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**Democratization -
a central task of media development
cooperation**

**Demokratisierung -
eine zentrale Aufgabe der
Medienentwicklungszusammenarbeit**

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I. Introduction

JOERGEN KLUSSMANN

Introduction Speech



Before I have the honour to declare this conference open I have the pleasure to welcome you all here in Germany, precisely Bonn-Bad Godesberg.

The organizers of this conference are dealing with media development cooperation since many years, notably some of us for more than 25 years. Hence they are professionals, some with a clear journalistic background, others with more experience in policy making. Since 2002 we try to re-launch the media development cooperation as an important working field within development work for its meaning in German development policy has declined since the end of the 80ies. The reason why we want to re-launch it is simple:

Media is considered to be the 4th pillar of democracy. It secures public debate, free expression of opinions and serves as an independent source of information provided political freedom is guaranteed. Unfortunately, in most places this is not the case. Since the starting of the so-called war against terrorism has become a major task of international politics, press freedom and other principle human rights are under a severe stress.

Not that it all started with 9/11. There had been massive violation of human rights and press freedom before in many countries in the developing world. But since war against terrorism, some so called developed countries are facing threats of violating basic rights such as press freedom sometimes too.

We, the organizers, believe that in that particular phase of development strengthening democracy throughout the world is crucial and we are convinced that media should play a major role in that strengthening process. For media are not only a pillar of democracy but a measurement for democratical development, too. The degree to what extent there is variety, plurality and tolerance shows how open and secure it is to express political will. In this meeting we want to find out more about the interaction of media and democracy.

We aim to examine how democratic developments can be promoted or stimulated by or through media related initiatives. The different experiences from various countries characterised by a higher or smaller degree of freedom will entitle us to find out more about failed or successful initiatives and how far the different political, structural and economic or cultural conditions require specific strategies and concepts.

We have asked our speakers to define the situation in their countries following a set of leading questions in order to give an orientation. In any case we would like to put emphasis on the discussion of concrete initiatives to strengthen or promote peaceful democratic developments through media.

The three sections of the speeches are:

- a) Short analyses of media situation
- b) Concrete initiatives to strengthen or promote democratic developments by or through media
- c) External support/cooperation

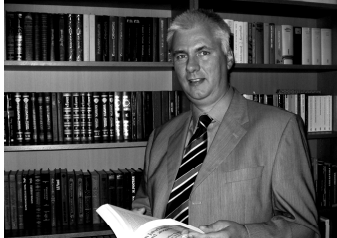
We hope that with this setting we are able to compare the situation in the different countries and thus to have a fruitful discussion. I wish you a pleasant stay and an interesting conference.

SIEGMAR SCHMIDT

New Kids on the Block: Embedded Democracy, Defective Democracy and Failing States

A Discussion of Concepts and Typologies

1. Introduction



The term “concepts” refers to the fact that they are not part of a general theory, they are very recent; the results are preliminary and further systematic research is necessary. Reality checks are inevitable. The following paper provides you with basic information about more recent

concepts of democracy and typologies of political systems, which are not yet included in many textbooks and curricula. The term “concepts” refers to the fact that they are not part of a general theory of the democracy and democratization. Therefore, the results are preliminary and further systematic empirical research is necessary. Although, it was obvious that immense differences in the quality of democracy exist, the qualitative and quantitative measurement of democracy had been a rather neglected research area by social scientists. However, the phenomenon of a defective democracy mentioned in the title of this paper is as such is not new, but it is the first time that it is defined. The definition requires a new understanding of the term democracy – the embedded democracy. The paper proceeds as follows: After the background the concepts of defective democracy and the new theoretical concept of embedded democracy in contrast to minimalist democracy will be defined. In addition, four subtypes of defective democracy will be introduced. This differentiation can serve as a useful tool in identifying deficits of formally democratic polities. The focus will then shift to stateness and indicators for fragile states. A bibliography has been added to provide the reader with

information for further research which goes beyond this brief overview.

2. The Third Wave and the development of hybrid regimes

From the end of the 1980s to the onset of the 1990s an enormous increase in the number of electoral democracies could be witnessed. Electoral democracies can be defined as countries that fulfil the minimum requirements of democracy – in general – free and fair elections. Hence, the number of democracies has significantly increased:

1974: 39 democracies out of 145 states, percentage 26.9

2000: 120 democracies out of 192 states, percentage 62.5

Until now the Third Wave has slowed down, only very few states became democracies after 1996 (e.g. Ukraine, Niger). All assessment of the Third Wave (Huntington 1991) of the global democratization process reveals a mixed outcome: The quality of democracy from country to country is very different: the traditional dichotomy between democracies and autocratic and or totalitarian regimes (Nazi Germany, Stalin Soviet Union) is much too simple to cope with the complex reality of the Third Wave. Detailed analysis shows that many “electoral” democracies are neither real democracies nor real autocratic states; they are grey zone systems “somewhere” in the middle between the two poles.

