



# Journalism, Civil Liberties And The War on Terrorism

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

*By Aidan White, General Secretary*

### Introduction

In the days immediately following the September 11<sup>th</sup> 2001 attacks on the United States, the IFJ carried out a brief survey of its member organisations seeking information about the immediate impact of the terrorist attacks. The report, to which journalists' groups in 20 countries responded, was published on October 23<sup>rd</sup> 2001 and revealed fears of a fast-developing crisis for journalism and civil liberties.

Some eight months later, these fears have been confirmed. The declaration of a “war on terrorism” by the United States and its international coalition has created a dangerous situation in which journalists have become victims as well as key actors in reporting events. This is war of a very different kind. There is no set piece military confrontation. There is no clearly defined enemy, no hard-and-fast objective, and no obvious point of conclusion.

Inevitably, it has created a pervasive atmosphere of paranoia in which the spirit of press freedom and pluralism is fragile and vulnerable. It has also led to casualties among journalists and media staff.

The brutal killing of **Daniel Pearl** in Pakistan at the start of the year, chillingly filmed by his media-wise murderers, has come to symbolise the appalling consequences of September 11 for journalism and for freedom of expression. That murder, together with the earlier killing of **Marc Brunereau, Johanne Sutton, Pierre Billaud, Volker Handloik, Azizullah Haidari, Harry Burton, Julio Fuentes, Maria Grazia Cutuli** and

**Ulf Strömberg** in Afghanistan, is a grim indicator of the dangers facing journalists. Pearl was, like his colleagues, doing a job that has to be done. The world is hungry for news of this crisis. People want answers to questions to help them understand the context and complexities of this confrontation. They are relying on journalists.

But war is rarely good news for journalism. Inevitably there are media casualties and, as always, journalism becomes a battleground as governments on all sides seek to influence media coverage to suit their political and strategic interests.

All governments are keen to demonise the enemy, but media, and the journalists who work, for them need to resist the pressure of politicians who are willing to sacrifice civil liberties and press freedom to win the propaganda battle. The priority must always be the right to publish words and images – however unpalatable – that help people better understand the roots of conflict. Is that becoming easier or more difficult?

This report reviews developments up until the beginning of June 2002. We have drawn extensively upon information from IFJ member unions and from press freedom groups at regional and international level.

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## **Australia**

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

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

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

At the same time, the government has sought to deliberately link asylum seekers with terrorism, claiming that September 11 has justified their approach because there could be “sleeper terrorists” attempting to enter Australia by posing as asylum seekers.

This caused tension between much of the media and the Australian community, with supporters of the government – and the government itself – criticising media for being “out of touch” with the majority views of Australia.<sup>1</sup>

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

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

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

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

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

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

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

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

<sup>2</sup> <http://www.alliance.org.au/>

## Canada

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

In a letter to Justice Minister Anne McLellan, Canadian Journalists for Free Expression (CJFE) expressed alarm over proposals that would restrict media freedom through Internet surveillance and changes to the Official Secrets Act.

"We believe an effective counter-terrorism campaign demands not only the preservation of fundamental liberties but also the vigorous assertion of their importance," CJFE president Arnold Amber says in the letter. Amber is also director of The Newspaper Guild Canada and a member of the IFJ Executive Committee.<sup>3</sup>

The introduction of Bill C-36, the Anti-terrorism Act, aroused an unprecedented debate about its impact on civil liberties and freedom of expression. Under public pressure the government made a number of positive amendments to the original bill, which the Senate passed on 18 December 2001. Nevertheless, according to CJFE, it still contains clauses that limit certain freedoms, restricting access to information, aggravating the exposure to criminal charges of journalists who publish certain information, even unclassified, that the Government regards as damaging, threatening to criminalise peaceful exercise of free expression under provisions concerning the facilitation of terrorism and increasing the surveillance powers of the state over the private communications of individuals.

Meanwhile, hardly known to most Canadians, another proposed bill aimed at curbing political dissent at international meetings is proceeding through Parliament.

Bill C-35, currently before the Senate, introduces amendments to the Foreign Missions and International Organisations Act. Civil liberty groups say Bill C-35 gives the government wide-ranging powers to clamp down on those who wish to exercise the right to protest at international gatherings. It gives the police wide discretion in "controlling, limiting or prohibiting access to any area to the extent and in a manner that is reasonable in the circumstances."

However, the Canadian Civil Liberties Association (CCLA) says the bill does not provide any clear definition of what "reasonable in the circumstances" might mean. CCLA argues that police should not be given powers to determine citizens' rights to free expression.

