Objective Score: 1.77

Media-supporting institutions in Oman are rare, but the few in operation did better in 2008. The Omani Journalists Association (OJA) tried, along with the Omani Writers Association (OWA), to develop journalists' and writers' rights and protections, but they cannot openly support media interests or media independence. The 2006 law allows the formation of labor and trade unions of all kinds, yet there are no media unions in Oman. The OJA, which is still the most relevant NGO for journalists, typically does not deal with issues related to freedom of expression or independent media. Many journalists accuse the OJA of acting as a government supervisor more than as a supporting media association.

However, panelists agreed that OJA is moving slowly on journalists' rights and had played significant roles in some cases to protect journalists. Faiza confirmed that OJA's role in protecting journalists is not clear, and that its members are still working on its mission and objectives. Bader Al Nadabi said the problem is that the government encourages the "one voice" policy and does not believe in a plurality of news and opinion. Instead it emphasizes increasing the level of self-censorship among journalists.

Al Bulushi said that media-support institutions, which sustain independent media, do not exist in Oman generally. OJA and OWA are the only relative forms of media NGOs, but they do not have clear or influential roles. "These two associations put some pressure on when three journalists, including myself, were questioned by the general attorney about articles published regarding launching new ferries without planning. The associations succeeded in moving [the government's response from a] verdict of jail to signing an official letter that we wouldn't write about such things without permission from the authorities," he said.

Al Rawas said OJA is relatively new, and the problem is with the members because they are not specialized in media or journalism. Some of them are technicians working on electronic media or web sites. Most of the members are either working for the government or very close to it.

The NGO law in Oman prohibits dealing with political issues—asking for freedom of speech and journalists' rights are considered political issues. Panelists talked about the importance of media organizations protecting their own journalists. They said that journalists are often forced to confront security forces on their own because editors would abandon them so they do not damage their relationships with government's officials.

Journalists mentioned that one public organization, which is supervised and managed directly by the Ministry of Information, monitors employees, including journalists, by putting cameras all over the building. This situation is extremely disappointing for journalists who asked, how are we supposed to request freedom while they work in a jail-like environment.

Some panelists view this situation as a normal transition period. They believe that during the next 10 years the face of Omani media will change completely, because the government will not be able to control the waves of new media, the growing role of civil society organizations, or the expectations of new generations of journalists and citizens.

Khalfan Al Abri said that few educational institutes offer media training. One that does is Sultan Qaboos University, but some media outlets believe its graduates are not qualified. Students do not get training on freedom of expression or freedom of the press. Also, most of their training is in Arabic, while English is needed more in the media market.

Warda Al Lawati, senior reporter with *Oman*, said that private colleges train students in English. Public colleges should focus on teaching in English. Journalists who are specialists in economics, for example, need to read and get information from different sources—and most of the Internet sources are in English.

Panelists indicated that media professors and teachers never practiced journalism, so their teaching is theoretical and too academic. Faiza mentioned that media students are required to show some journalistic skills, and they are interviewed before they are accepted in journalism departments. Al Bulushi said he was refused enrollment as a journalism student because of his overall grades. "I had to study something else and after graduation I worked hard to become a journalist," he said. What is needed in media training institutions, he said, is liberal thinking and good skills training.

The announcement in 2008 about the training of journalists on orders from the Sultan of Oman has had a major impact on Omani journalists, who have expressed optimism and hope. The training project includes all Omani journalists, whether in public or private media outlets. The Ministry of Information is in charge of the training process. Panelists said that the ministry already distributed forms to media organizations in order to determine the number of journalists in the country and the areas of training that are needed.

Al Bulushi said he was optimistic about the comprehensive training, which editors and governmental employees cannot ignore, because it came by orders from the Sultan. This training includes all media, even the electronic media. As the ministry announced, training will be at all levels and will be provided by local, regional, and international media training organization.

Al Adawi remarked that training might exclude correspondents in the regions and towns outside the capital. Most of these organizations do not recognize correspondents as part of their staff.

Al Bulushi mentioned that the Diplomatic Institute (part of the Ministry of Foreign Affairs) offers training for three journalists from each media organization annually. The training includes how to write investigative reports.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

List of Panel Participants

Anwar Al Rawas, professor, Mass Communication and Journalism Department, Sultan Qaboos University, Muscat

Hamood Al Touqi, editor-in-chief, *Al Waha*, Muscat

Wardah Al Lawati, senior reporter, *Oman*, Muscat

Khalid Al Adawi, reporter *Oman*, Muscat

Faiza Al Himili, reporter, *Al Zaman,* Muscat

Fatima Al Ismaili, public relations officer for disabled children's association, Muscat

Mohammed Al Bulushi, head of local department, *Al Shabiba*, Muscat

Bader Al Nadabi, producer, Oman FM Radio, Muscat

Khalfan Al Abri, public relations officer, Ministry of Heritage and Culture, Muscat

Abdulmonem Al Hassani, professor, Mass Communication and Journalism Department, Sultan Qaboos University, Muscat

Mariam Al Abri, reporter, *Al Zaman*, Muscat

Saeed Al Hashmi, writer, State Council, Muscat

Moderator and Author

Rafiah Al Talei, program director, Gulf Forum for Citizenship, Muscat

The Oman study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat.

Recent efforts to address issues facing the media in the Arab world, such as those undertaken by the Doha Media Freedom Center, are still in their early stages. Local media experts believe these institutions focus more on regional media than on local trends and problems.

QATAR

OVERALL SCORE: **2.05**

Although Qatar is home to Al Jazeera, one of the most respected and popular news stations in the Arab world, journalism in the country still has hurdles to overcome.

Qatar has an old and outdated press law on the books that is not enforced. However, self-censorship runs high in media companies, which hire many foreign workers who are often afraid of losing their jobs or being deported if they step on the wrong toes. Pay scales are low in journalism, a major reason why few Qatari nationals enter the profession.

The state owns all the radio and television stations in the country, which are heavily focused on entertainment.

Recent efforts to address issues facing the media in the Arab world, such as those undertaken by the Doha Media Freedom Center, are still in their early stages. Local media experts believe these institutions focus more on regional media than on local trends and problems.

Qatar's scores fell significantly this year as panelists returned more pessimistic assessments of several objectives. In particular, they took a different view than past panels on Objective 1, Freedom of Speech. Their score this year of 2.37, compared to 2.97 last year, reflects a more concentrated focus on the freedom of speech atmosphere as it relates to media focusing on issues in Qatar, rather than allowing more credit for the freedom given to regional media based in Qatar such as Al Jazeera.

QATAR AT A GLANCE

GENERAL

> **Population:** 833,285 (July 2009 est., *CIA World* Factbook)

> **Capital city:** Doha

> **Ethnic groups (% of population):** Arab 40%, Indian 18%, Pakistani 18%, Iranian 10%, other 14%

> **Religions (% of population):** Muslim 77.5%, Christian 8.5%, other 14% (2004 est., *CIA World Factbook*)

> **Languages:** Arabic (official), English commonly used as a second language

> **GDP (2007-Atlas):** $63.87 billion (*World Statistics Pocketbook,* United Nations Statistics Division)

> **GNI per capita (2007):** $72,794 (*World Statistics Pocketbook,* United Nations Statistics Division)

> **Literacy rate:** 89% (male: 89.1%, female: 88.6% (2004 est., *CIA World Factbook*)

> **President or top authority:** Amir Hamad bin Khalifa Al Thani (since June 27, 1995)

MEDIA SPECIFIC

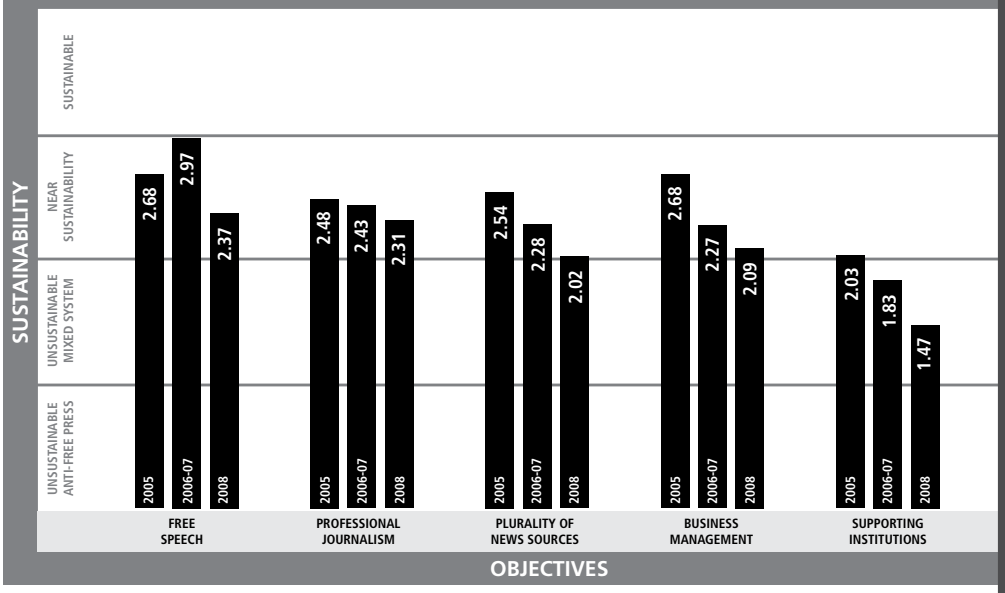
> **Number of active print outlets, radio stations, television stations:** Print: 15 (6 newspapers, 9 magazines; Radio: 1 main station; Television: 3 main stations

> **Newspaper circulation statistics:** The total circulation of the main five daily newspapers is about 100,000 copies per day; top 3 by circulation: *Al Raya* (private, 18,000 daily), privately owned *Al Sharq* (15,000 daily), and privately owned *Al Watan* (15,000 daily). The two largest English newspapers are *Gulf Times* (18,000 daily) and *The Peninsula* (Arab Press Network & Carnegie Endowment).

> **Broadcast ratings:** N/A

> **News agencies:** State-owned Qatar News Agency (QNA)

MEDIA SUSTAINABILITY INDEX: **QATAR**



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Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Qatar Objective Score: 2.37

The presence of Al Jazeera in Qatar has mitigated the government's interference with freedom of the press even though the country has a press law on the books. MSI panelists said the outdated 1979 Press and Publishing Law is in contradiction with modern media projects, such as the government's launch of Al Jazeera and the Doha Media Freedom Center. In addition, panelist Ahmed Abdul Malik, a writer and former editor-in-chief, pointed out that in stark contrast to the press law, Article 47 of Qatar's constitution guarantees freedom of expression.

While the press law is not enforced, government censors do hold journalists accountable for observing certain titles and the size of certain pictures.

Panelists said the print media seems to enjoy a wider margin of freedom than the official news media. However, panelists have been surprised that the radio program *Good Morning, My Beloved Country* was given a broad margin—with on-air telephone calls—in criticizing government institutions without any censorship. Panelists said they believe Qatar's officials listen to this program on a daily basis. Radio programs cannot, however, criticize the emir or the royal family.

Quality Internet access is easily available to all citizens. However, web sites that contain nudity or other socially offensive content are blocked by QTel's filtering software, which holds exclusive telecommunications rights in Qatar.

As far as who can receive a license for and own a media outlet, panelist Nasser Hussain from the Gulf Organization for Industrial Consulting believes media projects are similar to other start-up projects—they need an influential connection in the government to move the project through an array of government red tape. But there are no tax restrictions in the media market. Imports of paper, ink, and printing presses for printing houses are tax exempt, in addition to the absence of a value-added tax.

Panelists said crimes against journalists are rare. However, journalists have been dismissed by their newspapers because the newspaper believed they did something wrong. And the government has suspended newspapers. *Al-Sharq* newspaper was suspended when it published, without obtaining prior authorization, an extra issue the day Iraq occupied Kuwait. The managing editor of an English-language newspaper was dismissed after the paper published a caricature concerning God.

The government's public media agencies, such as the Qatar News Agency and Qatar Radio and Television, generally receive preferential treatment for news access. These agencies often send delegations to accompany state officials on trips abroad.

Libel is a crime under the Penal Code in Qatar and more than 10 cases are pending. Criminal cases involving journalists are rare in Qatar's court system. However, an editor may be called to the police station for the simplest of reasons. Issues are usually settled either through a fine or by publishing an apology in the form of praise for the entity previously criticized.

Hussain said few journalists go to trial because there are very few Qataris who work in the media. Foreigners, who make up the bulk of the journalists in Qatar, are often dealt with by deportation, as was the case with a Palestinian-Jordanian journalist who worked as a translator at the Gulf Consulting Organization. Qatar's Interior Ministry requested he leave the country even though no direct charges had been made against him. Some media observers attributed his expulsion to the tense Jordanian-Qatari political relations at the time. There has been another instance where a foreign editor was expelled without trial or direct charges.

Panelists said the trend in other countries to have a media spokesperson in every government department does not exist in Qatar. There is total media reliance on the Qatar News Agency with relation to the release of political news and information. There is no reference in the constitution or the press law to the right to access information, making it

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

possible for officials to reject calls for interviews and deprive the press from accessing specific documents and information.

There are no laws that restrict journalists from seeking news from global sources. Newspapers' sources include international news agencies, the Internet, and satellite channels.

As reported last year, anyone who is at least 21 years old is allowed to enter the media profession and, in fact, Qatari nationals are often encouraged to do so. This is the case despite article 10 of the 1979 press law stipulating that a license must be issued by the Ministry of Information before entering the profession. Given that this ministry was dissolved years ago, this article remains inapplicable.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Qatar Objective Score: 2.31

Panelists agreed that the skills of journalists in Qatar are not as good as those in neighboring Gulf States. Qatar allows non-nationals to work in the mass media, and expatriates hold many journalism jobs, including senior administrative positions. These foreign journalists exhibit varying levels of professionalism, with some more qualified than others. Some journalists come to the country with the objective to deliver aggressive reporting, but they become more conservative over time for fear of losing their jobs.

Panelists said they believe professionalism in the media will remain unchanged until Qatari journalists take the initiative to enter the media world and dedicate themselves to real change. They said it is unreasonable to expect expatriate journalists to be enthusiastic about change in a foreign country. This is particularly true in light of the risk they face from agitating for change.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

Some businesses and institutions, such as the *Al-Sharq* newspaper, are trying to introduce Qatari journalists to training and professional development, as well as offering special awards in the training courses, but few Qatari journalists have applied to attend the classes.