2.1 An example for a grey zone case: Belarus 1994-1996

President Lukaschenka was elected in 1994 with a sea change majority of 81% against a candidate of the old nomenclature; in 1996 he introduced a referendum because he was threatened by an impeachment. The referendum curtailed the powers of the constitutional court and parliament, and extended his term in office for an additional two and a half years. Due to manipula-

tions 70% of the populace voted in favour of the President's proposal. It is a clear example of how a democratically elected President abused his powers to dismantle democracy towards a more and more autocratic system. The elections in March 2006 were accompanied by electoral fraud and repressions against supporters of the opposition. In addition, the opposition had no access to the state-owned media.

2.2 Reasons for the emergence of “defective democracies”

The Third Wave of Democratization led to many political systems in a grey zone between democracy and autocracy. Why do we have so many “defective democracies”? In general, the academic debate has identified three bundles of factors responsible for this phenomenon:

a) Structural explanations (influence on actors behaviour)

- Historical legacies, no prior experiences with democracy (e.g. Russia before 1991)
- Undemocratic, authoritarian political culture (most states in the Maghreb region)
- Neo-patrimonial rule (mainly African (see: Chabal/Daloz 1999), but also former Soviet republic in the Caucasus and Central Asia)

b) Actor-centred approaches

The explanation focuses on the undemocratic behaviour of actors, who are unable or unwilling to respect democratic principles. These actors disregard the principle that “democracy must be the only game in town” (Adam Przeworski) for a consolidated (=democratically stabilised) democracy.

c) Institutional deficits

“Wrong” or unfavourable institutions created during the transition period and anchored in the constitution, e.g. electoral system engineering: proportional representation without any thresholds for parties to be represented can lead to instability of governments (e.g. Poland 1989-1993).

2.3 The concept of defective democracies**Definition**

There is no consensus about how to name the many systems falling between the categories of democracy and autocracy; this political systems of representing this new subtype of democracy are characterised as “hybrid regimes”, „limited democracies”, “controlled democracy”, “illiberal democracy”, “delegative democracy”, “guarded democracy”, “tutelary democracy”.¹

Defective negative connotation

We have liberal democracies but for sure they have deficits too. However, the deficits of liberal democracies² do not affect the very logic of democracy and does not imply the danger towards authoritarianism.

¹ See Michael Krennerich, 1999: Im Graubereich zwischen Demokratie und Diktatur: Methodische Ansätze und Probleme, in: Nord-Süd-aktuell 2/1999, S. 229-237.

² For example, the treatment of prisoners at Guantanamo Bay by U.S. authorities does neither comply with democratic principles (rule of law) nor international standards.

Definition: Defective democracies**General definition**

Defective democracies are systems of governance with a working electoral regime, which is the main difference to authoritarian regimes. Still, they have deficits in one or more of the partial regimes, which substantially affect the core democratic principles of equality, freedom and horizontal accountability. They are not necessarily transitional regimes, which will – sooner or later – develop into democracies or authoritarian states. For analytical reasons, four subtypes of defective democracies can be identified:

- Exclusive democracy
- Domain democracy
- Illiberal democracy
- Delegative democracy

Before we start discussing the subtypes of democracy in more details, we should reassure ourselves what characterises authoritarian systems and what distinguishes them from democratic systems:

- Lack of political competition (limited pluralism)
- Lack of concern for political and civil liberties
- Informal, secret selection of the political elite
- Exercise of power with few or no institutional checks
- Efforts to “depoliticise” the population
- Believe of the political elite in their “mission” (“saviour of the nation”)

In general, deviations are possible. Therefore, our concept of democracy should be rethought.

2.4 Minimalist and embedded democracy

Numerous definitions of democracy derive from different traditions of philosophical ideas. Since there are many types of democracy all over the world it does not make sense to look for a single unique set of institutions. There a minimal definition of the concepts is more appropriate to describe the universal concepts. Robert Dahl (1971) offered a definition of democracy based on principles instead of institutions.

He identified the following essential (but not sufficient) criteria for democracy:

1. Freedom of association
2. Freedom of opinion
3. Right to vote (active suffrage)
4. Right to be appointed to a public office (passive suffrage)
5. Right of political elites, to compete for votes and support
6. Existence of alternative, pluralistic sources of information
7. Free and fair elections
8. Institutions, whose policy depends on elections and other expressions of the citizens' preferences

(Dahl, Robert A., 1971: Polyarchy, New Haven, p. 3)

Dahl's concept of democracy is a minimalist approach: Democracy here is more or less defined in two dimensions: Competition and participation, constituting a lean concept. Other criteria like the rule of law, civil rights, political culture, horizontal accountability (checks and balances between the three branches of government) are not explicitly mentioned.