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

## **Cyprus**

While media coverage has been generally extensive and well informed, there has been no problem of intolerance in reporting. Although the Attorney General announced the preparation of a new anti-terrorism bill that may create some dangers for free speech and civil liberties, the only relevant law introduced was one ratifying the International Convention of the United Nations on the Suppression of Financing of Terrorism. The authorities say they will not impose anything that endangers press freedom, but the Union of Cyprus Journalists has said it will follow the situation closely.

## **Denmark**

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

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

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

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

## **European Union**

In Europe, The European Council, representing 15 nations, put forward controversial proposals on October 9<sup>th</sup> 2002 for a package of measures to "improve the European Union's response to terrorism." The proposals included more cross-border co-operation between police forces and the establishment of a European-wide arrest warrant. Civil liberty groups have been particularly concerned over the adoption of an EU-wide definition of "terrorism" which they say threatens to include people taking part in recent violent protest demonstrations over globalisation. The changes broaden the scope of what constitutes a terrorist offence by including actions that "seriously affect" (rather than

“seriously alter”) the political, economic or social structures of a country or “an international organisation.” This brings in international organisations such as the World Trade Organisation, or the World Bank, into the picture.<sup>4</sup>

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

On May 30<sup>th</sup> 2002 the IFJ among others protested when the European Parliament agreed to amend the 1997 European Directive on the Protection of Telecommunications Data and Information to allow member states to pass laws that will give the authorities regular access to people’s telephone and Internet communications. This will, said the IFJ, “open the door to the snooping society in which people’s private communications will become subject to official monitoring.”<sup>5</sup> Giving the police, customs, immigration and intelligence services access to people’s electronic communications goes far beyond existing rules whereby data can only be retained for a short period for “billing” purposes (ie : to help the customer confirm usage details) and then it must be erased.

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

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

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

## France

The tone of the French media coverage says the SNJ-CGT can be summed up by the September 12<sup>th</sup> editorial of *Le Monde*: We are all Americans Now. While one cannot talk of intolerance, much of the coverage was lacking in analysis of American policy. Unfortunately, many journalists committed errors of ignorance by confusing the terms,

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

<sup>5</sup> IFJ Press Release May 27<sup>th</sup> 2002

Arab, Muslim and Islamic and they strengthened the view of many in France that “Muslim” equals “terrorist”. The SNJ-CGT published a press release criticising this approach. It was not reported.

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

The government announced new anti-terrorist legislation, including surveillance and tracking of Internet messages. Many journalists fear that under the pretext of the urgency of the situation and the tracking of terrorist networks, the government is preparing to adopt, without much debate or dialogue, measures which could have serious implications for press freedom and civil liberties.<sup>6</sup>

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

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

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

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

The LSI was, in fact, expected to serve as a legal framework for all Internet-based activities in France. Potentially repressive measures included in the first draft of the bill,

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

such as the criminal responsibility of Internet service providers, or the CSA's control of Internet content, were dropped from the final version. However, the bill announced the creation of an Internet "co-regulatory" body, the "Forum of Internet Rights" ("Forum des droits de l'Internet"), which is to include private and public sector representatives, as well as regular Internet users. This new regulatory body's rights are poorly defined.

On 28 May 2001, RSF, which campaigns for complete freedom regarding Internet controls and content, denounced the creation of such a surveillance body. In early April, the government submitted a nearly final draft version of the bill to four consultative groups representing citizens' interests. However, these institutions were expected to submit comments prior to presentation before the Council of Ministers and the vote in the National Assembly. The last minute inclusion of the LSI Bill's controversial measures in the legislative plan on fighting terrorism renders the four independent authorities' exercise of their consultative role more difficult.

## **Finland**

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

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

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

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

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



## Germany

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

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

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

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

The President of the German Federation of Journalists (DJV) speaking in 2001<sup>8</sup> said that there was not enough background information and analysis in the media (about fundamentalism and terrorism *before* the attacks). He also criticised the use of pictures from Palestine of “celebration,” this was emotional and very local, and did not reflect at the entire Arab world in general. He said the fact that some channels had *exactly* the same programme shows how the private sector is concentrated.

## Great Britain

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

The NUJ reports that UK media follow the government slavishly in such times. Television, especially the BBC, is even more loyal than the papers. “The BBC goes straight into “Ministry of Information” mode”, says the NUJ, “imagining at some level of

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

its collective consciousness that it is holding the nation together in the face of a Nazi invasion.<sup>9</sup>

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

But there is another kind of intolerance – that of dissent. The media hardly cover the anti-war movement (which might be small but is at least of interest) and are full of unpleasant comment articles attacking anyone who questions the US, often in violently abusive terms. The underlying reason is the British government's support for US policy, so one cannot blame only editors, but the intolerance displayed is distasteful and goes against the traditional grain of the British press.