When it comes to professional ethics, panelists said many institutions give gifts to journalists, and some are accepted. Panelists said they know of cases where journalists obtain rewards from government agencies in exchange for not criticizing an agency or agreeing to focus on their achievements.

Abir Jaber, who came to Qatar in 2006 to head *Al-Arab* newspaper's entertainment department, said that while the press law is not enforced, self-censorship is alive and well. Abdul Malik agreed, adding that it is very easy for editors to reject an article without giving the writer any specific justification. And, since the majority of journalists in Qatar are foreign nationals, many feel they will lose their jobs, or be expelled from the country, if they do not censor themselves.

Key events are covered in general, but key local events receive coverage that is circumspect so that elements that might be seen as critical are muted. Newspapers focus on many social issues in a clear and extensive way. However, the media refrains from addressing some issues, such as the Al-Murrah tribes that were expelled to Saudi Arabia after having problems with the state. Another issue ignored by the media is problems suffered by religious minorities. Even Al Jazeera, which addresses minority issues such as Copts in Egypt, ignores the problems suffered by Shiites in Qatar, the panelists said.

Panelists said that issues of professionalism are intertwined with salary. Before the issue of professionalism can be tackled, the persistent issue of low journalism salaries must be addressed. Qatari graduates prefer government jobs because journalism salaries are low and unattractive. Young professionals also do not accept journalism jobs because they do not have the same perks as government jobs, such as government-sponsored loans and land to build a family home, in addition to promotions and other allowances.

On the other hand, panelists said Al Jazeera has a highly professional workforce and that its journalists are highly skilled. Al Jazeera owners offered high salaries to attract and retain qualified personnel from BBC Arabic after it closed down. Panelists agreed that Al Jazeera gave more weight to high-quality work and efficiency rather than the nationality of its employees. It also established training and continuing-education programs at the Al Jazeera Journalism Training Center as a way to retain and enhance the skills of its workforce.

In terms of balancing news and entertainment in the local media, panelists said Qatar Broadcasting Service radio and Qatar TV fall short of what they could be. They said entertainment is emphasized over serious programming, adding that most spending is earmarked for entertainment programming.

Technologically, Qatar's news collection, production, and dissemination facilities and equipment are state-of-the-art. Moreover, print media production has evolved thanks to the introduction of computers, thus eliminating the old cut-and-paste production technique.

OBJECTIVE 3: PLURALITY OF NEWS

Qatar Objective Score: 2.02

Some panelists believe the absence of political parties in Qatar ensures all media outlets share similar viewpoints. The same goes for radio and television political reports that only present the government's position, they said. Panelists believe Al Jazeera refrains from presenting political or even local reports related to Qatar, thus eliminating what could be a different perspective for Qatar residents.

Readers find the content of most newspapers to be fairly similar, but there are differences related to staff nationalities. Because expatriates constitute a major proportion of media workers in Qatar, news coverage of each country differs from one newspaper to another based on the number of newspaper workers and executives working at the paper from particular countries.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Abdul Malik believes all of Qatar's residents can access press publications due to their high income. Residents of small villages can also access media sources fairly easily because the country is so small.

Foreign media is available and subject to very little control. Subscriptions to television channels are mostly free with the purchase of receivers that cost no more than $200, and different types of satellite dishes available in the market. Public use of the Internet is still relatively limited compared to radio and television.

Panelists believe the media's insistence on continuing its role of preserving values and traditions in Qatari society reduces exposures to various points of view. Existing state-owned media, such as the Qatari News Agency and the radio and television stations, do not offer discussion or opinion programs that might criticize the government. As mentioned above, *Good Morning, My Beloved Country* is a rare exception.

State and private media outlets use news services such as Reuters, Associated Press, Agency France Press, ArabSat news, and Gulf news agencies. There are no independent local news agencies.

Radio mostly produces its own programs while importing a small percentage of foreign Arab programming. Local programming in television is limited. However, these channels are not independent of the government, and their points of view are, as mentioned above, hardly divergent from government policies.

As reported last year, it is relatively easy to access information about the shareholders of the private publishing companies operating in the country. Ownership is largely limited to a small group of individuals, some of whom are closely affiliated to the royal family and have significant influence in the country.

Columns and editorials in newspapers reflect the nationalities represented on the newspaper staff. Newspapers also cover the activities of communities to which a majority of their workers belong—sometimes even more than Qatari activities. Panelist Mohamed Saleh Mohamed Al-Rabia said this also helps increase newspaper sales among various non-Qatari Arab communities.

Panelist Rabia noted that *Al-Sharq* newspaper, which also publishes the Al Jazeera English newspaper, as well as publishing newspapers in other languages, including a Nepalese and a Malay newspaper, has financially and commercially benefited from its special attention to non-Arab communities.

OBJECTIVE 4: BUSINESS MANAGEMENT

Qatar Objective Score: 2.09

Abdul Malik believes most private media are commercially profitable, although newspapers do not have to disclose their financial positions. These companies appear to make large annual profits, develop their buildings, and are able to diversify their publications. Hussain said Qatar is witnessing unprecedented economic growth that is boosting media revenue. Abdul Malik said *Al-Sharq* newspaper distributed one month's salary in profits to workers for the first time in its history, an action unprecedented in Qatari press.

Yet other panelists questioned how profitable newspapers really are. They pointed out that *Al-Arab* has reported that it suffers financially and may reduce salaries. State-run media outlets reportedly were not able to earn high profits, because, panelists believe, they were not seriously searching for outside funding.

In broadcasting, Al Jazeera's management is viewed as more efficient compared with the operation of Qatari television and radio stations. However, panelists believe income at Al Jazeera lags behind other local media. Hussain said that Al Jazeera depends on state funding for about half its budget.

The bulk of the media's funding now comes from advertising; the government does not provide private outlets with any subsidies as it did 10 years ago. Some government ministries and state institutions provide advertising for commercial bids and receive positive coverage of their news, as well as privileged positioning in some newspapers, in exchange for the advertising.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

Panelists believe the press needs to diversify its sources of income, since subscription and newsstand sales are small due to the county's small population. Panelists pointed out that three magazines have halted publication during the past few years because of their inability to attract enough advertising. They pointed to a positive model in the newspaper *Al-Sharq*, which has started exploring new sources of income by diversifying into commercial printing and training journalists for a fee.

There are three advertising agencies in Qatar that belong to influential figures in the country. Major Qatari companies, such as banks and oil companies, actively sponsor television and radio programs. Advertising agencies like the print media because the agencies believe it is more effective than outdoor or broadcast advertising. With a literacy rate of nearly 90 percent, the printed word can potentially reach a large audience. Many advertising sheets are distributed for free with newspapers or in distribution centers in malls.

State-run and private media do not rely heavily on market research. Circulation is measured through a French company based in Dubai, which collects information from distribution outlets and print operations. Advertisers, however, do not seem to be influenced by this research, although research results are published without censorship.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Qatar Objective Score: 1.47

Qatar has not given any consideration to creating a journalist syndicate or writers union. Journalists have no protections if they face problems with the newspaper they work for or if they were to be taken to court. There are professional associations for physicians, engineers, and lawyers, but they are new and Qatari society is not used to these kinds of organizations.

A request was submitted six years ago to establish a journalists' association, but panelists did not know exactly why the government did not allow its formation. Some believe it was because a new press law was being considered at the time. Hussain attributed the delay to the fact that most of Qatar's media personnel are expatriate Arabs who are members of their countries' journalist unions.

Panelists said that the National Commission for Human Rights might be the only relevant body to back freedom of the press. It is a government-funded, quasi-independent organization. Hussain said that the commission tries to support human rights issues, including freedom of the press. The Doha Center for Freedom of the Media and the Arab Association for Democracy were established in 2008 and, according to the panelists, are still unproven. Those two groups focus more on

violations of freedoms abroad and monitoring the conditions of journalists subjected to harassment.

Hussain summed up the matter by saying that most press problems in Qatar can be solved if there were an increase in the number of Qatari nationals in the profession. "I think the biggest challenge is the lack of national cadres, without whom conditions of the press will not improve in Qatar," he said.

Outside of the Al Jazeera Journalism Training Center, journalism education is limited, and many of those who have studied journalism do not end up working as journalists. Qatar University Media Department graduates usually go into government jobs; no more than 25 percent work in the media field.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

List of Panel Participants

Kamal Ali Zein, general manager of information center and journalist, Doha

Ahmed Abdul Malik, writer and former editor-in-chief, Doha

Mohamed Saleh Mohamed Al Rabia, writer and journalist, *Al Watan*, Doha

Abir Jaber, head, *Al Arab*, Doha

Nasser Hussain, networking and institutional chair, Gulf Organization for Industrial Consulting, Doha

Abdul Jabbar Hays, writer, *Al Watan*, Doha

Moderator and Author

Abdul Wahab Aloraid, journalist, media consultant, Gulf Forum for Citizenship, Riyadh

The Qatar study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat, Oman.

In another incident, the Ministry of Culture and Media suspended the Saudi edition of Al Hayat *newspaper in December 2008 when writer Abdel-Aziz al Sweed wrote an article about the crisis of Saudi citizens in the face of the deteriorating economic conditions.*

SAUDI ARABIA

OVERALL SCORE: **1.50**

Three years after King Abdallah bin Abdel-Aziz took the throne, stirring hopes among many Saudis for changes at the level of personal and media freedom, optimism is evaporating. Increased tensions within the kingdom have led to the blocking of websites and the arrest and detention of many bloggers, including Fouad Farhan, who was detained for having criticized economic and social conditions in a blog that carried his real name. He was held for more than five months amid local, regional and international demands for his release. The tension was exacerbated by the detention of Matrouk al Faleh, who was detained by the Interior Ministry for publishing a report outside Saudi Arabia about the poor condition of Saudi prisons and mistreatment of prisoners.

At the same time, the prevalent feeling among media observers is that Saudi media were experiencing a period of rejuvenation, as they were allowed to address a wider variety of topics. This was the result of several factors, including that editors-in-chief raised the censorship ceiling of previously prohibited issues. Some, however, lost their jobs as a result, as was the case with Mohamed al Tounisi, editor-in-chief of Al Ikhbariya, the government-owned television news channel. Al Tounisi was suspended following the broadcast of a live program in which a Saudi woman expressed her opinions about how Saudi citizens suffer from poverty and the effects of corruption. In another incident, the Ministry of Culture and Media suspended the Saudi edition of *Al Hayat* newspaper in December 2008 when writer Abdel-Aziz al Sweed wrote an article about the crisis of Saudi citizens in the face of the deteriorating economic conditions. When the editor-in-chief refused to stop publishing al Sweed's articles, the paper was prevented from printing inside Saudi Arabia for four days.

The overall score for Saudi Arabia changed little compared to last year, but individual objective scores did show some movement. Rising noticeably were Objective 2 (Professional Journalism) and Objective 4 (Business Management), each gaining about a third of a point; Objective 5 (Supporting Institutions) rose slightly. However, Objective 1 (Freedom of Speech) fell slightly and Objective 3 (Plurality of News) dropped by 0.37 point.

SAUDI ARABIA AT A GLANCE

GENERAL

> **Population:** 28,686,633 (July 2009 est., *CIA World Factbook)*

> **Capital city:** Riyadh

> **Ethnic groups (% of population):** Arab 90%, Afro-Asian 10% (*CIA World Factbook*)

> **Religions (% of population):** 100% Muslim (*CIA World Factbook*)

> **Languages:** Arabic (*CIA World Factbook*)

> **GNI (2008-Atlas):** $374.3 billion (World Bank Development Indicators, 2009)

> **GNI per capita (2008-PPP):** $22,950 (World Bank Development Indicators, 2009)

> **Literacy rate:** 78.8% (male 84.7%, female 70.8%) (2003 est., *CIA World Factbook*)

> **President or top authority:** King and Prime Minister Abdhallah bin Abd al-Aziz Al Saud (since August 1, 2005)

MEDIA SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: 8 Arabic daily newspapers (1 state-owned, rest private), 2 English daily newspapers (private); Radio stations: AM 43, FM 31, shortwave 2; Television stations: 117 (all television is state-owned)

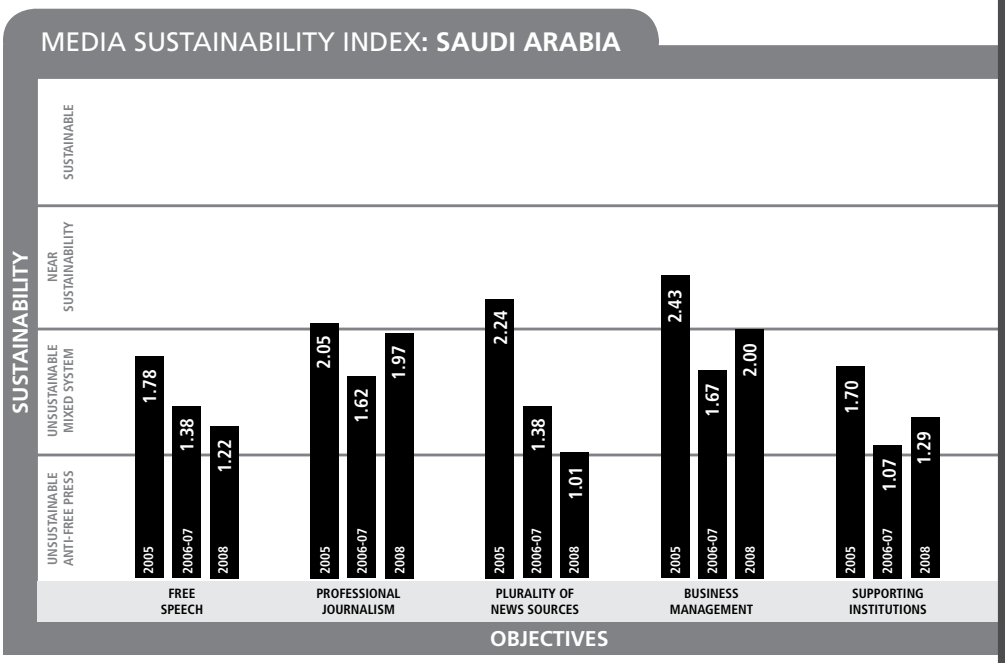
> **Newspaper circulation statistics:** Combined circulation of daily newspapers thought to be 763,000; *Al Riyadh* tops at 170,000 (2003) (Culture and Customs of Saudi Arabia by David E. Long, 2005)

> **Broadcast ratings:** Official ratings not available; top 3 most viewed stations are thought to be MBC, Al Jazeera, and Al Arabiya satellite channels (all quasi-independent)

> **News agencies:** Saudi Press Agency (state-owned)

> **Annual advertising revenue in media sector:** N/A

> **Internet usage:** 7.7 million (2008 est., *CIA World Factbook*)



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Saudi Arabia Objective Score: 1.22

The term "freedom of expression" has always been vague in Saudi statutes, and is linked to the observance of Islamic principles. Article 39 of the government statute issued in January 1992 states: "Media, publishing, and all means of expression shall commit to good words and state regulations... They shall contribute to: educating the nation, supporting its unity, and prohibiting anything that would lead to discord, sedition, division, or prejudice the security of the state and its public relations, or cause harm to human dignity and rights. Regulations demonstrate how this can be accomplished." The use of the word "commit" falls far short of a guarantee of freedom; in fact it seemingly binds the media to support the goals of the state. The statute's meaning is also rather loose and unclear.