The concept of 'embedded democracy' introduces an alternative, more ambitious concept, which makes it possible to identify and analyse systematically deficits of grey-zone or defect democracy. It introduces the idea of partial regimes, which are dependent on each other, and goes beyond Dahl's and other concepts. Regime can be understood as consisting of a set of norms and rules which are interconnected. Democracy is regarded as a complex of interdependent and independent partial regimes (Merkel 2004: 43)

An embedded democracy consists of five partial regimes with a set of indicator

- **Partial regimes A:** electoral regime. Indicators: Access to public power, voters can sanction elected representatives, vertical accountability, closely connected to
- **Partial regimes B:** political participation. Indicators: political rights are regarded as a precondition for elections, right to political communication, right of freedom of speech and opinion
- **Partial regimes C:** civil rights and liberties: guaranteed by the rule of law: that state is bound to uphold its laws and to act according to clearly defined prerogatives, existence of independent courts
- **Partial regimes D:** division of powers and resulting in horizontal accountability. Indicators: Checks and balances between the 3 branches of government, independent and functional judiciary that can review the executive and legislative acts.
- **Partial regimes E:** Elected officials must have the actual power to govern. Indicators: extra-constitutional powers may not have access to certain policy domains (no veto-powers such as the military in many countries)

2.5 The four subtypes of defective democracy

1. Exclusive democracy

If one or more segments of the populace (adult citizens) are excluded from the civil right of universal suffrage.

2. Domain democracy

If “veto powers” – such as the military, guerrillas, militia, entrepreneurs, large-scale landowners or multi-national corporations – take certain domains out of the hands of the democratically elected representatives.

3. Illiberal democracy

If individual rights are partially suspended or not yet established; damaged rule of law (“Rechtstaatlichkeit”).

4. Delegative democracy

Only limited control of the legislative and/or judicial branch over the executive branch of government. (Often by charismatic presidents)

2.6 Operationalizing the concept of defective democracies

The difficulty remains how to measure democracy? There are many indices based on quantitative or qualitative data. Among them the Freedom House Index and the Bertelsmann Transformation index are largest in scope and the most comprehensive indexes. The Freedom House Index was created in the mid-seventies and publishes an annual report measuring civil liberties

and political freedom. Freedom House, an US-based NGO distinguishes only between the three categories “free”, “partly free” and “not free”. The category partly free (over 60 countries) is much too broad for coping with the defective democracy phenomena. More elaborated is the Bertelsmann Transformation Index (BTI), which started in 2003. The BTI is funded by a Germany-based multinational corporation. The index measures progress towards social market democracy and political management (‘Governance’) and includes a numerical ranking of 119 transformation countries. Both the Freedom House and Bertelsmann Indexes are based on normative assumptions in that sense that they regard democracy, human rights and in the case of Bertelsmann as social market economy as desirable and politically viable and morally superior in comparison to authoritarian alternatives. Both indices are a helpful starting point for comparative and more in-depth research:

www.freedomhouse.org.

Note: offers also additional information about ongoing projects and democratisation processes.

www.bertelsmann-transformation-index.de

Note: latest publication BTI 2006, all 119 country reports (20-30 pages on average) can be completely downloaded: BTI-country report; the Bertelsmann Transformation Atlas (BTA, <http://www.bertelsmann-transformation-index.de/atlas.0.html?&L=1>) visualised the findings of the report and allows the individual user to compare countries, regions etc. down to the level of indicators (e.g. political participation).

3. Failed, failing and fragile states

What constitutes a state? It should be mentioned that stateness is not a defining criterion for democratic or for authoritarian regimes, but refers to a necessary condition for their functioning.

According to Max Weber stateness of a modern state³ is defined by

- the state's monopoly on the use of force covering the entire territory (the monopoly of force and autonomy in domestic and external sphere),
- the state's legitimacy and its legal order defined without interference by religious dogmas ('separation of church and state'),
- The existence of working administrative structures (rational bureaucracy).

The absence of the aforementioned first and third characteristic would constitute state failure and may even lead to state collapse. The process from fragile or weak statehood to state failure or even state collapse may be gradual and may take decades. The complexity of the problem requires distinguishing between three different kinds of factors: structural, process and trigger factors:

3.1 Factors for fragile statehood

	Structural factors	Process Factors	"Trigger" factors
International/ regional level	<ul style="list-style-type: none">• Level of integration in the global economy• Structural instability or fragile states	<ul style="list-style-type: none">• Civil wars in regional environment• Activities of transnational networks of violence	<ul style="list-style-type: none">• External military intervention• Impact of external financial crises• Rapid price

³ In contrast to the Freedom House Index the Bertelsmann Index has involved a criteria for stateness consisting of 4 indicators, which are derived from Max Weber's definition of stateness.