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

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

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

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

To be able to enact this law the government had to declare a "state of national emergency" in order to derogate from Article 5 of the European Human Rights Convention. The convention had only been incorporated into British law a year earlier

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

in the 1999 Human Rights Act. For some people this process demonstrated the hollowness of the UK's hysterical reaction to the imagine threat of terrorism.

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

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

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

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

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

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

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

## **Greece**

The Journalists' Union of Athens Daily Newspapers, the largest journalists' group in Greece, reports that some media have tried to cash in on the heightened atmosphere of uncertainty and deep public concern. "When the military campaign started and reports of

fear and panic came from the United States some newspapers and television channels attempted to increase their audience share and advertising profits at the expense of professional standards,” according to a statement from the Union’s executive board.<sup>10</sup>

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

Although there have been concerns over self-censorship and the counter-terrorism campaign that may lead to measures limiting individual freedom, not precise proposals have yet been made. The union has issued a strong appeal to journalists to ensure their reporting is professional and has encouraged the IFJ to lead an international campaign for tolerance and quality in journalism.

## **Hong Kong, China**

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

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

## **Hungary**

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

From January 1<sup>st</sup> 2002. anonymous accounts were banned cash flow was limited, banks were compelled to report to the Hungarian authorities all transfers of monies over and above HUF 2 000 000 (8000 Euros approx.), and account holders are being asked seemingly inappropriate questions if they have accounts with unclear origins. Those questions are so personal (level of education, possession of real estate etc.)

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

than they tend to cross the borders of civil liberties but, on the whole policies and regulations regarding civil liberties as such, or freedom of the Press remained unchanged.

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

## India

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

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

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

Under TADA, tens of thousands of politically motivated detentions, torture, and other human rights violations were committed against Muslims, Sikhs, Dalits, trade union

activists, and political opponents in the late 1980s and early 1990s. In the face of mounting opposition to the act, India's government acknowledged these abuses and consequently let TADA lapse in 1995. Civil rights groups, journalists, opposition parties, minority rights groups, and India's National Human Rights Commission unequivocally condemned POTO.

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

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

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

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

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

## **Ireland**

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

*The Irish Times*, one of the country's leading newspapers, decided not to publish on the National Day of Mourning, describing non-publication as being in keeping with the national mourning. However, this caused outrage within the paper's Editorial committee

and was opposed by the National Union of Journalists office branch. Journalists complained that the decision was taken only for commercial and operational reasons – few newspaper shops were open. Journalists (including senior editorial personnel) felt it would have been better to give the paper out free.

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

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

Independent News and Media Group's *Sunday Independent* stands out as the only newspaper which has been intolerant – not of ethnic or religious minorities – but of media commentators who have challenged or questioned the American response or, indeed, Irish government policy.

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

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

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

## **Japan**

In Japan, the September 11 events led to co-ordinated and extensive coverage by all networks and, as a result, public opinion was supportive of American military action in retaliation. There was little public debate about the consequences of military retaliation. Opposing views were difficult to express. For instance, a Japanese Diet member who belonged to an Opposition party stated controversially on her website that she thought

America's mistaken foreign policies were to blame for the assault, which would explain why some countries would welcome the news. She had to apologise.

Gathering information about US military bases was strictly restricted and it was almost two weeks after the initial attack before Japanese television and press began covering objections to America's military actions.<sup>11</sup>

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

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

Prime Minister Junichiro Koizumi's cabinet submitted to the Diet a set of three bills to govern Japan's response to a foreign military attack on April 17<sup>th</sup> 2002. The bill will apply to the case that Japan is attacked or likely to be attacked by foreign countries.

Under the bill, the Self-Defense Forces can build a military bases and they can use arms. The government has authorization to request citizens to cooperate with the government, and to restrain their rights. As for the media, NHK, the public broadcasting, is assigned to cooperate with the government. The bill offers basic policies only. Specific items, such as restrictions on rights of citizens, NHK's role, and countermeasures to terrorism, will be laid before the Diet in two years.

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

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

Though presented, the bill will not pass the Diet easily, because deep antipathy still exists among citizens. They claim that laws those allow the use of the force are

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<sup>11</sup> Further information from IFJ Tokyo Office. E-mail: ifj-okuda@nifty.com



undesirable because they will threaten Asian countries, and the government's request for cooperation will lay an embargo upon free speech of the press.