Censors often only approve media reports for publication if they are compatible with official policies, said Mansour al Qatary, supervisor in the Eastern province for the Saudi Committee for Human Rights. Press reports or opinions outside these parameters bring about negative consequences, such as preventing the offending journalist from future writing. In such cases officials are often pleaded with to reverse the sanction. Al Qatary described Saudi publications laws as extremely complicated and restricted to a small circle of decision-makers, as well as influential, powerful, and well-off people.

"There is no legal text that guarantees the freedom of expression," said Mohamed al Marzooq, a journalist with *Al Hayat* newspaper. "Existing text can be loosely interpreted in a way that fails to serve the real meaning of the freedom of expression."

All Saudi media refrain from addressing the lives of the kingdom's ruling family. Panelists said that the media in Saudi Arabia also suffer from severe restrictions regarding criticism of the government's foreign and security policies. With the exception of the official Saudi News Agency, the media do not address these two policies. Some leeway has been granted to criticize the Authority for Promotion of Virtue and Prevention of Vice, known as the religious police, as well as the judiciary's dealings with press and media issues.

The Publications Code states that the Ministry of Culture should be consulted on expressions of opinion. The latest result of this was a lawsuit filed against writer Hamza al Mazini because of a number of articles he had written about religious institutions. The writer was sentenced to prison and whipping, but King Abdullah canceled the verdict and referred any expression of opinion cases to the Ministry of Culture to decide on the suitable punishment. As a result, al Mazini was suspended. Editorial staff are also fined for these violations, payable to the Ministry.

Several panelists criticized the process of licensing print media. Ahmed al Mulla, a writer and journalist, said he considered licensing to be politicized and unfair. Jafar al Sheb, a writer and human rights activist, also described the system as unfair, citing the example of *Al Kalima*, an intellectual magazine that was not granted a printing license because it is run by Shiite Muslims. Youssef al Hassan, managing editor of *Al Waha* magazine, said his publication's numerous applications for a license over the course of five years were repeatedly rejected. Fa'eq Mohammed al Hani, *Al Hayat*'s editor in the Southern province, that said that in one remote area of the country, only one license for a daily newspaper has been issued in the past 30 years—to a Saudi prince. "Thus, no licenses are given to publications at all," al Hani said.

Panelists said that a law regulating press institutions established conditions that made issuing any publication impossible. This spurred many publications to relocate abroad and to seek licensing from the Saudi government as international publications under Article 23 of the Publications Code, which states, "The printing of foreign papers shall be permitted in the Kingdom (following the approval of the Council of Ministers and in accordance with the Executive Regulations and the provisions of this Code)." Current

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

"There is no legal text that guarantees the freedom of expression," said Mohamed al Marzooq, a journalist with Al Hayat *newspaper. "Existing text can be loosely interpreted in a way that fails to serve the real meaning of the freedom of expression."*

examples include the newspapers *Al Shams*, *Al Sharq al Awsat* (published under British license with Saudi funding), and *Al Hayat*. Distributors must "obtain special permits to bring the papers through King Fahd's Bridge late at night or early in the morning," al Mulla said, adding that the publications usually cooperate with the Ministry of Culture and Media, which is responsible for reviewing the publications and issuing entry permits. When *Al Shams,* which was then printed in Bahrain, re-published European cartoons that were deemed offensive to the Prophet Muhammad in 2006, the editor-in-chief was dismissed and the paper had to pledge to the ministry not to repeat such mistakes.

Panelists said they experience difficulty accessing information from Saudi security agencies, despite the presence of spokesmen in all Saudi cities, following an increase in incidents of terrorism. Because newspapers cannot publish any security-related news without referring to a spokesman, al Hani said, the Interior Ministry controls the way information reached the media. Official papers and broadcast outlets have become hostage to the spokesmen, who only provide details that have been approved by the security bodies and are commensurate with what the state wishes to publish. The tactic was so successful that it was expanded to most other high-profile ministries, including health, municipal and rural affairs, and police and traffic.

Al Marzooq said there is no law that guarantees free access to public or security-related information. Journalists in the field may be detained, such as those who cover security agencies or photograph coastal areas or public markets. Journalists or photographers are questioned and obliged to pledge to refrain from taking photos or moving around without the permission of relevant authorities.

Government media enjoy priority in all official and unofficial coverage, al Hassan said. The Qatar-based satellite television channel Al Jazeera was not allowed to cover many events in Saudi Arabia—including the annual Muslim pilgrimage to Mecca—because of its past criticisms of the country, a policy that Al Jazeera changed in 2008.

Anyone can access the Internet, but only information that the state approves. The religious police restrict some sites, mostly those that address issues related to or expressing the views of minorities and liberals in Saudi Arabia. The Rassed website has been blocked 37 times, according to al Sheb, while Minbar al Hiwar has been blocked more than 12 times and subjected to destruction by hackers affiliated with, al Sheb believes, the country's religious authority.

Al Qatari believes that the Communications and Technology Authority is the major restriction to freedoms because it is responsible for blocking websites, including pornographic sites, which he said was its mandate.

Al Sheb noted that Saudi Arabia sometimes bans Western media figures from working in the country.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Saudi Arabia Objective Score: 1.97

Definitions of professionalism and quality in Saudi Arabia differ from one newspaper to another. Some papers apply standard professional criteria to their work, such as *Al Watan*, the newest paper in Saudi Arabia, and the Saudi edition of *Al Hayat*. Moreover, panelists concluded that there is an absence of transparency in reporting, and frequent failure to disclose sources. Panelists said, however, that many papers do not pay much attention to professionalism or linguistic accuracy because they are considered local newspapers that are not read abroad.

Professional and editorial standards are more closely observed in English-language media, at least partly because 70 percent

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

of those in charge of such outlets are non-Saudi. For his part, al Marzooq said he believes that the media comply to a certain degree with standards, as illustrated by features that reflect neutrality.

Al Hani said that self-censorship is frequent, and that there were many cases where reports were pulled due to the editor-in-chief's relationship with someone involved. Many stories have been blocked with a simple phone call. Al Hani mentioned an incident with a newspaper where he asked a reporter to write a story accompanied by photographs about the Safwa fish market, which was having a problem with mice. The two of them found out that one of the paper's investors was in charge of the market, which resulted in the banning of the story and its replacement by a series of positive stories about the region's service centers. Al Marzooq said many of the stories he had worked on with the editorial department's approval were banned because the publication's shareholders feared they would harm their businesses.

More frequently, articles are banned because of the absence of direction or a quote from a security spokesman. In such cases, newspapers must rely on stories from the Saudi News Agency.

Editors-in-chief also try to force writers to address some topics by placing conditions and restrictions on their work. Other times, a government minister may contact the editor-in-chief, who in turn directs a writer to start working on a report related to a particular ministry. Or, if an article angers a ministry or department, a newspaper will publish a series of positive articles about the institution. Al Marzooq said some colleagues at other newspapers cannot broach topics related to educational institutions or write negatively about issues because of the power that officials enjoy over the media.

Newspapers cannot write negatively about major companies, such as the oil giant Aramco or the Saudi Basic Industries Corporation, a leading manufacturer of chemicals, fertilizers, plastics, and metals. Panelists blamed this on the power of advertising, which they said has turned newspapers into advertising bulletins for banks and economic establishments that control the advertising market.

The only elections that Saudi media are allowed to cover are for municipal and chamber of commerce positions, and editors fully cover candidates' programs and campaigns. Newspapers, represented by their editors, make secret agreements with candidates to cover their news and activities. Al Mulla, who was the media officer for the women's list in recent Chamber of Commerce elections, added that one editor asked for more than $25,000 to cover the women's campaign and highlight it in his newspaper. When his offer was rejected, all the female candidates' news and campaign events were ignored.

Al Hani mentioned an incident with a newspaper where he asked a reporter to write a story accompanied by photographs about the Safwa fish market, which was having a problem with mice. The two of them found out that one of the paper's investors was in charge of the market, which resulted in the banning of the story and its replacement by a series of positive stories about the region's service centers.

Fa'eq al Hany commented that the media in general suffer from a complete lack of coverage of issues that interest people, such as minority, religious, class, or governance issues, which are all prohibited topics. Al Sheb called media reports old-fashioned and professionally lacking.

There was consensus among panelists that the poor financial return on working in the media in Saudi Arabia explains why those who wish to join the profession lack experience. They are willing to go for months without pay. Experienced professionals seek work in government agencies, which provide more job and career security.

Starting salaries for journalism school graduates amount to $1,200 per month, including housing and transportation allowances, and annual increases do not exceed $60. Writers' salaries differ, based on their relations with their superiors rather than on their qualifications, training, or experience. Salary scales vary from one paper to another. *Al Youm*, a daily printed in the Eastern province, has a pay scale with 46 grades and different titles that have nothing to do with journalism. Other papers enjoy a good financial position and offer employees better packages. The salary of a writer at a newspaper such as *Ar-Riyadh* or *Okaz* can reach $2,500, while a writer with the same qualifications would earn $1,400 at *Al Youm*, *Al Medina*, or *Al Jazeera* (not affiliated with Qatar's Al Jazeera satellite channel) newspapers. This reflects a clear absence of means of evaluating professional qualifications in Saudi Arabia.

Contributors are paid by the article, but there is a lack of clarity about the sum that a writer can expect to receive at the end of each month. A writer may receive $250 for 10 stories, while another may receive $700 for three stories published in the same publication. This depends on the mood of the editor and his relationship with the writer.

Internet satellite dishes, which are available with no restrictions, are less popular because of their relatively high price. The number of Internet users in Saudi Arabia reached 6 million in 2008. Panelists said they believe that the Internet—particularly external sites—has become an important medium for prompt information about all local events.

Panelists said entertainment programs take up the majority of air time, particularly on television. However, Al Mulla said that the government broadcaster includes a news channel that dedicates time to serious programs, including those not broadcast on the main channel.

Al Mulla also felt that programs targeting foreign viewers on Saudi television were better than those targeting Saudi viewers, despite the fact there is opportunity and budget to provide quality programs for locals.

OBJECTIVE 3: PLURALITY OF NEWS

Saudi Arabia Objective Score: 1.01

There are 10 newspapers currently printed in Saudi Arabia: eight in Arabic and two in English. One of the Arabic newspapers is owned by the government, while the rest are privately owned, as are the two English-language papers. Saudi law does not allow any private television channels inside the country, so the four domestic networks are all government owned. Television news starts with the kings' and princes' receptions and travel, which take up more than half the time. Participants noted that official media, private newspapers, and other media delay reporting news about events in the Gulf pending an official statement directing their coverage.

Many private channels aimed at Saudi viewers have been established outside the country, including ART, MBC, and ORBET, and Saudi citizens can subscribe through one of the local providers operating in the three major provinces.

Because Saudi cities are widely dispersed among the country's 13 provinces, all forms of Saudi official media remain local. Broadcast media have come to predominate in outlying regions because of the availability and affordability of satellite dishes. Satellite dishes that receive channels not controlled by the state sell for the equivalent of $150, and it has become very rare to find a Saudi citizen who does not own a satellite dish and a television set. Even people who have reservations about satellite channel content can install special dishes that receive religious channels.

Internet satellite dishes, which are available with no restrictions, are less popular because of their relatively high price. The number of Internet users in Saudi Arabia reached 6 million in 2008. Panelists said they believe that the Internet—particularly external sites—has become an important medium for prompt information about all local events. High-speed Internet, broadband, and technical support are only available in major cities.

Because it is harder to censor websites than traditional media, there are fewer restrictions on the Internet than on the press, radio, and satellite channels. There are no laws to restrict the spread of personal or news websites, which has facilitated the creation of such sites as Sabq, an e-newspaper that focuses on promptly publishing security news accompanied by photos. However, some websites considered troublesome by the government are blocked, as was the case with Al Wefaq. Wefaq was the top security news site but was blocked after it stepped over "lines" imposed by the Interior Ministry.

The country's three most populated areas—the capital, Riyadh; the Western province, including Jeddah and Medina; and the Eastern province, including Dammam and Khobar—have a higher concentration of print media. Most printing presses are located in those three areas, and newspapers are distributed from there. Panelists said most citizens prefer regional papers.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Observers of the Saudi media situation note that English-language publications are frequently allowed to cover topics that the Arabic press cannot, including human rights, environmental problems, and some social issues. The same applies to satellite channels.

Al Qatari said he believes that visual media are more widespread for a number of reasons, primarily the ease of access made possible through new technologies. He further explained that people prefer entertainment channels, such as Showtime, ART, and sports channels. There was consensus among panelists that most people can afford newspapers, publications, and satellite channel subscriptions.

Personnel are allowed very limited leeway at the state broadcasters. The state news channel started presenting serious discussions on local issues such as education and administrative corruption. The reports created controversy. At the time, viewers felt the channel sought to improve the media's image and present innovative programs and issues. However, 2007 witnessed deterioration, which saw calls for replacing the channel's editorial leaders such as Mohamed al Tounesi, who presented distinctive programs and stepped up criticism of the certain aspects of the government and its services, including education. He shed light on the economic situation and discussed the problems in the Saudi stock market. As a result, he was later dismissed.