	Structural factors	Process Factors	“Trigger” factors
	<p>in the regional environment</p> <ul style="list-style-type: none"> • Impact of other states (great power, former colonial powers, regional power) 	<ul style="list-style-type: none"> • Economic crises in neighboring states • Ecological degradation of the region 	<p>decline of natural resources</p> <ul style="list-style-type: none"> • Refugees • Inflow of weapons • Effects of natural disasters and drought catastrophe
National level	<ul style="list-style-type: none"> • “Inherited” structures (e.g. colonial, pre-colonial or post-imperial structures) • Multi-ethnic structure of population • Demographic aspects (birth rate, infant mortality, share of adolescents) • Lack of resources or structural asymmetrical distribution of resources • Rent-seeking vulnerable economy 	<ul style="list-style-type: none"> • Rapid decline in standard of living • Political instrumentalisation of social discontentment • Politicization of ethnical differences • Increase in political extremism • Oppression or/and discrimination of certain • Increase in clienteles and corruption • Privatization of violence • Failed or stag- 	<ul style="list-style-type: none"> • Rapid power change (putsch, rebellion, overthrow) • Massive oppression of the opposition (massacre, imprisonment) • Rapid debasement in economic conditions (social riots, plundering) • Famine, epidemics • Outbreak of a civil war

	Structural factors	Process Factors	“Trigger” factors
	<ul style="list-style-type: none"> • Impact of forms of traditional rule (clan structure, role of chiefs, patriarchal structures) • Experience from proceeding conflicts 	nating democratization <ul style="list-style-type: none"> • Increase in ecological problems (e.g. water shortage) 	
Sub-national level	<ul style="list-style-type: none"> • Center-periphery • Migration into cities • Local inequalities • Regional or local identities 	<ul style="list-style-type: none"> • Increase of crime in cities • Increase of violent actors • Ethnical separatism • Local power struggle 	<ul style="list-style-type: none"> • Local riots • Local and regional natural disasters or poor harvests

There is no clear indicator when a fragile state will collapse. We can speak of a state collapse or failed state when a state cannot provide the majority of the population with essential services (water, infrastructure etc.), the monopoly of force has been lost by the central authorities. The process of state collapse is usually accompanied by violence and the rise of warlords, which try to fill the power vacuum. The example of Somalia, Liberia, Sierra Leone, Haiti and the Democratic Republic of Congo (DRC), where state failure was at least temporarily clearly reveals that the population suffered extremely from this extremely insecure environment. The stabilisation and rebuilding of failed states by internal and external actors is currently one of the major challenges of international politics.

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II. “Defective” Democracies

ROSA MARIA ALFARO

Mass Media for Democracy and Universal Development in Peru

1. Situation of Mass Media

Structural Vision of Property and Access



In Peru, mass media fall into four categories: The overwhelming majority are private commercial media, especially in television; the state-owned public media, which are of little economic significance; the non-profit educational media; and the community media, recently accepted by the Law of Radio and Television, issued in July 2004. The commercial media have been gathering for years around a single business manage-

ment, thus generating a monopolistic basis, therefore favouring concentrations in property, though with some legal limits. Based on diverse technologies the commercial media extend their reach to ample and multiple territories in the country, even in rural areas.

We have a large variety of media. Approximately 2,000 radio stations, seven terrestrial TV channels and many in the UHF or cable system, and around one hundred local ones, which means an excessive offer. Nevertheless, such abundance has not generated meaningful processes of a real communication between Peruvian individuals and institutions, nor has it permitted to overcome the

existing fragmentation and exclusion. A significant cultural industry has not been developed either. Among the private media, some are economically and technologically powerful, meanwhile others are less well off. In other words, although there are some monopolistic trends, we have a wide variety of proprietors and differentiated business managements that may be defining a relative plurality.

This communicative paradox is explained, first of all, by the publicity incomes. The advertising incomes are concentrated in a few mass media, whereas small or middle-sized media share a small piece of the publicity cake, living in a situation of subsistence and competition, which generates a constant shift towards a commercial logic and “rating”. Such a phenomenon can also be seen in the educative and community media, which cannot keep self-sustained, and even less to hold middle and long-term sustainable projects. This struggle for survival has forced many media, such as radio, to rent out slots to third parties, accepting any offer regardless of its contents, or becoming often ready to accept inducements, many times linked to corruption. All this has not favoured competition around the quality of their offers, but they are rather subjected to scarce investment and a merciless thrift. Such logic cannot prioritise the professional quality of journalists, producers, programmers and managers. The private media keep the leadership both in objectives and formats. Their experience, exclusively dependent on the advertising incomes, has generated a model and media style legitimated even by the audiences, which many others just repeat, without any innovation.

The access to mass media was not an impossible asset, nor is it our main problem. The existing restrictions are rather bureaucratic, moral (paying illegal money) or political. For many years, it was cheap to obtain licenses. But nowadays, access is rather limited by the saturation of existing licenses in many cities, and the excess of media, even of the written press.