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

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

## **Jordan**

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

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

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

The new amendments apparently provided the basis for the January 13 arrest of Fahd al-Rimawi, editor of *Al-Majd* weekly, for articles criticizing Abul Ragheb's government and predicting, accurately as it turned out, that the King intended to replace his cabinet. Rimawi was released on bail on January 16. If convicted Rimawi could face jail terms of up to three years as well as sizeable fines. According to information collected by press freedom groups<sup>12</sup> restrictive measures were adopted against the press, "as part of the anti-terrorist campaign," on 9 October 2001. "Our penal code does not cover all the current needs and amendments will be introduced in order to deal with these issues, meaning how to deal with terrorist acts and punish them," said Prime Minister Ali Abou Ragheb.

The measures provide for the "temporary or permanent" closure of newspapers in case they publish news that is "defamatory, false, harmful to national unity or the state's reputation, or incitement to strike, hold illegal public meetings or disturb public order."

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<sup>12</sup> See International Freedom of Expression eXchange (IFEX) at [Http://www.ifex.org](http://www.ifex.org)

At the same time, sentences for "insulting the royal couple" and "the crown prince" are being reinforced.

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

## **Mexico**

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

It is useful to note that the main national television networks did not broadcast neither the images of the impacts of the planes against the towers nor Bin Laden's famous videotaped press statement. However, some intolerance vis-à-vis Muslim people was evident and the authorities took action to protect their interests.

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

## **The Netherlands**

Dutch media maintained a central focus on the attack for days with news about the attack, extra bulletins and specials on radio and TV. The work of print media, radio, and television was complementary. Moreover, both Internet sites of the NVJ, have since the attack been visited daily in abnormally high numbers.<sup>13</sup> Villamedia had on September 11, within two hours, a separate page and links with information for journalists on the attack.

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

Journalists have stressed the need to maintain professionalism and have warned that journalism dedicated to only good intentions can result in bad practice. NVJ representatives, editors-in chief and editors maintain the line that all news needs to be

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<sup>13</sup> <http://www.villamedia.nl/> and <http://www.Internetjournalist.nl>

reported even when difficult for minority groups or ethnic groups. Each newspaper or broadcaster adopts a degree of extra carefulness or sensitivity according to their perspective, but everyone maintains the view that news is the priority and sensitivity concerning conflicting emotions in society comes second.

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

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

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

## **Nigeria**

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

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

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

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

media coverage of the recent terrorist attack in the United States in Nigeria and world-wide.

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

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

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

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

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

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

## **Norway**

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

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

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

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

## **Palestine**

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

On October 8, in Gaza, police prevented journalists from covering an anti-American demonstration.<sup>14</sup> This was the latest in a number of press freedom violations in the Territories under Palestinian authority since the beginning of the international crisis caused by the terrorist attacks on the United States.

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

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

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

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

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

On September 18, in Bethlehem, Palestinian police announced the implementation of new regulations concerning Palestinian television and radio stations. They were instructed not to broadcast news items concerning calls for a general strike, nationalist activities, demonstrations or security news without permission from the police or national security services.<sup>15</sup>

## Poland

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

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

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

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

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

## Qatar

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

Born five years ago out of the ruins of a failed co-venture between the BBC and Saudi investors, *al-Jazeera* inherited many BBC-trained journalists left jobless when repeated

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<sup>15</sup> For full reports on incidents that affected journalists in this period see [www.ifj.org](http://www.ifj.org)

Saudi attempts to inhibit reporting of regional issues forced the BBC to withdraw. The Emir of Qatar has invested \$150 million in re-starting the project.

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

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

Press freedom groups report that Qatar's emir, Sheikh Hamid bin Khalifa al-Thani, said he was asked by the US State Department, during a recent visit to Washington, to use his government's influence to soften the reporting stance of *al-Jazeera*, which, said the State Department, has provided air time for experts hostile to the US.<sup>16</sup> Denying the criticism, *al-Jazeera* stated it gave both the US and Afghanistan positions equal air time. "We give equal coverage to both sides and that is our role. We present both sides", said, Mohammed Jassem al-Ali, director general of the television station.

The channel's unique access to Bin Laden has, according to media commentators, exposed a paradoxical aspect of the cultural divide, converted by September 11 into a chasm.<sup>17</sup> It is now Western broadcasters who are under pressure from their governments to restrict access to their airwaves for people deemed enemies of the state. The Bush administration and the Blair government have pressed their national networks to "exercise caution" over use of *al-Jazeera* material, claiming pictures may contain "coded messages". The network's Kabul office was destroyed by US forces in Afghanistan in October (See United States, below).