Al Mulla said broadcast media in Saudi Arabia completely ignore news related to minority rights. Al Qatary explained that the Communications and Technology Authority prevents minorities from exercising their freedom even on the Internet, although satellite channels now play this role in an unplanned manner and in that regard there are sufficient sources to meet their interests. Al Sheb said that media owned by the government and Saudi businessmen fail to address Saudi Arabia's social, intellectual, and religious diversity. For example, those channels do not cover the Moharram events observed by the Shiite Muslim residents of Al Qutaif and Al Ihsaa provinces.

There are no newspapers or publications that represent any Saudi minorities.

OBJECTIVE 4: BUSINESS MANAGEMENT

Saudi Arabia Objective Score: 2.00

Media comprise one of Saudi Arabia's profitable industries. The country's lucrative advertising market not only supports domestic media but attracts many newspapers, magazines, and satellite channels from abroad. In addition, income from subscriptions by individuals, companies, and state bodies is substantial. For example, *Ar-Riyadh* and *Okaz* newspapers print up to 170,000 copies daily, half of which are subscribed to by ministries and government institutions. Al Hani added that these institutions currently have outstanding marketing departments, the director of which receives a salary of about $20,000 in some institutions.

Sponsorship of television shows and special events is a major source of revenue for broadcasters as well as partnerships between phone-in contest television shows and cell phone providers.

Saudi Arabia is a huge advertising market (estimated at around $2 billion per year), the largest in the region. Both local and international advertising companies operate in the country. Sponsorship of television shows and special events is a major source of revenue for broadcasters as well as partnerships between phone-in contest television shows and cell phone providers. Newspapers also earn extra advertising income during special occasions when members of the royal family, municipalities, chambers of commerce, private institutions, or rich individuals place congratulatory or condolence messages.

The government previously subsidized newspapers through regular grants and other special seasonal assistance, such as during holidays. There is still occasional assistance, but on a case-by-case basis.

Institutions that monitor circulation base their figures on numbers provided by publications. No advertising institution can provide realistic reports and surveys about the media situation

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

Few newspapers concern themselves with in-house or external training of their personnel because of the cost.

or circulation. There are no independent ratings or circulation figures that give accurate and reliable information. The same applies for television ratings. Advertisers try to do their own market research on viewers of satellite programs because the only source otherwise is the broadcasters themselves.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Saudi Arabia Objective Score: 1.29

With relation to the associations and trade unions that protect media professionals, Saudi Arabia's government took its time reviewing a number of previous applications to establish an association for writers, a journalists' syndicate, and an informal umbrella to protect and defend journalist rights, only to end up rejecting all of them. An association called the Saudi Association for Media and Communications was established in 2002. Membership in the association is restricted to media academics.

The Saudi Journalists' Organization was established in 2004. It served as a nucleus that gave hope to media professionals. However, they soon felt frustrated due to the organization's practices: its elected members were none other than Saudi editors-in-chief. The organization did not include any lower-level media personnel. It had obtained substantial financial support from the king and some princes to build a permanent headquarters in Riyadh. All group members agreed that the organization did not serve media professionals because it did not consider pushing for their demands. When some journalists were dismissed from their institutions, no organization was prepared to take up their cases, according to al Sheb. Marzooq added that this organization needs to learn the meaning of freedom of expression. A group of journalists, including Hassan al Mustafa and Rawda al Jizani, were expelled from their media institutions in 2007. The organization, however, did not do anything on the grounds that they were not registered with the organization.

There are journalism and mass communications colleges for men but not for women, which hinders women's employment and career advancement in the media. Imam Muhammad ibn Saud Islamic University in Riyadh launched a post-graduate program in mass communications for women in 2007 that aims to graduate female teachers. The plan is that once the university opens a department in mass communication for female students, they can teach the classes. King Abdul Aziz University in Jeddah announced that it would open a mass communications and journalism department for women in the near future, but so far that has not happened. However, al Marzooq stressed that there are no explicit restrictions on women being trained in the field of journalism.

Training programs available to journalists are short term, al Qatary said, and have arisen mostly from individual initiatives rather than a comprehensive strategy by media institutions. However, Saudi media personnel and journalists are moving toward developing their profession.

Few newspapers concern themselves with in-house or external training of their personnel because of the cost. Panelists noted that *Al Youm*, a newspaper in Saudi Arabia's Eastern province, viewed training as an investment and started organizing expensive courses to attract attendees to its center, which is authorized to organize courses. However, the newspaper focuses on social relations courses rather than focusing on media courses. Two courses were organized in 2008, each attended by 12 trainees who were not media professionals. Newspapers such as *Al Riyadh* and *Al Jazeera*, with headquarters in Riyadh, did not offer any media training courses, while their editors-in-chief always emphasize the need to establish training and expertise exchange centers among local and Arab newspapers.

Panelists also mentioned that Saudi television has never offered any professional training to its personnel, who have to rely on the anchor's personal efforts and the program manager's approval.

Sources of newsprint and printing facilities are private, apolitical, and unrestricted as long as the publishing company

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

has the proper licensing and paperwork. Printing facilities are required to abide by the rules of the Print and Publishing Regulations on the types of material they can print.

Channels of media distribution are private and apolitical as well. Nonetheless, the Internet is monitored and can be restricted if deemed necessary by the government. Otherwise most restrictions are confined to licensing approvals and having the correct paperwork. As for satellite channels, since they are based outside Saudi Arabia, they are not required to obtain licenses or approvals to transmit their programs. While satellite dishes are "officially" illegal, they are sold publicly all over the kingdom and can be found on the rooftop of almost every building. Reception of satellite channels is not monitored, so Saudis can receive all kinds of channels and unhampered access to information.

There are only two print media distribution companies that cover the entire country and most publications are unavailable in the small cities and villages.

List of Panel Participants

Mansour al Qatary, general observer, Saudi Committee for Human Rights, Adamam

Youssef al Hassan, managing editor, *Al Waha*, Alehsa

Fa'eq Mohammed al Hani, editor, *Al Hayat*, Southern province

Toufic al Sef, academic and human rights advocate, Al Qatif province

Mohammed Ibrahim al Marzooq, journalist, *Al Hayat*, Al-Damam

Ahmed Mohammed al Mulla, writer and journalist, Al-Damam

Jafar al Sheb, writer and human rights activist, Adamam

Fadelah al Gafal, journalist, *Al Hayat*, Riyadh

Moderator and Author

Abdul Wahab Al Oraid, journalist, media consultant, Gulf Forum for Citizenship, Riyadh

The Saudi Arabia study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat, Oman.

For the first time, the owner and a writer of a popular Internet site, majan.net, were sentenced to prison for libel in late 2007.

UNITED ARAB EMIRATES

OVERALL SCORE: **2.08**

Like the country itself, the media landscape in the United Arab Emirates abounds with contradictions that stem from the country's unusual politics and economy. Media outlets have only recently been privatized and still have close connections with the government, yet they are thriving businesses that rely on a robust advertising market. Restrictive media laws and informally accepted "red lines" circumscribe local news coverage within accepted limits, yet major international media concerns operate with relative freedom in the UAE's media "free zones."

The past year witnessed some of the most dramatic and controversial developments in the fields of the freedom of expression and press in the country's history. For the first time, the owner and a writer of a popular Internet site, majan.net, were sentenced to prison for libel in late 2007. The same year Sheikh Mohammed Bin Rashid al Maktoum, UAE's vice-president and prime minister, issued a decree preventing the imprisonment of journalists who commit offences in the course of their work. Other major developments included the suspension of two Pakistani television stations, blocking of the last eight episodes of the comedy series *Hayer Tayer*, blockage of the popular blog Mujarad-Ensan, and the court decision to bar the newspaper *Emarat Al Youm* from publishing for 20 days.

A new Media Law has been drafted and unofficially published in one of the local newspapers, but panelists and international human rights organizations have widely criticized what they described as a "backward-moving" law.

UAE AT A GLANCE

GENERAL

> **Population:** 6,000,000 (July 2009 est., www.uaeinteract.com)

> **Capital city:** Abu Dhabi

> **Ethnic groups (% of population):** Emirati 17%, South Asian 58%, other Asians (includes other Arabs, Iranians, and East Asians) 17%, other expatriates 8% (July 2009 est., www.uaeinteract.com)

> **Religions (% of population):** Muslim 96% (Shia 16%), other (includes Christian, Hindu) (*CIA World Factbook*)

> **Languages:** Arabic (official), Persian, English, Hindi, Urdu (*CIA World Factbook*)

> **GNI (2008-Atlas):** $163.3 billion (UNDP Human Development Report, 2009)

> **GDP per capita (2008-PPP):** $54,626 (UNDP Human Development Report, 2009)

> **Literacy rate:** 77.9% (male: 76.1%, female: 81.7% (2003 est., *CIA World Factbook*)

> **President or top authority:** President Khalifa bin Zayid Al Nuhayyan (since November 3, 2004), ruler of Abu Dhabi (since November 4, 2004)

MEDIA SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: 13 daily newspapers, dozens of magazines and periodicals (Arab Media Society, January 2009); Radio: 16 main stations; Television stations: 40+, most based in Dubai Media City; 16 main stations

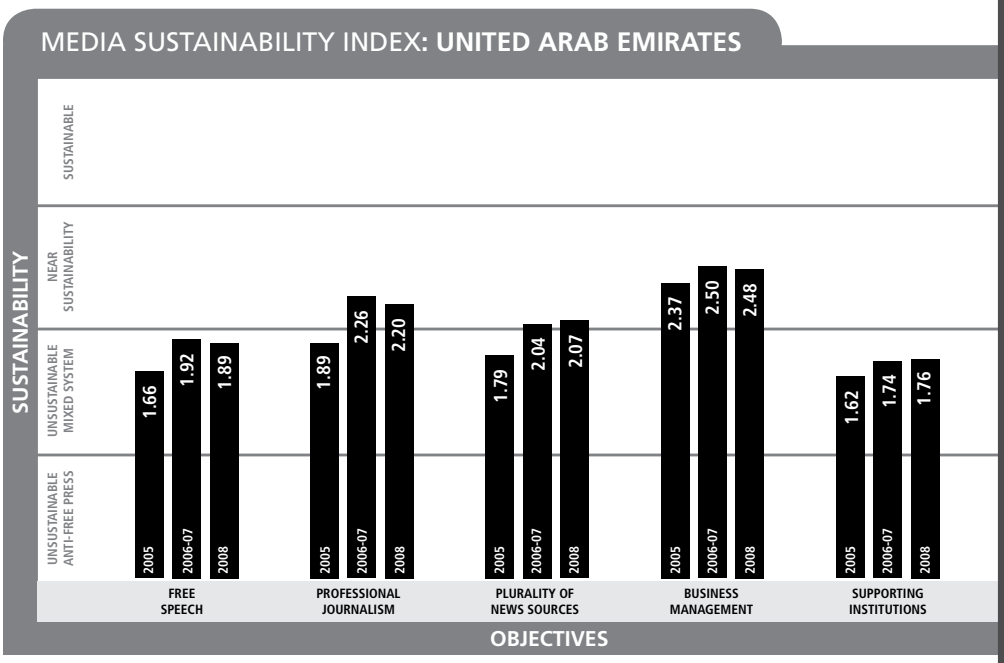
> **Newspaper circulation statistics:** Top 3 by circulation: *Al Khaleej* (Sharjah – Privately owned)—read by 78.8%, *Al Ittihad* (Abu Dhabi, government-owned)—read by 59.3%, and *Al Bayan* (Dubai, government-owned)—read by 52.8% (Ipsos Media CT, January 2009)

> **Broadcast ratings:** N/A

> **News agencies:** Emirates News Agency (WAM) – Abu Dhabi (state-owned)

> **Annual advertising revenue in media sector:** Spending in advertisement topped $1.3 billion in 2007, with the largest piece of the pie going to the Arabic and English newspapers (64%), followed up by TV (16%) and magazines (13%), outdoor ads (5%), radio commercials (2%), and cinema adverts (1%) (*2007 Advertising Spend Report,* Pan Arab Research Centre)

> **Internet usage:** 2.922 million (2008 est., *CIA World Factbook*)



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

UAE Objective Score: 1.89

The UAE constitution clearly acknowledges freedom of expression, stating "freedom of opinion and expressing it verbally, in writing, or by other means of expression shall be guaranteed within the limits of law." Panelists said, however, that the guarantee is indeed limited, as the wording implies. There are also many unwritten restrictions and so-called "red lines," as well as layers of internal censorship.

"There is absolutely no freedom of expression in UAE if you measure it against international conventions of free speech," said Amel Bachiri, an Algerian journalist and writer working in UAE. Mohamed al Roken, an instructor of law at UAE University, said, "The constitution of UAE provides provisions on freedom of expression, but it does not provide any special assurances for press and media."

The principal piece of legislation regulating the UAE media is the Printing and Publishing Law (Law 15 of 1980). The law contains 16 articles (70-85) that cover prohibitions from publishing anything critical of the rulers of the emirates to printing stories that "could result in the befuddlement of ideas concerning the country's economy." Ahmed Rashid Thani, an independent writer and researcher, said there were contradictions between the constitution and the media law. "The freedom of expression is called for in the constitution, for example, but it does not find a solid ground in the press and publishing law. Rather, it contradicts with it in some of its clauses," Thani said.

These problems are compounded, said Aisha al Nuaimi, media professor at UAE University, by the fact that each of the seven emirates that make up UAE has its own laws. "Media laws are no more than formalities. They provide no protection, and the overlap between the federal and local laws makes it even worse," al Nuaimi said.

In addition, the Cyber-Crime Law was enacted in 2006 to govern Internet crimes, including breaches such as "transcending family principles and values" and operating a web site "calling for, facilitating, or promoting ideas in breach of the general order and public decency," which could result in severe penalties ranging from fines to prison sentences.

UAE's existing media laws also apply within the country's media "free zones," such as Dubai Media City, with some exceptions. Media located in the free zones have unfiltered Internet access,[1] while outlets in the rest of the country have their Internet screened.

While this report was being prepared, a draft of the new media law became public. Called the Media Activities Regulation Law, it was first leaked to a local newspaper and published on September 22, 2008, which caused the newspaper to receive a warning from the National Federal Council (FNC), the arm of the Government responsible for media affairs. While praised by the government and the FNC as a law that protects journalists' work, it was strongly criticized and viewed as a step backward by the media and various press and human rights groups.