The Freedom of Expression within an Atmosphere of Corruption: Regulation and Self-regulation

Peru, like many other Latin American countries, for many years did not have any specific media legislation. Always, the constitutional or legal bases, valid for everyone, were the ones that also ruled the mass media. So, the exercise of censorship did not depend upon a certain law, but on the political exercise of the moment, such as happened in times of the Military Regime of the '70s, where even expropriations were produced, and the censorship was systematically exercised by the State. The protection of the freedom of expression was neither deteriorated by a specific legislation, but those who made use of it, both politicians and the private sector, fell back on the use of their individual rights. Censorship has always been direct, addressed via hidden threats, or falling back on a certain public silence based on corruption. Some media received money from the State for granting political support to the government. Even the Intelligence Service initiated the creation of new newspapers addressed to popular audiences, whose electoral volume was very significant for the re-election process.

This happens against a background of growth of the political power of the mass media. Nowadays, being political means being mediatical, that is, producing news in order to be seen. The contact of the media with the public, in a quotidian manner and during many hours a day, as well as the reduction of influence of the political parties and a weak institutional capacity of the civil society, have made it possible that mass media have become the main interlocutors of the citizens in both the cultural and political fields. For many citizens, media are their only source of information on what is happening in their communities, the region, the country and the whole world, even more when the language they use is audiovisual. Despite of the presence of some alternative media, the big commercial media are still the main reference in the process of the formation of opinions. Being masters in the building up of emotive climates among the population, the power

of the mass media have no frontiers, though their credibility has recently deteriorated with respect to the contents and the quality of their offer. Nearly 80% of the population does not believe in them. At the same time, there is no real exercise of an independent journalism within the country, which is perceived to be a minor occupation rather than a profession. The associations are weak and divided. The daily life of the journalists is tough. They work hard and steadily, with no time to extend information and elaborate opinions. Mass media monitoring shows that only one source of information is utilised. Media stay with the scandalous news that shows the citizens as victims, and not as protagonists of change.

2. Strategies and Initiatives for the Development of Democracy

In Peru, the institutions devoted to communication usually work with one or several of the following main strategies:

1. **The development of alternative and independent mass media**, linked to development issues, which use participatory methodologies, and tend to work **within a network**. Either they provide services and information, or they form a representative association, which will strengthen their capacity of reach and their public influence. We usually work with educative, religious or community media. The idea is to generate a counter power against the influence of commercial media and the State.
2. **Inclusion of journalists, mass media and civil society in development activities**, according to specific themes or new methodologies of building up information and opinion, thus promoting the civil participation and the training of journalists in diverse aspects, which can favour their democratisation and ethical sense. In the same line, we also seek to forge them into protagonists of real change and inclusion of civil society as communicative protagonists.

3. **Media legislation and ethical self-regulation.** These are based on the defence of the freedom of expression as a civil right of everyone. There are efforts to self-control the fulfilment of the law, from an ethical perspective. At the same time, we usually seek to forge public pressure towards mass media in a participatory way, using the streets to discuss the behaviour of media, or using the media straight away, thus generating criticism and recommendations for change. Laws of access to information, or the Law of Radio and Television, are generated. Media observatories and media monitoring initiatives emerge as surveillance methodologies, generating information, but also pressure for change. That is, we are in search of a democratic media system, thus developing concrete policies of regulation and self-regulation.
4. **Use of communication as a factor in citizens' and social organisations' empowerment,** trying to make emerge a leadership of the excluded, especially in the local urban and rural environment. Therefore, thematic workshops include the communicative component as a method. Other workshops focus on general communication skills.
5. **Partial and isolated training for alternative media or journalists** as part of the institutional and programmatic life of many NGOs, such as techniques of production, management, planning of public campaigns, etc. That means, an intervention more instrumental to other goals.

These strategies are applied by individual institutions or via alliances or consortiums. They focus civic participation as an integral part of democracy without questioning the principles of representative democracy. Both elements – civic participation and representative democracy – are complementary, though there are still some cases where the two concepts become opposed.

As for the successful initiatives, we consider the following:

1. **The Coordinadora Nacional de Radio (National Radio Coordination, CNR),** a consortium of radio stations and radio pro-

duction centres. It is affiliated to ALER and AMARC. It is part of various national and Latin American coordination efforts, in order to improve its impact, grant training and improve the management of their member institutions, thus collaborating in its communicative and political advance, as well as its commitment to development. CNR works as a network, but on the basis of a representation of each member, so it is also a sort of communicative guild. "TV Cultura" is starting in the same way with small TV channels.