## Russia

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

However, since September 11 attacks, international concern for human rights abuses in Chechnya appeared to wane, although Russian forces in Chechnya have continued to engage in extrajudicial executions, arrests, and extortion of civilians. Since September 11 alone, at least one person per week has "disappeared" after being taken into custody by Russian forces. Western governments did little to challenge

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<sup>16</sup> Further details at <http://www.freemedia.at/>

<sup>17</sup> See comment in [Opendemocracy.net](http://www.opendemocracy.net) by David Elstein and James Curran, October 15 2001.

perceptions that it had softened its criticism of Russian actions in Chechnya to gain Russian support for the war on terrorism.

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

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

Although there is no direct increase in violations to press freedom or civil rights beyond Chechnya, statements made by a growing number of officials in the government as well as in the parliament show that attempts are underway to take advantage of the situation in order to toughen controls over the media.<sup>18</sup>

## **Saudi Arabia**

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

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

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

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

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<sup>18</sup> Details can be obtained from the Moscow-based Glasnost Defence Foundation at <http://www.gdf.ru/>



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

## South Africa

The South Africa Union of Journalists has criticised the "growing harassment of journalists covering the conflict in Afghanistan" and says scores of media workers from around the world had been arrested, physically attacked and sometimes barred from performing their professional duties in covering the war.<sup>19</sup>

SAUJ general secretary, Motsomi Mokhine, said the union was horrified by the implications of the US State Department's demand that the media exercise caution in using material from the *al-Jazeera* TV station, which has been airing the views of Osama bin Laden: "We believe this demand is an attack on freedom of expression and might lead to similar demands being made on journalists by other sides in the conflict for or against their own interests."

Mokhine said the SAUJ fully agreed with the International Federation of Journalists press statement that: "all governments must give the media the professional space to work without interference. Journalists in the US or the Arab world don't need the guidance of their governments to do their job. The antidote to propaganda is editorial freedom, not thinly veiled warnings that hint of censorship".

## Sweden

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

Reporting has been balanced, with sometimes very biased reporting "counter-attacked" by more debate about quality in journalism and the role of media and journalists than is usually seen in Swedish media. (In this "new" debate and

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<sup>19</sup> The SAUJ General Secretary can be contacted at [mokhine@sauj.co.za](mailto:mokhine@sauj.co.za)

questioning of sources etc. has developed fresh discussion about quality of reporting about, for instance, the situation in the Middle East.)

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

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

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

## **Switzerland**

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

This may be due to the fact that of difficult working conditions for journalists covering the war directly from afghanistan, but the union says that there is also a widespread lack of "wanting to tell the true story". A real problem for the journalists working here in Switzerland - and a theme we as a union treated and discussed several times over the last few months - were and are the working conditions of our members. Due to the exceptional circumstances (war on terrorism, Swissair grounding, attack on the parliament of zug, etc. etc.) journalists have worked exceptional times beyond agreed limits and there is little chance to recoup this extra time worked.

## **Ukraine**

The Parliament in Kiev has adopted a law "On the Fight Against Terrorism". Which contains provisions that go beyond what is necessary to combat terrorism and amount

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

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

Second, the powers granted to authorities under these provisions are extremely broad and hence potentially subject to abuse. International law does recognise that certain obligations may be imposed on public service broadcasters, for example to broadcast public warnings in times of national emergency. However, the powers conferred by this Law go far beyond this and are, indeed, unprecedented in their scope, allowing the State in effect to assume full control over the media. The broad nature of these powers is exacerbated by the loose definition in Article 3 of 'terrorist activity', which would include political demonstrations where some acts of violence occur. The powers conferred under Article 13 therefore constitute a serious restriction on the right to freedom of expression which cannot be justified, even in the context of counter-terrorism operations. We recommend that they be removed from the Law.

In addition, Article 15 of the law restricts circulation of information if it "discloses special methods or tactics used in conducting the counter-terrorism operation", or that "serves as propaganda for or justification of terrorism", or that "contains information about" staff involved in anti-terrorist actions. This law inhibits legitimate, and indeed crucial, public debate and is open to abuse on political grounds, potentially being used by the authorities to silence political opponents.<sup>20</sup>

## **United States of America**

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

But within days journalists came under pressure says The Newspaper Guild-CWA, the IFJ affiliate representing journalists and newspaper industry staff. Some found themselves expected to become "patriots first, and journalists second".<sup>21</sup>

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

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<sup>20</sup> Information from Article 19, the Centre for Free Expression.