The law, which is still at draft stage, introduces a system of fines, ranging from AED 50,000 ($13,600) to AED 1 million ($273,000), for damaging the country's reputation or its economy, and up to AED 5 million ($1,362,000) for criticizing the president, the rulers of the emirates, crown prices, and their deputies. It also requires media outlets to publish whatever the government requests of them in times of calamity or crisis free of charge.

The draft law does not overwrite the relevant punishments of the Cyber-Crime Law. The draft law would not govern media in the free zones, officials have said.

Society does not seem to protect freedom of expression any better than the law does, panelists said. The lack of a vibrant political and civil society heavily contributes to the lack of social support for freedom of expression and human rights generally. "The right to freedom of expression is not greatly valued by society, as the infringement of this right would not cause a wave of anger or even major condemnation by the public," al Roken said.

Hissa Saif, a journalist with the privately owned, pro-government *Al Khaleej* newspaper, said, "Society exerts pressure in addition to that from state officials. They even go as far as accusing you of betrayal, and the advent of the Internet discussion forum added another layer to that as well, as it provided for an easy mechanism to post comments of all kinds on journalists' work. Some of them are even in inappropriate language." She added: "Pressure follows you all the way to home and family."

Licensing of media is extremely difficult, especially for daily newspapers. The FNC is the only body that can grant licenses to publications, and under the 1980 publications law, issuing a license for newspapers requires the approval of the cabinet. Typically, licenses are granted only to powerful elites in the government or those connected to it. The most

[1] Editor's note: a former expatriate media professional who worked in Dubai Media City reports that even there filtering occurs, such as web sites based in Israel with the suffix "ir" or the photo-sharing site Flickr.

recent daily newspaper to be launched was *The National*, an English-language daily owned by Abu Dhabi Media Co., which belongs to the government of Abu Dhabi emirate. It started operations in April 2008.

"The norm in developed countries is that you do not need permits or licenses for [print] media, as you would be exercising your right of freedom of speech," al Roken said. "In our case, freedom of expression is apparently considered an extremely sensitive matter, as it is taken all the way to the cabinet to make a decision on." Additionally, he said, "the FNC structure is almost a miniature cabinet; most of its members are either ministers or high officials with equivalent grades."

The draft media law would not ease licensing requirements. It would continue existing requirements for publications, establishing new ones for television, radio, cinema, digital media, and "any other media activities" determined by the FNC. Al Nuaimi explained: "The cabinet used to be the only entity that could provide or revoke media permits. With the new draft law, permits could be issued by the cabinet only based on a recommendation by FNC, but could be revoked by three different entities; the FNC, the cabinet, and the court. Besides, the previous law was only for newspapers; now the FNC would control all sorts of media, not only the newspapers."

Once the licensing hurdle is cleared, entry into the market is comparable to other industries. UAE is a tax-free country for all industries, including media-related businesses.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Obtaining a media license in one UAE's free zones is relatively easier, especially for magazines and international satellite television stations, but comparably difficult when it comes to daily newspapers. Aysha Sultan, a daily columnist for *Al Bayan*, said that "even in free zones, getting a permit for a daily newspaper is not an easy task and may not be possible expect for the same category of people that can obtain one outside the free zone."

Panelists agreed that UAE is a safe place for media to operate when it comes to crimes against journalists and media outlets. No crimes against journalists or reporters have been reported for the past few years. There were, however, occasions where journalists were stopped at airports and their recordings and reports confiscated.

Panelists agreed in general that there is no preferential legal treatment of government-owned media, but noted that private media in the true sense do not exist in UAE, as even those with private ownership receive government support. Hence, no clear distinction can be made regarding content or orientation. Privately owned media are more vulnerable to government pressure, as a good part of the advertisement comes from the government or its partially or fully owned companies.

Prosecution for libel is one the major fears for journalists in UAE, as it can result in hefty fines and imprisonment. Punishments under the 1980 Printing and Publishing Law range from a fine of AED 1,000 ($273) to a prison sentence of six months. In addition to the press law, the 1987 Federal Penal Code carries punishment for libel, varying from a fine of AED 20,000 to imprisonment of two years. The Cyber-Crime Law also has a set of punishments, from a fine of AED 50,000 for transcending family principles and values to seven years' imprisonment for opposing and defying the principles of Islam.

It is always the accuser who is required to provide proof for a claim.

In September 2007, the local court in Dubai issued two-month sentences for libel against two journalists working for the *Khaleej Times*, an English-language daily. The sentences came less than two weeks after the five-month sentence given to two on-line journalists of majan.net in the emirate of Ras Al Khaimah, according to Reporters Without Borders.

However, on September 25, shortly after the verdict in the *Khaleej Times* case, Sheikh Mohammed Bin Rashid al Maktoum, UAE's vice president and prime minister, issued a decree barring imprisonment of journalists who commit offences in the course of their work. Panelists offered mixed reactions to the move.

Al Nuaimi stated the "reforming step" of the decision was meant to mimic the outside world and not to truly push a change to the reality on the ground. "Not having the prohibition on imprisonment codified in the new proposed media law is evidence of that," she elaborated. Sultan expressed confusion, saying "while such a remarkable decision is being made to prevent imprisonment of journalists, writing about normal social affairs is not allowed, although they do allow people sometimes to talk about them in the direct-broadcast radio programs." Bachiri was blunter, saying: "The decision to prevent imprisonment of journalists is nothing more than making publicity, and it by no means fosters the right to freedom of expression and freedom of press."

On the other hand, Ibrahim al Asam, a journalist with state-owned *Al Ittihad*, said he believes the prime minister's decree "provides good protection and assurances to journalists, and allows them to knock on new doors they would not normally approach." Al Asam acknowledged that the benefits of the decision may not be realized in the short term, due to the "long history of censorship and the misunderstanding of freedom of expression," but said he believes it will be fruitful in the longer term.

In another libel case, one that sparked wide international criticism of UAE, Mohammed al Shehhi, owner of the popular on-line discussion forum Majan.net, and one of his writers, Kahlid al Asly, were accused of posting libelous comment anonymously on the site. The trial resulted in a sentence of 17 months' imprisonment and about $19,000 in fines for al Shehhi, and five months' imprisonment for al Asly. Al Shehhi spent more than 55 days in jail and was released on bail in November 2008, while al Asly was in and out of jail for a shorter duration. On January 20, 2008, the convictions against majan.net were overturned.

In another case, the court of Abu Dhabi on November 19, 2008, upheld a defamation conviction against the daily newspaper *Emarat Alyoum*, ordering its suspension for 20 days and fining editor-in-chief Sami al Araimi AED 20,000 ($5,400). The case stemmed from an October 2006 article that accused a UAE-based company of giving steroids to horses in an Abu Dhabi race, according to local newspapers. The court decision was widely criticized by press watchdogs, which viewed it as a politically influenced decision. *Emarat Alyoum* appealed and as of the end of February 2009 had not suspended its operations.

Getting public information is another area of frustration for journalists. UAE law does not have provisions for the right to access to information; the new draft media law addresses this point to a certain extent by requesting government entities to ease the flow of information to the media. As in many other areas, red lines exist here. For example, journalists are not allowed under any circumstances to view information related to the spending of the country's wealth.

"The lack of information is tied to the political situation and public liberties," al Nuaimi said. "Information is selectively released with many considerations." Saif said that even when the government approves information for release, "sometimes they will not provide it to you; some officials consider it as their private right." Once information is released, she said, media outlets have equal access to it.

Al Asam said "for a journalist, getting information is never easy, but there are always ways of getting the information; it depends on the connections and the effort expended by the journalist. Some sensitive information will not be released for sure."

Access to international information sources is generally available, with the exception of Internet sites that are blocked by the government. Internet filtering for "culturally inappropriate or offensive to the state's perception of Islam," as described by the governing law, is extensive in UAE. There are, however, exceptions, as some universities and colleges do not pass through the UAE proxy server. In February 2007 the government announced a plan to extend Internet filtering nationwide, including free zones such as Dubai Media City, which were previously exempted from such regulations.

Telecom Regulatory Authority (TRA) reports also criticized the use of automatic filtering techniques that prevent citizens from accessing content unrelated to the state's expressed goals, according to Open Net Initiative (ONI). TRA policy defines 13 categories of objectionable content, which span pornography and alcohol-related sites, drug usage, gay and lesbian issues, on-line dating, and gambling; some religious and political sites are also filtered, though less extensively, as reported by ONI.

Panelists agreed in general that entry into the journalism profession is not restricted for the country's nationals. Though applicants must undergo a security check, no apparent restrictions are applied. However, critical positions in the media such as editors-in-chief are mostly appointed by local governments who are the ultimate owners of the media.

Foreign correspondents are required to have licenses to work in the country, and the licenses need to be renewed annually. They are required to have a university degree and a minimum of three years' experience, as well as be affiliated with a professional association in their home country. Al Roken called the latter requirement unfair, "as that should only be of interest to the system in the country that he or she came from." He acknowledged that the requirement is not being enforced, but said it is still part of the law and could be exercised arbitrarily.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

UAE Objective Score: 2.20

Panelists generally agreed that journalists in the UAE exhibit objectivity in their reporting, within the limits imposed upon them. Critical reporting on sensitive political, social, or religious issues is almost nonexistent in print and broadcast media.

Most media employees in the UAE are expatriates. On one hand, this has enhanced the average level of proficiency; on the other hand, it fosters considerable reluctance among large numbers of journalists to cover sensitive subjects for fear of losing their jobs. As a result, most newspapers look very much alike when it comes to local content, as journalists tend to cover only the basics: news coming from the government, local sports, and foreign reports.

"For reports to be objective and well balanced, both sides' opinions should be considered and given the same weight without prior judgment," al Roken said. "Many reports, unfortunately, strongly favor one side versus the other, whether official views or otherwise."

Panelists said there have been attempts by Internet journalists to extend the dimensions of critical writing beyond their traditional media peers, but that some reports and comments posted on the Internet still lack objectivity, reliable sources, professionalism and, sometimes, credibility. Internet sites that do publish well referenced and objective critical reports are more likely to be blocked by authorities, as was the case with the blog called Mujarad-Ensan.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

The UAE media establishment adopted its own code of ethics on October 2, 2007, a week after the prime minister decreed that journalists cannot be imprisoned in relation to their work. Seven editors-in-chief of different local newspapers and publications and the board members of the UAE Journalists Association signed a charter of honor and the UAE Journalism Code of Ethics, which calls for journalists to "respect the truth and the right of the public to have access to the truth and accurate information." It further demands "journalists to commit themselves at all times to the principles of freedom and integrity in gathering and publishing stories, and should voice fair and neutral comments and criticism."

Many of the panelists were critical of the code, saying its goals were unattainable for a variety of reasons. "The code was more propaganda than a real code of ethics that governs media ethics," al Nuaimi said. "It came as a hasty reaction to the decree of the prime minister, and journalists are not really bound by it."

Article 26 of the code declares that "accepting cash and valuable in-kind gifts may cause a journalist to be biased in his coverage and is considered a breach of the code. This does not apply to souvenir gifts given to public." Panelists pointed out that historically a large number of journalists in UAE have accepted cash and valuable gifts (called *makroma* in local slang) from the government, or government personnel, including parcels of land. This was particularly prevalent among journalists who are UAE citizens. For example, on May 27, 2008, the prime minister issued a directive to construct permanent premises for the UAE Journalists Association. The step was welcomed by many of the editors-in-chief and the journalists' body but could further cloud the objectivity of the media.

Al Roken stated that he is aware of cases in which journalists receive monthly payments by businesses to cover their news. "Editors-in-chief are aware of that as well, but they let it go, as they view it as an additional source of income, considering the low pay of those expatriate journalists," he added.

Matar, who manages the Dubai branch of state-owned *Al Ittihad*, said she has been approached twice by a UAE journalist who told her he had received more than $8,000 from a company and asked her how to handle it. She advised him in both cases to return the money. "We know that there are many similar cases, but they would not reveal themselves," she said. She emphasized however that her paper has internal written instructions that alert employees and journalists about accepting cash or gifts and warns them to deal with proven cases decisively.

Panelists agreed that self-censorship is severe and is causing real damage to the image of the profession. The stringent media law imposed by the government, unclear policies

within media organizations, political censorship, economic censorship, the complex matrix of common interests among various media stakeholders, job insecurity of expatriate journalists, interference of powerful individuals, and traditional social and religious institutions all converge to encourage self-censorship.

Media establishments are mostly owned by local governments, which directly appoint editors-in-chief. This creates a layer of political censorship that propagates to lower layers, where reporters become very cautious about writing or reporting 'inappropriately." "Self-censorship plays a major role in reducing the margin of available freedom," Saif said. Bachiri agreed, stating that "those who suffer from self-censorship are all of those who sign working contracts with any of the media establishments in the country."

Although most panelists said they think that the uncrossable red lines have become well known to journalists, Sultan disagreed: "We still discover new prohibitions almost on a daily basis through trial and error." Likewise, Matar, of state-owned *Al Ittihad*, said "journalists do not exactly know what can be published and what can't be. The unwritten instructions and the red lines are beyond what anyone can imagine."

The practice affects not only local coverage but the handling of international stories that mention the UAE. While local newspapers sometimes publish stories of critical reports about other countries, they refrain from publishing similar reports from the same sources about their own country. This is particularly noticeable when it comes to human rights reports. However, flattering reports are adequately covered, panelists said.

On the economic front, private media owners, publishers, and editors-in-chief clearly understand that the survival of their businesses is strongly tied to the flow of advertisements coming mainly from conglomerates and other large business organizations, many of which are owned wholly or in part by the government. To avoid the sensitive and delicate situations that can arise for private media groups if government bodies are not pleased with them, they practice what al Roken described as economic censorship.

Job insecurity for journalists also feeds self-censorship. Critical reporting on sensitive topics could result not only in prosecution, but journalists could be fired, transferred to different branches or units (smaller or remote) within their organization, exposed to salary and benefit cuts, and more. Fines imposed under the media law are hefty, and journalists can spend the rest of their career paying them. Expatriate journalists are sponsored by their media establishments, and losing their jobs would mean ending their stay in the country, unless other arrangements are made. "It is only natural that they would be very cautious in their writing, as they could lose their jobs due to simple mistakes. Miswriting the name or the title of some powerful individual could lead to that," Thani said.