2. We should also mention the **Institute of Legal Defence (IDL)**, a human rights NGO also active in the production of television and radio programs and a magazine. It grants informative and orientation services to local and community media and operates a radio network.
3. The development and surveillance of a **law of access to information** practiced in Peru by several institutions, with the Ombudsman (Defensoría del Pueblo) and the Press Council as main leaders. Some significant achievements have been made. Laws have generated intensive debates, not only in Peru, but also in Mexico. At the same time, journalists and media are trained in the fulfilment of such laws. In the Peruvian case we should mention the municipal project coordinated by CALANDRIA and IPYS that implemented strategies for practical application of the law at local level.
4. The experiences of **civic journalism** carried out in Colombia ("Voces Ciudadanas" at the Pontificia Universidad Bolivariana de Medellín) and in Peru. In Peru they are headed by CALANDRIA, and coordinated with the Consortium of Universities. Mass media, journalists and civil society put a certain issue on the public agenda. Based on an ample participation process at various levels, a concrete proposal or civic program is presented to the authorities. This type of intervention will also be applied as a participatory preparation process of the civil society for the next national elections in 2006.

5. **Observatories of mass media** that are spreading day-by-day all over Latin America. In Cordoba and Buenos Aires, Argentina, the universities coordinate them. In Colombia, some institutions, and even media, monitor the news production. The same happens in Mexico and other Central American countries. An interesting experience is the political fight in Ecuador against the mass media from surveillance nets operating in the Internet. In some cases, media monitoring is accompanied by research projects, both quantitative and qualitative. Despite that it is being done in a disorganised and uncoordinated manner, the observatories are now looking for a global coordination and intervention strategy. An important example is the Media Watch project carried out by WACC on the subject of gender, as it commits many countries of the world.
6. **The Citizens' Watch (Veeduría Ciudadana)**, still little developed in other countries. It highlights the opinions of the citizens through civic consultations. It works with volunteers, and ample alliances with the civil society, even with associations of advertisers. It is practiced in seven cities of the country, with the support of universities and the civil society. Broad participation and pressure for change are the characteristics of its intervention strategy. The matter of mass media is allocated to public debate, using the media themselves, which end up respecting Citizens' Watch. A civil legislative initiative has been produced, showing 85,000 signatures of citizens and 1,000 of institutions, using the streets and squares as spaces of discussion. This initiative had a high influence on the 2004 radio and television law.
7. **Ethical Self-regulation.** In this field, we should mention the Tribunal of Ethics of the Press Council. And also diverse efforts to open spaces of complaint, and the use of the right to communication, respecting democracy, but understanding it as an ethical coexistence. There are the people's defence bureaus, the participatory ethical codes, the information from media

observatories and the direct communication with the audiences.

8. **Counselling on public policies of communication.** This is still at an initial stage, but is being worked at, for example, for the decentralisation process in Peru. It is a new form of political intervention in the building up of democracy.

The less successful projects and initiatives have to do with the narrow frame they are located in. The training itself, for instance, does not constitute a strategy, but an activity; however, many projects are obliged to prioritise it. Likewise, some have been defined as campaigns but lacked creativity or an integral approach, invading the public just with slogans. Many institutions produce materials, bulletins, websites, without having a clear communicative strategy.

3. Role of International Cooperation and Recommendations

We perceive in Europe a gradual reduction of the more strategic and political cooperation in the communicative field, especially regarding the strengthening of democracy in our countries. Communication initiatives continue to be financed by the same few donor agencies. It is not taken into account how much the development of a democratic perspective depends upon the functioning of a society with a productive and ethical sense. The concept of democracy that is managed is focused on the formal representation, while participation is perceived only as an educative strategy. There seems to be no awareness of the donor agencies that development is not possible without democracy and vice versa, understanding it in its widest and ethical sense. This lack of understanding has led to the inclusion of communication into thematic issues (instrumental to other matters, including the fight against poverty), or that the institutions specialised in communication develop services to third parties, of a diverse kind and without continuity, thus affecting their commitment to

changes in the media sector and democratisation. No new elements are included in the concept of democracy, such as the ethics of coexistence and the articulation between individual and collective actors; the public deliberation as a quotidian exercise; the generation of a civil informative demand, not existing yet (the emotive aspect and the political atmosphere are highlighted, and not the information); the joint intervention among countries, with the purpose of influencing one another; the importance of the outcomes and the public impact of any intervention; the building up of civil spaces of surveillance, among others.

We see four large strategic lines of media development cooperation:

- a) The line lead by the North American cooperation, which tends to look at communication as an efficient component of thematic intervention. The citizen is considered only as a subject of information, and not of opinion, and less as a protagonist and participant of a subjective and symbolic democratic culture. The intervention aims to change the behaviours of the citizens, often related to certain thematic areas of development, such as health, environment, or eradication of the coca cultivation. The basic methodology used is the social marketing line, and all the training and investments will lead to it, making use of diverse means and methods of communication around the idea of the campaign. In this sense, democracy is only conceived as a methodological component of a participatory character. This line of development cooperation is not interested in democratising communicative projects, and even less is it interested in interventions aiming for changes within the mass media and the public opinion. There are some foundations, such as Ford, which do not perceive communication as a human and democratic right itself, but as a useful strategy for other rights to be known and fulfilled.
- b) The line mainly sponsored in Europe, which also considers communication in its instrumental role, but generating balances of power with respect to the commercial media world,

supporting community or alternative educative media, prioritising civil society empowerment, and the empowerment of some sectors committed to the spirit of just and equitable development. Sometimes communication is understood as a component of diffusion or support to thematic projects, without fully understanding its social aims within a project of political change. In that sense, there is a romantic vision of support to a counter power, but the effects in the democratic organisation of society and its development are not paid much attention to.