<sup>21</sup> More information available from <http://www.newsguild.org/>

Linda Foley, President of The Newspaper Guild-CWA reports that journalists and media staff -- both at the top and bottom of the media -- have on the whole acted responsibly. The unprecedented atrocities of September 11 and the events in the following days, in which journalists themselves were the targeted victims of attacks, has tested the professionalism of media to the full she said. The response of media has been measured with widespread support for the tough measures enacted by the government, though the civil liberty implications of changes in law raise some understandable questions.

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

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

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

The Newspaper Guild-CWA established a web site to publicise attacks on the media.<sup>22</sup> It has also issued numerous advice and guidance on dealing with the threat of anthrax following the targeting of media organisations and the death of a Florida-based journalist. A widespread debate on the role of media has emerged with numerous cases of individual journalists and news staff victimised for expressing views that don't agree with the conventional wisdom of the political and military administration.

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

In this atmosphere of widespread public anxiety Arab-Americans have been harassed and attacked. Music has been censored. In Texas, the FBI shut down Arabic Web sites,

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<sup>22</sup> [www.newsguild.org/2edged.php](http://www.newsguild.org/2edged.php).

prompting, according to Reuters, charges of conducting an "anti-Muslim witch hunt." In Baltimore, the Sun reported that anchors and even a weather forecaster at one TV station were required "to read messages conveying full support for the Bush administration's efforts against terrorism." When staffers objected, the message was changed to indicate that it came from "station management."

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

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

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

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

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

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

pictures of the results of the US bombings taken by this satellite. Ikonos is the most efficient of the civilian satellites.

While the Pentagon says the agreement is meant to supplement the government's own satellite images, observers point out that the agreement means that the news media will no longer have access to such images and, as a result, are unable to report on basic aspects of military actions in Afghanistan. Journalists will not be able to independently verify Pentagon claims.<sup>23</sup>

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

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

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

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

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

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

To do this, the only permission needed is from a special legal entity whose activities are secret. The measures also included easing the rules surrounding phone-tapping.

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<sup>23</sup> *New York Times*, October 19<sup>th</sup> 2002

As well as the invasion of individual privacy, the confidentiality of journalists' sources is threatened by this blank cheque given to the FBI.

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

The American Civil Liberties Union announced "bitter disappointment" with the passage of anti-terrorism legislation, which mirrored closely highly controversial original legislative proposals the Bush Administration submitted to the House of Representatives and the Senate.<sup>24</sup>

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

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

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

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

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

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

The ALCU says many of the provisions enhance the power of the FBI to spy on Americans for "intelligence" as opposed to criminal purposes. Other "information sharing" provisions direct highly personal information about Americans into the hands of the CIA and the Department of Defense, without meaningful restrictions on how it is used or re-distributed.<sup>25</sup>

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

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

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

The fact that American media and their staff are among those being directly targeted in the current wave of terrorist actions makes the challenge of objectivity even more demanding, says Linda Foley of the Newspaper Guild-CWA, but the evidence so far is that professionalism and responsible journalism prevail.

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<sup>25</sup> The full text of the legislation is available at <http://www.aclu.org/>



## Zimbabwe

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

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

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

Ironically, the government has remained subdued as unknown attackers have fire-bombed, threatened and attacked the offices of the *Daily News*, one of the newspapers most critical of the regime.<sup>26</sup>

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

## Conclusions and Recommendations

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

If there is a war on terrorism to be won, it will not be on the back of strategies that promote fear, ignorance and intolerance. But the actions of governments in North America and Europe would suggest otherwise. Since September 11<sup>th</sup> 2001 the democracies of Europe and North America have been dangerously ambivalent about their commitment to citizens' rights and press freedom. Their actions have reinforced cynicism in autocratic regimes about western commitment to fundamental rights and, even worse,

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<sup>26</sup> For more information see [www.ifj.org](http://www.ifj.org)

they have inspired a fresh round of media oppression in countries that routinely victimise and intimidate journalists.

On this issue journalists' groups and publishers are of one voice. The World Association of Newspapers Congress in Belgium at the end of May 2002 called on the international community to reverse the current trend and said that the United States' policies in the wake of September 11 had contributed to the increasing threats to press freedom.<sup>27</sup>

"Dwelling on the attitude and actions of the American government, when the world is full of real villains, might seem unfair, were it not for the immense power and influence that the US wields on the global stage and the effects its policies and example have on so many other countries," said the WAN President.

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

As the Canadian writer and thinker Michael Ignatieff observed in a New York Times article,<sup>28</sup>(2) the atrocity has put the human rights movement on the defensive, a victim of the priority now accorded to "national security".