Self-censorship is not the only kind of censorship within media organizations, panelists said. "One means of censorship is the selection of certain topics for the public to discuss and talk about in the live-talk radio programs," al Nuaimi said. "Dealing only with specific writers and not with others is another form of censorship, as their interests and boundaries are known. Neglecting talented writers of certain views and stands within the organization while others, coming from irrelevant backgrounds such as security and police, get high managerial positions; these are other forms of indirect censorship."

Panelists generally agreed that media on the Internet engaged less in self-censorship, as many writers hide their identities and may not be easily tracked. However, Internet media have been a target of external censorship. At the end of October 2008, Dubai police announced the establishment of the "Electronic Police" to carry out round-the-clock checks on the Internet for any possible criminal or other acts that exceed the proper bounds. Some fear that the e-police may be used to target anonymous writers and activists, keeping them under constant pressure to refrain from critical writing.

Despite the job insecurity faced by expatriate journalists, English-language daily newspapers cover certain topics that their Arabic-language peers would not dare publish, panelists said. Some panelists suggested that English papers do have a bigger margin of freedom than Arabic ones, simply because they are populated with many experienced Western journalists.

They cited the example of how the English daily paper of Abu Dhabi, *The National*, covered the government's blocking of the popular blog site Mujarad-Ensan, while none of the Arabic papers did so. In Dubai, the English daily *Gulf News* was the only paper to cover a peaceful protest on November 20, 2007, by 25 Emirati teachers who were suspended from work and transferred to other ministries. The *Gulf News* also published on June 8, 2008 the news of the storming of rock quarries by infuriated Emiratis of the Al Rahaba tribe in the northern part of the emirate of Ras Al Khaimah. They accused the quarry operators of encroaching on their lands and polluting the area. A similar event in July 2006, which caused a military intervention by Special Forces, was also covered by *Gulf News* only. However, when members of the Al Khawater tribe clashed with the local government of the emirate of Ras Al Khaimah in May 2008, claiming it was attempting to sell their lands to foreign investors, the story was only covered on the Internet.

Panelists agreed that media outlets give fair coverage to events that are not deemed sensitive. This, however, leaves many important subjects uncovered. Al Roken said he believes coverage of events is very selective, and that it varies between the Arabic and the non-Arabic media. "Media do not cover, for example, the suffering of laborers and their living conditions in the country," he said. "They only cover them when they riot, and show them as uncivilized, imprudent people." Newspapers were recently were instructed not to cover riots by foreign workers anymore, some panelists noted.

Bachiri recalled: "After an earthquake in the area, some Emirati citizens were left homeless. When I enthusiastically offered to cover the subject, my manager told me to write about the traditional food and restaurants in that area instead!" Other panelist also indicated that the issue of stateless people was not allowed in the newspapers until recently.

Journalists' pay in the UAE is relatively high when compared with other countries in the region. At some media organizations, there is a salary gap between nationals and expatriates with the same qualifications and duties, with Emirati nationals being paid more. Al Asam, of the state owned *Al Ittihad*, believes the pay at his organization is the highest in the Middle East.

Despite the high pay, though, corruption does exist in media organizations, which Saif said was an indication that corruption and pay rates are not necessarily linked. Panelists did not dispute the presence of corruption; they differed only about its prevalence. Al Asam estimated that no more than 10 percent of newspaper journalists are corrupt, but al Nuaimi estimated the proportion to be about 70 percent, a discrepancy that might be due to different definitions of corruption.

Panelists generally agreed that entertainment and information programs are reasonably balanced in the print media. They noted, however, what they considered to be an excessive number of entertainment satellite television channels broadcasting from Dubai Media City.

Panelists unanimously agreed that UAE media enjoy advanced technical facilities and equipment, whether in Dubai Media City or outside, mostly due to the availability of capital in the country and the desire of free zones to attract media. Most of the print enterprises in the country possess their own technically advanced presses or use those offered by larger companies. The television and radio stations use advanced equipment to store, edit, and retrieve archives and disseminate data.

OBJECTIVE 3: PLURALITY OF NEWS

UAE Objective Score: 2.07

The vast economic growth of UAE in recent years has fostered its position as a commercial hub, bringing in workers from more than 200 countries, according to some official reports. As a result, expatriates account for about 67 percent of the Emirates' 6.5 million residents, and demand for widely varied sources of news is enormous.

The country has 13 daily newspapers, seven in Arabic and six in English. There are 16 major television stations and 16 major radio stations. The broadcast media's programming is mostly in Arabic and English, with some programs in other languages.

In addition, there are free zones for media in the emirates of Dubai, Abu Dhabi, and al Fujaira. The largest, Dubai Media City, hosts more than 1,200 companies, including 60 television companies that operate 150 television stations, and more than 120 publishing houses that produce around 400 titles.

UAE leads the Arab world with an Internet penetration rate of 48.9 percent, according to the Internet World Stats research group. The UAE authorities filter out Internet content that deal with pornography, gay and lesbian issues, online dating, and gambling, and less extensively, web-based applications (such as VoIP) and religious and political sites, according to reports issued by Open Net Initiative.

With the exceptions above, panelists agreed that the ability of locals to access domestic and international media is

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

relatively good. Al Roken, however, said "It is not true that you can freely approach all foreign media, either because some of them are blocked via the Internet, or because you would be subject to harassment by security bodies if you attempt doing so." The government also bans certain publications from entering the country.

Access to these news sources is generally affordable. The cost of daily newspapers is AED 2 ($.50), and satellite dishes are available across the country for about $50. Modern telecommunications infrastructure makes it possible for residents to obtain affordable high-speed Internet connectivity, and the availability of Internet cafés has made access to the Internet fairly affordable even for low-income laborers.

However, the diverse information sources do not necessarily represent the different opinions and views within the society. Only government-friendly and culturally accepted reports and views can be disseminated to the public. Coverage of local politics is generally poor and uncritical. The absence of the political parties makes the government's view the only one reflected in the media. Internet is the only open means for political activists to freely speak, usually anonymously. That, coupled with the ownership of the media—which is mostly owned by the government—led Thani to say that "UAE media accordingly became a media of absolute tribute instead of becoming critical, even in a soft form."

There are no independent local news agencies in UAE. There is one state-owned agency, the Emirates News Agency, which supplies local media with non-critical news such as coverage of government activities and events and, in some cases, politically correct domestic news. Independent international news agencies have bureaus in the country, but their coverage of local affairs is limited.

Though panelists agreed that most of the local media are owned by a few conglomerates that have ties to the government, details about shareholders and other information related to ownership are not publicly released or easy to obtain. Government media were recently privatized. Abu Dhabi Media Company was created in 2007 and incorporated all the government-owned media under its umbrella. Similarly, Dubai created Dubai Media Incorporated Arab Media Group before that.

The situation can be deceiving, said some panelists. "Privatization of media in UAE gives people the impression that the media are private and disassociated from the government," al Nuaimi said. "However, in the very last analysis of ownership, you discover the owner is the government. Media are managed as private entities businesses-wise, but as governmental bodies content-wise. That's why we do not see any change in the newspapers or TV or other types of media despite privatization."

UAE does not have minority groups within its citizenry or political parties, and hence, the media lacks the robustness in that sense. The expatriate majority is served by a huge presence of non-Arabic-speaking media that essentially cover activities and events that pertain to community groups. They also provide news from expats' home countries, mainly India, Pakistan, and Arab countries.

OBJECTIVE 4: BUSINESS MANAGEMENT

UAE Objective Score: 2.48

Fueled by a growing economy, media companies are very successful and profitable, panelists agreed. UAE has a very strong foundation for businessmen and investors, combined with a flexible market situation, all of which spell success not only for the media sector but for others sectors.

The biggest portion of revenue comes from advertisements; income from subscriptions is not enough for media to survive. The fact that media groups are mostly owned by the government also boosts their finances, as they get direct financial support as needed.

Advertisement spending in UAE is the highest in the Middle East, reaching $1.3 billion in 2007, according to the Pan Arab Research Center. The media receive the largest portion of advertising spending, more than 80 percent. Newspapers were overwhelmed by advertisements in 2007 and 2008, causing them sometimes to expand the number of pages considerably. But with the global financial crisis that started in the last quarter of 2008, recent reports on media spending and business continuity show a less optimistic outlook.

The UAE advertising market has attracted a large number of multinational advertising agencies. Well-established agencies have links to various media corporations. Advertisements can reach media directly or through such agencies, which may enjoy competitive prices through a volume discount.

The advertising market has also attracted different market research groups and professional consultants with various interests, including media. Some groups work directly with media corporations to enhance their opportunities in a highly competitive market. Other market research groups work on a contractual basis with some media groups to conduct research for their benefit.

Panelists noted that the large proportion of income generated by advertisements has undesirable effects on

content, as news becomes a lower priority in space and location in the print media and advertisements become annoyingly frequent on television and radio. Panelists said the importance of advertising jeopardizes neutrality and objectivity, causing media managers not to cover stories that could upset valuable advertisers. "In modern media, they have what they refer to as a 'Chinese Wall' for the purpose of isolating the content team from the advertisement team to prevent influence and maintain objectivity; however, this does not exist here," al Roken said.

Though panelists did not see any direct financial support from the government to private media, they emphasized the availability of indirect support through state-owned companies' advertisements and tender announcements. Al Assam said that such indirect support to private media is unconditional and does not have any negative impact on freedom of expression. Other panelists disagreed, seeing instead a direct correlation between indirect government support and freedom of expression and press in the country.

With regard to ratings and circulation figures, some panelists stated that there are no credible statistics that can be used for accurate assessment. Even in cases where statistics are revealed by leading newspapers, they do not show vital details. Furthermore, there are no independent institutes to verify and validate such statistics. None of the media groups in UAE are registered on the stock market, and hence their financial figures and performance can not be accurately assessed. Much business-sensitive information is not released to the public or even to researchers, which raises questions about the credibility of the statistics presented by research groups in the field.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

UAE Objective Score: 1.76

In contrast to the active business environment, civil society is extremely weak in UAE. UAE's political system does not allow the formation of unions or syndicates, and the 2008 Public Benefit Societies Law puts many restrictions and barriers before civil organizations, hampering even moderate efforts.

There had been no publishers' group in UAE until the UAE Publishers Association (UAEPA) was established in December 2008. The objectives of UAEPA are to look after publishers' interests, raise the standards of the profession, improve operating conditions of the publishers, and extend all possible support to them. The MSI panelist evaluation was completed before the establishment of UAEPA, but it can be said the organization may have difficulty achieving its goals, not only because of the stringent law that governs its activities, but also due to the competitive relationship among its members.

The Emirates Journalists Association (EJA), established in 2000, had 778 members as of October 2008, according to news reports. The EJA's objectives include protecting and strengthening the rights and freedoms of journalists, and upholding and improving UAE journalism. The secretary general of the association, Mohamad Yousif, recently told *Gulf News* that "the association provided legal support for more than 60 journalists since the establishment of the Defense Council at the EJA in 2004."

Panelists, however, widely criticized the performance of the EJA in areas other than legal and financial support, which they value and acknowledge. When it comes to defending the freedoms of expression and the press, the EJA has failed dramatically, according to most of the panelists. The successful lawsuit against Jaber Obaid, the manager of the state-owned Abu Dhabi Radio Station, and the imprisonment of two writers of majan.net and the blocking of the popular blog site Mujard-Ensan reflected the failure of the EJA to defend freedom. "They were aware of these cases, yet they did not stand by any of them," al Nuaimi said. Abu Laila, the owner and administrator of an on-line discussion forum, agreed: "EJA is not present at all to us, and it does not provide us with any support of any kind and never adopted cases relevant to us."

Though panelists acknowledged that the stringent Public Benefit Societies law is a major hindrance, they felt it did not relieve such organizations from their obligations. But al Roken said "the EJA is not a union and does not represent the interest of all journalists, and the legal framework does not allow it to do much more beyond what they are currently doing." On the other hand, he noted, "The EJA is getting direct support from the government, and further, embraced

by it, which makes the association reluctant to criticize certain matters in public affairs."

Criticism of the EJA also extended to the operation of the association. According to Sultan, one of the group's founders, EJA "became nothing more than a place for sending different kinds of congratulations and condolences to its members." Bachiri said that "people go there for socialization only. No serious work is being done there." Al Asam, who's a member of the association, attributed its poor performance to a loss of vision and strategic objectives.

The Emirates Human Rights Association (EHRA) was formed in 2006. Panelists expressed disappointment with its efforts to protect freedoms of expression and the press. EHRA is virtually non-existent in defending human rights issues in compliance with the international standards and the underlying conventions of human rights work. The strong ties between EHRA and the government extend beyond the financial support provided through the Ministry of Social Affairs, the entity to which all public benefits associations report: the prime minister and the ruler of Dubai donated a piece of land to EHRA for its permanent location. The failure of the local NGO-equivalent associations to defend the rights of people in the country has led many human rights activists to seek for support from international organizations, which some believe are more effective than the crippled local organizations.

Panelists praised the role played by specialized short-term training courses provided by different institutions. They said that these courses help compensate for academic deficiencies.

Panelists generally agreed that various academic institutions in UAE that teach media are strong on the technical side, but have a major deficiency in terms of intellectual competency. Al Nuaimi, an instructor of media in the University of UAE, stated that "there are various media institutions in the country, but they are coreless and do not generate journalists with a solid set of skills and fundamental background."

Sultan, however, said that "it is not fair to judge the quality of the media graduates based on the performance of the local media and journalists working in them, as media organizations do not want to hire high-caliber individuals who might have certain stands and points of view, as they are considered problematic by media establishments. The criteria for selecting media graduates are focused not on intellectual skills and capabilities, but on looks and frivolity."

Regarding printing facilities and newsprint, panelists generally agreed that they are privately owned and not politicized. They noted, however, that the press law restricts licensing of printing facilities but, by the same token, they agreed that channels of media distribution are widely available and running freely in the open market.