- c) There exists a new line of development cooperation that aims to democratise the large mass media themselves, given their importance within society. On one side, there is the defence of the freedom of expression; on the other side, there is the renovation and change of the media towards approaching citizens and development issues. That means, this line emphasises the democratisation of society through the regulation/self-regulation of the mass media. So, the civil rights to communication and information are taken into account. This line of development cooperation is still quite limited to some institutions, especially the British ones, and some scarce American and European contributions, such as Konrad-Adenauer-Foundation from Germany and Free Voice from The Netherlands. There are also some initiatives for generating better conditions of operability and effectiveness in the communicative field.
- d) Communication as a transversal strategy for development initiatives, but defining communication also as an objective of development. This is a still little practiced strategy, except in some international campaigns, for example developed by WACC with respect to communication rights and gender issues.

Communication, both from the State and civil society, and the creation of news relevant for civic engagement, making democracy and development to become matters of a public agenda, is

not valued or supported. The public discussion does not yet constitute a preoccupation for the development cooperation. It is indicative that the Veeduría Ciudadana (Citizens' Watch), considered as a pioneer in Latin America, given its democratising impact, does not have consistent funding. Even less the development of public communicative policies of civil society and any democratic institution, including the State and the reforms that are being implemented. We think that, around this aspect, we could make arrangements, alliances, and even campaigns at a Latin American level, on behalf of the ethical democratisation of both mass media and society. So communication would not be reduced anymore to its instrumental role, but would be conceived as a more strategic and political vision, which would highlight the development of an ethical democracy.

The Latin American media observatories, as well as the proposals of self-regulation, despite the meetings that have already taken place, are not coordinated, and the universities do not commit themselves, despite their capacity to do so. It would be an interesting step to develop a more proactive perspective of continental impact. We progress, but the development cooperation is still lagging behind. This questions also the relationship between co-operating and cooperated ones, which does not accomplish a communication either, and does not build up a joint project.

A communicative proposal, in order to have an impact, should work in the field of the development of a deliberative culture, teaching how to discuss and debate, listen to itself, and find agreements. Likewise, it is urgently needed not only to improve quality of information, but also the use of information. It is necessary to combine communicative objectives with the development of a democratic society that is able to link the action of the existing powers with citizens' participation, exigency and proposals. Finally we also must consider emotions and subjectivity as central elements of the communication process.

From such a perspective, we introduce some recommendations:

- It is necessary to support communication projects that have political effects because of their innovative proposals and ample participation, both representative and direct, leaving aside the romanticism of building up an alternative and ineffective counter power. That should be the guiding principle, and not the methodologies or the activities.
- Both communication and development should become integrated, thus making the intervention political. There is much confusion among people about what development is. The population who participates in diverse projects does not really assimilate what goes beyond the infrastructure work. The same happens in the case of democracy, since the logic of the populist leader who manages people is still functioning, despite of the efforts on behalf of overcoming the poverty, or the health problems in the poor sectors.
- Not every radio operator or journalist is able to influence the development and the democratisation of the mass media. It is important to recognise a specific knowledge of their importance and their strategic value. Some research and experiences on this political field should be developed.
- Some donor agencies are forcing their partners to create consortiums. We should carefully evaluate this strategy. Consortiums created by force and not by the free will of institutions that share common ideas and interests, will turn into a space of tension and competition, sometimes tearing. Instead of that, agencies should work with influential and open networks.

ELVIA GÓMEZ

**Democratic Deficit
The Siege against Freedom of Expression
The Venezuelan Case**

An Inevitable Contextualization



In February of 1999 Hugo Chávez Frías assumes the Presidency of the Republic with 60% of the votes, behind the crack of the two-party system that had faced a decade of social instability and economical crisis. His victory put an end to a 40-year period of representative, alternative and consensual democracy.

Chávez is a Lieutenant Colonel of the Army that was imprisoned for two years after a frustrated coup d'état in 1992. He won the elections with an

anti-system discourse that promised vengeance and redemption to the poorest.

In 1999 he promoted the approval of a new Constitution that added two powers to the three traditional ones and established immediate re-election. Chávez then promoted a new presidential election in 2000 that ratified him in his position until the year 2006.