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

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

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

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

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

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<sup>27</sup> Roger Parkinson, World Association of Newspapers, President, June 3<sup>rd</sup> 2002

<sup>28</sup> Quoted by Human Rights Watch from the New York Times, February 2<sup>nd</sup> 2002

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

#### **Plan of Action**

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

*Brussels*  
*June 5<sup>th</sup> 2002*

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## Appendix:

### **Policy Motions Adopted By Congress (ADM) of National Union of Journalists of Great Britain and Ireland in March 2002**

#### 1. SEPTEMBER 11<sup>th</sup> AND THE AFTERMATH

This ADM condemns the vicious attacks on New York, Washington and Pennsylvania on September 11 and declares its total opposition to these terrorist attacks, which killed thousands of innocent civilians. It extends its deepest sympathy and condolences to the relatives, families and friends of those who died and who have suffered such grievous loss in this terrible tragedy; and to the locals of the brave fire-fighters and ambulance workers; and all those who died rescuing others.

ADM calls for a considered and reflective response to the event of September 11, which seeks to bring to trial before an internationally recognised court those responsible for the atrocity. ADM calls on the TUC and all international organisations to build alliances with journalists and trade unionists globally for peaceful dialogue.

This ADM believes, however, that military retaliation in Afghanistan will only kill more innocent civilians. This ADM believes that war will make terrorism more, not less likely.

This ADM declares its opposition to universal declarations of war against terrorism. We therefore call on the British government to stop all military actions in Afghanistan.

This ADM instructs the NEC to:

- Circulate members with information explaining its opposition to the war
- Support the national Stop the War Coalition and Media Workers Against the War
- Organise and support local meetings in branch areas to build opposition to the war
- Call on the government to stop the war in Afghanistan and halt the military build-up in the Middle East
- Call on the TUC General Council to declare total opposition to the British government's use of military bases and resources for the prosecution of war.

#### 2. UK LEGISLATION AND PRESS FREEDOM

This ADM notes with alarm the passing in December 2001 of the Anti-Terrorism Crime and Security Act (ATCSA) in a wave of hysteria following the September 11 attacks; and condemns the UK government's derogation from Article 5 of the

European Convention on Human Rights and the declaration of a “state of emergency” to allow the new law to take effect.

ADM is deeply concerned at the threat to civil liberties and press freedom posed by the government’s response to the September 11 attacks.

ADM notes that even before September 11 the UK had in place legislation on cyber snooping that has been condemned as the most repressive electronic surveillance regime anywhere in the world, and a terrorism act severely compromising the duty of journalists to protect their sources.

Successive anti-terrorist laws from 1974 to 2000 have curtailed the freedom to report; and ADM has opposed these measures and declares it will likewise oppose new laws that restrict journalists’ freedom to work.

ADM expresses its particular concern at the elements of the ATCSA that threaten the work of journalists, notably

- The power to detain foreign nationals without trial which can be used against exiled journalists who have been in opposition to governments friendly to the USA and Britain;
- The increased police powers of access to electronic communications; and
- The power to incorporate EU anti-terrorist measures into UK law without Parliamentary debate.
- ADM instructs the NEC to liaise with other groups working against the ATCSA, including Liberty, Amnesty International and Statewatch, to mount a public campaign against the adoption of these and any further restrictions on civil liberties.

ADM reaffirms the call made by ADM 2001 for the NEC to mount a campaign to seek statutory protection of journalistic sources and research data, and support campaigns against the use of the previous Terrorism Act to suppress dissent and legitimate protest; and urges the Journalist to give wide coverage to the way this legislation is used against journalists.

ADM notes that the prospects for the reform of existing legislation that threatens independent journalism have receded; and in particular that the anticipated reform of the Official Secrets Act (OSA) has dropped from the political agenda. ADM reiterates its demand that the OSA be repealed and instructs the NEC to maintain the NUJ’s campaign to that end, in collaboration with the Repeal (ROSA) campaign.

### 3. DEFINITION OF TERRORISM

ADM notes with concern that several governments are attempting to use the current political climate and push through so-called “counter terrorist” legislation, covering measures such as phone tapping, police surveillance, encryption technology, the detention of migrants, control over the Internet and freedom of movement.

ADM notes there is little agreement within the EU over what the term “terrorism” actually means.