The free-market economy in UAE permits the selling and the distribution all kinds of media products without restrictions. Almost all types of media distribution are available in UAE (kiosks, Internet, transmitters, etc.), and they are privately owned and sold without governmental interference.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

List of Panel Participants

Mohamed Al Roken, law instructor, Emirates University, Dubai

Aisha Al Nuaimi, media instructor, Emirates University, Dubai

Aysha Sultan, journalist and daily columnist, *Al Bayan*, Dubai

Moza Matar, journalist, *Al Ittihad*, Dubai

Ahmed Rashid Thani, writer and researcher, Sharjah/Abu Dhabi

Ibrahim Al Asam, journalist, *Al Ittihad*, Ras Al Khaimah

Hissa Saif, journalist, *Al Khaleej*, Ras Al Khaimah

Ibrahim Abu Laila, online discussion forum administrator and owner, Watan Forums, Ras Al Khaimah

Amel Bachiri, Algerian journalist and writer, Sharjah

Moderator and Author

Ahmed Mansoor, media consultant, writer, and freedom advocate, Gulf Forum for Citizenship, Ras Al Khaimah, Dubai

Conflicting panelist schedules prevented a panel discussion from being held in UAE. This report was compiled after meeting panelists on an individual basis.

The United Arab Emirates study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat, Oman.

Although the ministry rejected 68 applications, 34 press outlets managed to start up.

YEMEN

OVERALL SCORE: **1.20**

In 2008, the political, economic, social, and media situations in the Republic of Yemen did not change dramatically from the previous year. The first serious, competitive presidential elections in September 2006 represented a turning point in Yemeni politics, as the opposition (the Joint Meeting Parties) threw all its weight behind its candidate in an attempt to win the presidency. The office was won ultimately by Ali Abdullah Saleh, the sitting president and member of the ruling People's Congress Party, but the political scene was different from that point on. The media played an instrumental role in the change.

Given the media's role shaping public opinion in these elections, parties and individuals worked to establish their own media outlets. The Ministry of Information, responsible for issuing media licenses, suddenly faced a heavy stack of applications. Some political organizations and investors expressed their intent to start satellite television channels outside the country, as the current law bars the independent establishment of satellite channels in Yemen.

Signs of social activism emerged in 2008 as well, including public demands for greater press freedoms and ensuring that any interested party, organization, or individual can operate a broadcast or print media outlet. These pressures forced the Ministry of Information to partially lift the ban on issuing licenses for new newspapers and magazines. Although the ministry rejected 68 applications, 34 press outlets managed to start up. Conditions will likely intensify as the parliamentary elections of April 2009 approach.

Against this backdrop, an accomplished, influential group of 14 journalists and activists participated in the Media Sustainability Index for Yemen this year. They gave the Yemeni media sector an overall score of 1.20—nearly the same as the 2006/2007 study. The scores ranged from 0.81 for Objective 3 (plurality of news) to 1.69 for Objective 5 (supporting institutions).

YEMEN AT A GLANCE

GENERAL

> **Population:** 23,822,783 (July 2009 est., *CIA World Factbook*)

> **Capital city:** Sana'a

> **Ethnic groups:** predominantly Arab; but also Afro-Arab, South Asians, Europeans (*CIA World Factbook*)

> **Religions:** Muslim including Shaf'i (Sunni) and Zaydi (Shia), small numbers of Jewish, Christian, and Hindu (*CIA World Factbook*)

> **Languages (% of population):** Arabic

> **GNI (2008-Atlas):** $21.90 billion (World Bank Development Indicators, 2009)

> **GNI per capita (2008-PPP):** $2,210 (World Bank Development Indicators, 2009)

> **Literacy rate:** 50.2% (male: 70.5%, female: 30%) (2003 est., *CIA World Factbook*)

> **President or top authority:** President Ali Abdallah Salih (since May 22, 1990)

MEDIA SPECIFIC

> **Number of active print outlets, radio stations, television stations:** Print: At least 150 newspapers and magazines licensed by the Ministry of Information, including 54 official publications; Radio: 10 radio stations, 2 nationwide: Sana'a (General Program) and Aden (Second Program); Television stations: 2 (Sana'a and 22-May TV), both government-run; Sana'a TV Channel also transmits via digital and analog Satellite (Arabsat and Nilesat) (Ministry of Information, 2003)

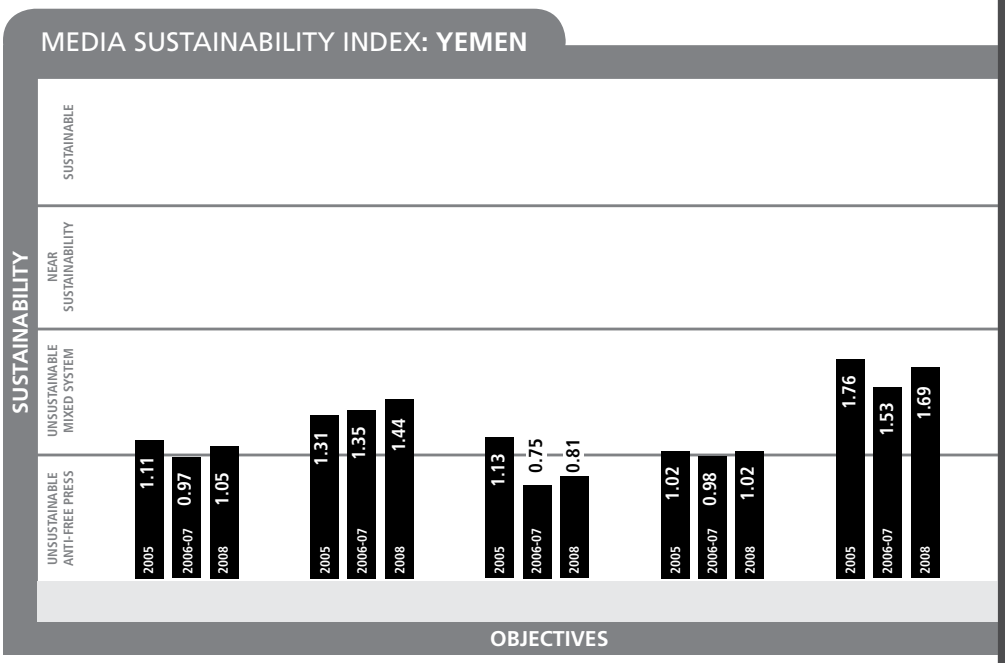
> **Newspaper circulation statistics:** The top 3 are *Al-Thowra* (official daily), *Al-Ayyam* (independent daily), and *26-September* (weekly; mouthpiece of the Moral Guidance – Ministry of Defense)

> **Broadcast ratings:** N/A

> **News agencies:** Saba News Agency (state-owned)

> **Annual advertising revenue in media sector:** N/A

> **Internet usage:** 370,000 (2008 est., *CIA World Factbook*)



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Yemen Objective Score: 1.05

The panelists agreed that Yemen's laws restrict freedom of expression. Yemen does have legal measures that protect freedoms, but in reality the state does not enforce them, according to several of the panelists. "The law has not kept pace with changes, which has widened the gap between legal regulations and the obstacles facing freedom of speech," said Hage' Al-Ghafi, founder and former editor-in-chief of *Maal Wa A'maal* (*Money and Business*).

Tawakkul Abdul-Salam Karman, head of the organization Female Journalists without Chains, said that Article 33 of the press and publications law gives all citizens the right to express themselves through vocal, visual, and written communication, but the constitution restricts freedoms in many other ways. "The problem lies in the absence of the rule of law, which leads to the non-implementation of this article," Karman said. Na'ef Hassan, editor-in-chief of *Al-Share'* newspaper, said that the legal rules are twisted and used to control freedom of speech, and often "the constitutional and democratic principles of freedom of speech and expression and the judicial and legal systems are bypassed."

Abdul-Bari Taher, the well-known writer and former head of the Yemeni Journalists' Syndicate, commented on the severity of the law. "There are five laws in Yemen that take away freedom and restrict free speech: the press and publications law, the criminal and penal laws, the penal procedures law, the pleading law, and the documents law. Every one of these laws includes articles that criminalize journalism activities and suppress rights," he said.

Iskander Al-Asbahi, former editor-in-chief of *Al-Mithaq* newspaper, the mouthpiece of the People's Congress Party, said protections of free speech are still inadequate. "Despite the fact that the constitution guarantees free speech, there are still many laws that restrict this freedom," he said. "The press law includes many publication prohibitions. Other laws, such as the penal and criminal laws, include punishments that strip away freedom of speech, and all of these laws and punishments are applied selectively."

Panelists said again this year that beyond official restrictions of freedom of speech, traditional Yemeni culture has an inhibitive effect. Taher said that conservatives disregard journalism and devalue freedom of the press—and some tribal groups even consider such freedoms to be in conflict with their way of life. Ali Al-Garadi, editor-in-chief of the independent newspaper *Al-Ahali*, agreed. "The social customs and the support environment...are not conducive. [Some Yemenis] still regard journalism with a lot of suspicion and mistrust." Al-Qadhi gave an example that demonstrates how social customs directly limit freedom of speech. "A journalist may criticize a high-ranking official in the government, but finds great difficulty in criticizing a tribal sheikh or a religious leader," he said.

Several panelists described the challenges involved in obtaining a media license. Nabeel Ali Al-Soufi, head of the Independent Yemeni Media Institution, said that the right to a press license is protected by law in name only, and licensing standards are not implemented fairly. Karman said that no laws guarantee the right to own broadcast media. Mohammed Al-Ghubari, head of the office of *Al-Bayan Emirati* newspaper in Sana'a, said that the government still does not allow individuals, political parties, or organizations to own broadcast media. Cumbersome paperwork further complicates licensing, Al-Ghubari added. "More than four applications must be completed to obtain a license for the publication of a newspaper," he said.

The panelists agreed that crimes against journalists are commonplace. Panelist Jamal Amer, editor-in-chief of *Al-Wasat* newspaper, was abducted in August 2006; and several panelists mentioned the abduction of journalist Abdul-Kareem Al-Khiwani. To date, no one has been identified or punished in either case, Amer said.

Al-Ghafi told the panel that he was the target of frequent intimidation while working in the press. "Many legal cases were brought against me, and there was an assassination

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- Legal and social protections of free speech exist and are enforced.
- Licensing of broadcast media is fair, competitive, and apolitical.
- Market entry and tax structure for media are fair and comparable to other industries.
- Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

attempt against me in 2005, when I was sent an explosive envelope while I was the editor-in-chief of *Al-Nahar* newspaper. I have not felt safe ever since."

Journalists also face lawsuits. Some cases have been brought before the State's Special Court, and some of the accusations leveled against journalists can result in a death sentence. "In truth, the press law is [applied along with] the other laws, and more than one punishment for expressing one's opinion may be given, such as imprisonment, fine, confiscation of the newspaper, and injunction against [public] writing," Taher said.

According to Amer, journalists face prosecution if they cover stories about the military or security forces. He described the case of Khaled Al-Hammadi, a journalist with *Al-Quds* newspaper, who was taken into custody and interrogated for reporting on the crash of a military aircraft.

Hassan and several members of his staff are now defending themselves in a case before the State's Special Court. The charges came after the newspaper published a story on the human conditions of the tribespeople who volunteered to join the army in its fight against Hawthis. Their alleged crimes are punishable by death, in accordance with Article 26 of the Criminal and Penal Law.

Taher said that the state uses harsh tactics to hinder information access. "Government authorities do not understand what free access to information means," he said. "Accessing information is an uphill task and a dangerous business, and quite often journalists are subjected to interrogation or trials after publishing news or exposing information on government institutions. Furthermore, there is a lot of media blackout on the political, social, and economic activities of the political regime [and] army and security institutions."

Even with such institutionalized challenges, journalists find ways to practice their profession, Al-Asbahi said. "There is some facilitation of journalism and leniency in applying some laws. Some of these include the lack of restrictions on the import of papers, printing presses, and other production tools. Some journalists practice the profession without obtaining credentials from the Ministry of Information, as prescribed by the law," he said.

Most panelists said that citizens have limited access to international news, including the Internet. "Foreign news sources such as websites, news agencies, and other media outlets, though accessible, are still limited in their circulation, effect, and spread. Some of these, in some cases, are blocked or filtered," Taher said.

Mohammed Al-Qadhi, a university professor and journalist, said that the government maintains complete control of the Internet. "The government has been able to shut down many of the Internet websites that publish information that it deems threatening, and this year and the year before, many websites were closed down," he said.

Taher said that government harassment takes the form of Internet censorship and blocked access to certain websites and state dominance of satellite broadcasting. He also mentioned "the campaigns of the mosque preachers and other religious leaders who consider the Internet a devilish thing. The government overlooks such campaigns—and sometimes participates in them."

Aher said that the state prevents citizens from accessing foreign publications that cover certain topics. "Magazines and newspapers tackling sensitive issues in Yemen are banned from entering the country," he said.

As reported last year, journalists are required to receive accreditation from the Ministry of Information, which then issues press cards. However, as Al-Asbahi described here, often journalists practice without receiving the cards. Last year, panelists noted that the Ministry of Information is often remiss in issuing the cards.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Yemen Objective Score: 1.44

With an overall score of 1.44, Objective 2 remained nearly unchanged from last year's score of 1.35. The results underline the many challenges that Yemeni journalists still face in improving professionalism. Individual journalists have made limited attempts to improve professionalism, but they conflict with a media sector in dire need of more training, qualification standards, and efforts to introduce technical and informational infrastructure. It is enough to point out that the pen—as opposed to a computer—is still the most prevalent writing tool, used by 95 percent of journalists.

Hassan said that the lack of professionalism originates with the writers. "Most journalists are not qualified for this profession, and the newspapers become schools that train journalists," he said. Al-Guhafi agreed that journalists are responsible for the poor quality of their reporting. "Journalists do not usually exert enough effort to ensure accuracy, objectivity, and balance in their writing, for reasons [such as] insufficient resources, carelessness, and weak professionalism and training, he said. "Trust in the Yemeni media among the people of Yemen is still very low, if not altogether absent. The media are frequently accused of being inaccurate, biased, and capricious in news coverage."

The panelists agreed that professionalism among media outlets is lacking, but they had different opinions on the breadth of the problem. Al-Qadhi said that like democracy in Yemen, journalism is in its infancy and "has not reached the level of institutionalism where it can stand on solid ground and be able to adhere to professional standards and quality criteria."

Al-Qadhi said that print media outlets show varying levels of professionalism. "There are a few newspapers that adhere to some professional standards and objectivity, but these suffer from financial crises—like *Al-Nidaa'* newspaper, which does not resort to blackmail to secure advertisements, as some of the newspapers do. These latter newspapers are like propaganda. The owner is usually the editor-in-chief, who determines the policy of the newspaper according to his or her interests or the interests of the financial backers. And many of the so-called 'independent' newspapers are in reality funded by the government, the army, or other parties," he said.