ADM is alarmed that the European Commission has produced a formulation so broad it would include anti-globalisation protestors. ADM is particularly concerned that the so-called War Against Terrorism could now be used as a cover to further extend this repressive legislation to organisations well beyond any normally accepted definition of terrorist organisations; such as the Jewish peace activists Women in Black, labelled potential terrorists by the FBI, or Reclaim the Streets, also cited by the FBI in a statement to the Senate on terrorism.

#### 4. INDEPENDENT REPORTING

ADM, noting the “Propaganda War” has been singled out by the UK government as a key strand in the so-called War Against Terrorism, instructs the NEC, in consultation with the Ethics Council, to draw up a statement spelling out the responsibilities of journalists to maintain an independent viewpoint, and resist attempts to conscript them as participants in this Propaganda War; and to circulate the statement to relevant government bodies, news editors and individual members.

ADM affirms the key role of journalists in presenting the public with an accurate picture of the complex reality, in order to challenge the “us and them” rhetoric that is covering a sinister reality in which activists organising legitimate protest find themselves on an official “terrorist” list while states responsible for some of the world’s worst human rights abuses vie with one another for places in the Coalition Against Terrorism.

ADM is concerned at attempts by the UK and other governments to influence reporting of the British and US military campaign in Afghanistan, particularly in the case of broadcast media. ADM welcomes the refusal of BBC, ITV and Sky News executives to comply with attempts by Downing Street to dictate how the war is covered.

ADM further notes that self-censorship is as great a danger as direct censorship and expresses concern that government pressure can lead to undue caution in the handling of war news. ADM therefore instructs all members to ensure that their work adheres to professional standards at all times, resisting all pressures to depart from those standards.

## 5. JOURNALISTS' SAFETY

ADM expresses its horror at the murders of journalists covering the war in Afghanistan and salutes the courage of all those who have died, including: Maria Grazia Cutuli, Harry Burton, Azizullah Haidari, Julio Fuentes, Marc Burnereau, Pierre Billaud, Volker Handloik, Johanne Sutton and Ulf Strömberg. ADM expresses its sympathy to their families and colleagues.

ADM notes the great dangers journalists face when reporting from war zones and heightened conflicts, including being shot at, arrested and kidnapped and often being accused of spying. ADM believes that media organisations often send journalists on assignments, such as reporter Yvonne Ridley, without sufficient preparations for the difficult conditions they face; and calls on them to ensure that their journalists are well prepared, equipped and insured before being sent to a war zone or conflict.

ADM instructs the NEC to prepare safety guidelines for distribution to members going on assignments in war zones and conflicts; endorses guidelines on war reporting and journalists' safety such as those produced by the IFJ; and urges the NEC to negotiate with the IFJ about making their newly-launched Journalists@YourService available to all NUJ members with, in particular, help and advice for journalists working in dangerous regions.

## 6. RACE REPORTING GUIDELINES

ADM notes that as a direct result of the attacks on the Twin Towers in New York, innocent law-abiding British Muslims, Sikhs and other ethnic minority groups have faced a barrage of verbal and physical abuse from ignorant people who blame them for supporting terrorist attacks in the United States.

ADM believes that the media, and all those who have a voice in the media, have a clear responsibility to represent the facts and support all communities in Britain. ADM further believes that, apart from a few exceptions, insensitive words have again been used by journalists identifying "Islam" with "terrorism" creating a fear and uncertainty. The Language of "crusades" and a military resolve and response in the defence of "civilisation", merely accentuated local feelings against a specific faith community, the vast majority of whom grieved like the rest for the victims of this atrocity.

ADM condemns the negative stereotypes that some journalists may wish to inflict on Muslims or those who are presumed to be Muslims.

ADM resolves to promote solidarity with journalists from the Arab and Muslim world and support their efforts to promote professionalism and independence in the media against the threat of religious or governmental interference.

ADM instructs the NEC, the Ethics Council and the Black Members' Council to review the union's guidelines on race reporting to include specific guidelines on religious groups.

ADM notes that according to figures released by the Islamic Human Rights Commission, more than 400 attacks on Muslims in Britain were recorded – four times the number it has received in an entire year since it was established four years ago. Details of the attacks, which are given to the commission by its 300 field workers and passed on by other Muslim organisations, show they range from nuisance phone calls to hammer attacks.

ADM condemns those who have sought to use this atrocity to inflame racist and religious hatred.

ADM believes that this is the kind of persistent intimidation that is often described as “low level” and that does not usually make it into the crime statistics, yet it is something that makes life immeasurably painful and difficult for thousands of British citizens.

This ADM instructs the NEC to write to all NUJ branches encouraging them and individual NUJ members to write to their members of parliament and members of the European Parliament on the issues carried on this order paper.

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