Karman agreed that professional standards vary among print outlets and Internet sites, but said that the problem is even more serious with broadcast media houses. She also agreed with Al-Qadhi that ownership of media outlets is an issue. "We have to be aware of the fact that the broadcast media are owned by the ruling party and solely express its point of view. They do not allow others to express their views in the broadcast media," she said.

Al-Asbahi spoke strongly about the need to raise professional standards in Yemen; he said that Yemeni journalism "lacks professional standards of quality and is plagued with imbalance and unilateralism. There is only the minimum level of justice and objectivity in reporting." However, Taher pointed out the difficulty in raising professional standards. "In-depth reports require special skills, financial support, and field work and some degree of freedom, publicity, and transparency," he said. "An in-depth report demands a complete team and hard and patient work, as well as the cooperation of different parties to be successful. Successful reporting is also linked to a commitment to reform, combat corruption, and present the facts to the people—which is not acceptable to most of the government institutions and authorities."

Self-censorship is another issue plaguing media outlets, panelists said. Al-Asbahi said that journalists as well as editors censor themselves, and Amer explained further that editors-in-chief censor journalists because editors are ultimately accountable for what their publications print, according to the law. Al-Guhafi said that last year, he had to stop writing his weekly newspaper column because of the frequent interference of the editor-in-chief, who often deleted parts of the articles because they clashed with the newspaper's material interests.

Because of the difficult operating environment that independent-minded media face, many key events receive scant coverage. "The news that is of concern to the public—such as the Sa'ada war, the situation in the southern governorates, and other issues—does not reach the public," Al-Qadhi said. "Still, there are some party and independent newspapers that have been successful in covering the news of the war in Sa'ada and the unrest in the southern governorates in a good way, despite the blackout imposed by the government. They have also published very vocal and critical articles and views."

The panelists said that often, the low wages of media workers invite corruption. Gameelah Ragaa' said that poor financial conditions and modest salaries force journalists to try to increase their incomes—even resorting to unprofessional means. Amer said that "a journalist may accept financial gifts, though unconditional, because of low income." Taher agreed, noting, "There are people who sell articles and news praising certain politicians, army men, or powerful businessmen and personalities," he said.

According to Al-Asbahi, Yemeni print media technical standards are poor because media companies lack modern equipment. They are slow to upgrade their facilities due to limited funds, he said.

The limited funding also negatively impacts the ability to conduct investigative reporting and allow reporters to develop niche specialties. As reported last year, such reporting is rare and of poor quality when it does appear.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- Reporting is fair, objective, and well sourced.
- Journalists follow recognized and accepted ethical standards.
- Journalists and editors do not practice self-censorship.
- Journalists cover key events and issues.
- Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- Entertainment programming does not eclipse news and information programming.
- Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- Quality niche reporting and programming exists (investigative, economics/business, local, political).

OBJECTIVE 3: PLURALITY OF NEWS

Yemen Objective Score: 0.81

Objective 3 scored about the same as last year, and was again the lowest of the five objectives. The panelists agreed that Yemen lacks a plurality of news sources. The country has only one news agency, the broadcast media is monopolized by the state, and although many independent and party newspapers are in circulation, the high illiteracy rate and poor service to rural areas minimize the impact of these media. Yemen simply requires a greater number and variety of news sources appropriate for its demographics.

Some panelists adopted a slightly more charitable view. Nabeel Al-Soufi, owner of the *Yemen News* website, said that print and electronic journalism serve to some extent as pluralistic news sources, along with reports that publish breaking news.

However, Al-Garadi asserted, "There are no opportunities to develop meaningful plurality of media outlets, as the broadcast media is still under the exclusive monopoly of the government, and the only news agency in the country is owned by the government," he said. "The broadcast outlets and the news agency follow the government's political line, praising the government and leveling accusations against the opposition."

Despite the large number of party and independent publications, only two independent newspapers are published daily: *Al-Ayam*, in Aden, and *Akhbar Al-Youm*, in Sana'a. The rest are described as weekly publications, but appear irregularly. *Akhbar Al-Youm* is believed to be financed by influential figures in the military and by some tribal sheikhs.

Taher said that due to limited resources, almost no private and party media have branched out from the print medium. "*Al-Ayam* and *Yemen Times* are the only two newspapers that have started paying attention to investment in the world of media," he said.

Opposition parties complain that state media outlets side with the ruling party, which has its own newspapers (including *Al-Mithaq*, *22 May*, *Al-Maseelah*, and *Al-Mu'tamar*). The state also controls two satellite television channels, one in Sana'a and one in Aden, plus four new television channels that were established in 2007. Additionally, the state controls Saba, the official news agency, two public national radio channels—one in Sana'a and one in Aden, and eight local radio channels.

The state's four print media outlets (*Al-Thawra*, *Al-Gumhuriya*, *14 October*, and *Shibam*) vary in size, resources, and circulation. The Department of Morale Mobilization, part of the Yemeni military, is itself a full-fledged press institution, publishing the *26 September* newspaper.

Taher mentioned other Yemeni publications that serve to dispense state propaganda. "There are certain newspapers that are financed secretly with public funds, and their attacks against individuals and parties are overlooked by the government. These attacks are especially leveled against female activists in the field of women's and human rights."

Al-Asbahi asserted that Yemen does have a plurality of news sources, but explained that various obstacles hamper access. "There are many news sources, including Internet and newspapers, but these sources are limited in their spread throughout Yemen. The people in urban areas have better access to media outlets. Moreover, income and education levels affect access to the Internet, and the high illiteracy rate affects newspaper circulation. And though radio and TV are accessible to the public, electricity is only available in 50 percent of Yemen, which, in addition to other factors, deprives people from television access. On the other hand, there are no restrictions on public access to local or international radio channels."

Al-Guhafi said that the Al-Sa'eeda satellite television station—located outside the country—produces some of its own shows, but its reach is limited. "Despite the fact that Al-Sa'eeda TV has been producing independent programs, it is not yet strong enough to balance out government broadcast media programming," he said.

Panelists said that there are minorities in Yemen, such as *Al-Akhdam* ("servant," they prefer to be known as

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- Citizens' access to domestic or international media is not restricted.
- State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- Independent news agencies gather and distribute news for print and broadcast media.
- Independent broadcast media produce their own news programs.
- Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Al-Muhamasheen, or the "marginalized ones") and Jews. But neither the government nor the opposition media address these groups or foster discussion about how to integrate them into society.

OBJECTIVE 4: BUSINESS MANAGEMENT

Yemen Objective Score: 1.02

Objective 4 again received a low score, and showed little change from last year. "The government and private media outlets do not operate as professional, competent outlets," said Al-Asbahi, summing up the situation.

Al-Guhafi said that the publishing industry in Yemen is still developing. "So far, there isn't a single professional publishing house in Yemen, and the publishing process is still in its infancy. It is true that there have been attempts to improve professional management in this field, but these remain mere trials."

Hassan emphasized, "Media outlets in Yemen are still private projects and have not moved towards institutionalization. That is why they do not represent good examples of business projects with good management. The newspapers are dominated by people who hold the strings financially—though even their resources are limited."

Panelists identified several other factors that hinder business management. Perhaps most seriously, private investors are shying away from media and being replaced by journalists that prefer to publish their own newspapers, despite having limited financial and material resources. These publications are not run transparently, and the majority of them have limited resources. They dilute the market by keeping the number of weak outlets high, rather than helping ensure media sustainability by concentrating on a few successful outlets. Self-interested publication owners refuse to consider the idea of mergers or contributing to journalistic support institutions.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- Media receive revenue from a multitude of sources.
- Advertising agencies and related industries support an advertising market.
- Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- Independent media do not receive government subsidies.
- Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- Broadcast ratings and circulation figures are reliably and independently produced.

Al-Guhafi said that press outlets earn some income through sales and subscriptions, but advertising is the main source of revenue. Despite the importance of advertising funds for Yemeni media, the market is problematic, panelists said. "The advertisement market is still weak in Yemen, and cannot be relied on as a sustainable financial resource," he said.

Amer said Yemen has no large advertising agencies, and the companies that do advertise prefer broadcast media placements. Al-Qadhi attributes the private sector's reluctance to invest in print media to its fear of being associated with a publication's political leaning. This in turn has prevented most media outlets from developing independently and publishing objective content, he said, and papers that try to maintain independence suffer financially.

Karman said that the state bears responsibility for this tendency. "The government forces businessmen to send their advertisements to [government or ruling party] outlets, and deters them from publishing their advertisements in the independent newspapers," she said.

State funding is insufficient as well, according to Al-Guhafi. "The government support for every newspaper is only YER 50,000 ($250), and this covers only 25 percent of the cost of printing one issue a week," he said. Taher agreed, noting, "The monthly aid that private newspapers receive is very limited," he said. "Every newspaper receives around $30 a month and must submit five copies of every issue it publishes. The government funds they receive are almost equivalent to the price of the copies they submit to the government."

As reported last year, no entity makes serious or sustained efforts to conduct market research or determine audience or reader demographics and preferences. Similarly, audience and circulation figures are not audited; the claims of individual media outlets are subject to the whims of publishers.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Yemen Objective Score: 1.69

Panelists scored this objective the highest of all the categories, and rated it slightly higher than its 2006/2007 score of 1.53. This might be attributed to recent efforts by professional and non-governmental organizations to support freedom of expression the growth of independent media, and

the creation of training opportunities despite the limits of available resources. Moreover, venture interest has increased in the paper trade, printing industry, and media distribution outlets such as newsstands and Internet cafés.

However, panelist Mohammed Abdul-Malik Al-Mutawakkel, well-known writer, academic, and professor of political sciences at Sana'a University, said that he believes that it is too soon to apply the questions raised by these indicators in Yemen. However, he commented, "These are very important questions for academics, journalism leaders, and civil society organizations to explore. But the questions have been framed for countries that are further along than Yemen, and therefore they need to be reframed to fit the Yemeni situation so that they can be answered more accurately. This is an important topic, though, and in my opinion, civil society organizations and political development organizations could play an important role pushing these institutions forward, conducting research, and reframing the questions."

Panelists were divided on the effectiveness of assistance provided by support organizations. Ragaa', Amer, and Wade Al-Az'azi pointed to the increasing contributions of NGOs in supporting press freedom. "There are non-governmental organizations that take up the responsibility of defending the journalists' cases and try to protect them from the charges leveled against them," Amer said.

Speaking as the head of a Yemeni NGO, Karman said that she believes that organizations have made progress on this front. But Al-Guhafi disagreed, commenting, "The role of the non-governmental organizations remains very weak and limited, and is sometimes shaped by personal connections."

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- Trade associations represent the interests of private media owners and provide member services.
- Professional associations work to protect journalists' rights.
- NGOs support free speech and independent media.
- Quality journalism degree programs that provide substantial practical experience exist.
- Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Several panelists mentioned the Yemeni Journalists' Syndicate, but few said that it plays any significant role. Taher's impression was that the syndicate is a professional organization constrained by insufficient funding. "They issue statements of support for various situations, but their influence is still very limited," he said.

Al-Guhafi agreed that the syndicate's influence is questionable. "This year, the president gave the syndicate its own building. Since then, its performance has declined, and it has been unable to heal rifts and live up to the expectations of journalists, because its leadership is overwhelmingly influenced by party politics."

Al-Garadi, who is a member of the Yemeni Journalists' Syndicate's leadership, countered by saying that the syndicate plays a positive role to some extent, but, without elaborating, said that it is "conspired against."

Panelists said that institutions in Yemen are offering university-level degrees in journalism and media, as well as training opportunities for working professionals. "Sana'a and Aden universities offer a bachelor's degree in media, and there are a number of training programs conducted by newspapers, institutions, civil society organizations, and donor countries," Al-Qadhi said. "However, such training programs lack institutionalization and sustainability, and they have yet to achieve any concrete results."

According to Al-Guhafi, most students are not qualified to work straight out of school. "Television, radio, and newspapers are unable to accommodate the graduates of the media colleges' seasonal and simple training programs," he said. "Journalists need training courses in professional skills, language, Internet, and the use of the computer in editing."

Hassan expressed more optimism on this issue, but, like Al-Guhafi, he called on the media sector to help itself while acknowledging that the institutions working on professional development need substantial support.

Al-Qadhi also commented on Yemen's printing presses, which are not independent, he said. "There are commercial printing presses, but these remain hostage to the government and Ministry of Information directives, and they are prohibited from working with newspapers that challenge government positions."

Print media is distributed privately but haphazardly, Taher said. "There are no pan-Yemen institutions or agencies that carry out distribution. There is no specialized state agency tasked with distribution, either. Instead, individuals and certain newspapers such as *Al-Ayam* carry out this task independently in certain cities."

List of Panel Participants

Naif Hassan, editor-in-chief, *Al-Sharea*, Sana'a

Jamal Amer, editor-in-chief, *Al-Wasat*, Sana'a

Ali Al Jaradi, editor-in-chief, *Al-Ahaly*, Sana'a

Nabil Al Sofy, editor-in-chief, Newsyemen.net and *Abwab*, Sana'a

Tawakol Karman, journalist and president, Women Journalists without Chains, Sana'a

Rahmah Hojairah, president, Yemen Female Media Forum, Sana'a

Mohamad Al Ghobari, correspondent, *Al-Bayan*, Sana'a

Mohamed Al Qadhi, professor of English Literature, University of Sana'a; correspondent, *The Nation* and *Al-Riyadh*, Sana'a

Wadae Al Azazi, professor of media, University of Sana'a, Sana'a

Iskander Al Asbahi, journalist, former editor-in-chief, *Al-Mithaq*; works for the ruling Congress Party, Sana'a

Gameelah Ali Ragaa, journalist and media expert, Sana'a

Abdul-Bari Taher, writer and journalist; chairman of the Yemeni Journalists Syndicate, Sana'a

Abdul-Qawi Al-Odaini, editor-in-chief, *Al-Istithmar*, Sana'a

Hage' Al-Guhafi, writer and journalist, founder and former editor-in-chief, *Maal-wa-A'maal*, Sana'a

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The Yemen study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat, Oman.

MEDIA SUSTAINABILITY INDEX 2008
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