Specialists define the regime as autocratic or as an authoritarian-militarist democracy. In traditional terms it is not a dictatorship. There is freedom of speech, but its exercise bears risks that generate self-criticism.

According to the Constitution the regime defines itself as a direct democracy, “participative and protagonistic”, one that Hugo Chávez has come to call the “Bolivarian Revolution” in honor of the maximum hero of the Independence (Simon Bolivar).

The regime has given an important role to the Armed Forces, which have become deeply political in nature. The new Constitution eliminated the “non deliberating” nature of the military as well as their express submissiveness to civil power.

The Government is sustained by a civil-military platform and it controls all public powers. As a mere example, the Attorney General of the Republic previously occupied the office as Vice President of the Executive Power.

The Media, Government and Power

Traditionally in Venezuela the media exercised the role of *de facto* powers instead that of mere intermediary. They got to assume during important occasions the role of political parties and pressed for decisions in the public powers. However, the broad spectrum of plurality of owners of the various media, printed and radio-electric, always provided a space for the accusation of irregular management of public administration and the expression of dissidence.

It was precisely due to the plurality in the property of the media in Venezuela how Hugo Chávez had enough space to be able to transmit his political message.

Hugo Chávez has a very particular style in exercising power. He appeals to television to transmit his directives through public addresses that last for hours.

According to a survey by the Gumilla Center (Centro Gumilla), specialized in the analysis of communicational processes, between 1999 and the first semester of 2004, the President spoke for 548 hours (24 consecutive days) on national television, in other words, the obliging transmission for private television net-

works. The losses for television networks for the concept of advertisement for that period were calculated in 364 million dollars.

The head of the government has its own Sunday program fully transmitted by the State television network and by the network of public radio stations. On the average his program extends for over four hours, and it has even reached a transmission of 8 consecutive hours.

The program is mainly a monologue where he announces decisions, gives instructions to the Legislative Power, suggests the opening of legal procedures, dismisses public officials and, in general, threatens his opponents with a belligerent and insolent language.

Already by the year 2001 the complaints for the use and abuse of the media on behalf of the President of the Republic became constant, in addition to criticizing his disproportionate reaction towards questionings to his performance.

Between 2001 and 2004 the political crisis in Venezuela experienced an escalate that had the mass media as its main background. On the one hand, the President of the Republic and the State-owned media, and on the other hand, the opposing sectors grouped into an alliance called "Coordinadora Democrática" (Democratic Coordinator), but headed on the road of deeds by the mass media.

Hundreds of thousands of persons were kept in street mobilizations for months. On April 11, 2002, a manifestation by the opposition was repressed with firearms, a manifestation that was on the way towards the residence of the Government, which left some twenty persons dead, a journalist among them. This broke out into the climax of confrontation: a *coup d'état* that provoked the defenestration of Chávez from power for 48 hours.

Meanwhile deeds of violence were occurring that caused a bloodless coup and the private television channels transmitted "live" the records of the injured and the destruction at the heart of the

capital city, Chávez ordered a national Chain and during his intervention he did not mention the actions occurring a few blocks away from his office. In view of the seriousness of the events, the private networks attempted to comply with both commitments: so they divided the television screen. That alternative was not an option for the radiobroadcasters, who were forced to abide by or violate the regulations at any cost.

But during the development of the breaking of constitutional order, between the evening of the 11th and the dawn of the 13th of April, the private mass media silenced the confrontations between the President's supporters, who demanded his restitution and the supporters of the coup. The Public Ministry registered the deaths and notified them to the media, but the media refused – with honorable exceptions – to pick up the accusations. The worsening of the protest of the sectors fond of Chávez was extended to the zones nearby to the capital, but meanwhile on TV there were only cartoons being transmitted, and on the radio there was only uninterrupted music to be heard. Later studies, among them one by Universidad Católica Andrés Bello, determined that the great majority of reporters of the diverse media were fulfilling their role of briefly describing the events, but it was a decision of their higher staff members to declare the “black out”.

The Office of Court Reporters for Freedom of Expression of the Interamerican Committee of Human Rights (La Relatoría para la Libertad de Expresión de la Comisión Interamericana de DDHH) stated at the time its concern for the “scarce or at certain times almost null information the Venezuelan society was receiving” during those days and pointed out that “although there can be multiple justifications to explain this lack of information, in the measure that the suppression of information was a result of editorial decisions motivated by political reasons, it must be an object of an essential process of reflection on behalf of the Venezuelan mass media regarding their role at that time”.

Between November 2003 and May 2004 there were negotiations being carried out between the confronted parts, with the arbitrage of the Organization of American States (OAS) and the Carter Center. The opposition fulfilled – in spite of the many legal obstacles imposed by the Electoral Power, supporters of the Government – with the requirements demanded to perform a referendum to revoke the mandate of President Chávez, which results ended up being a ratifying referendum.

The scrutiny of votes according to official information yielded a 60% in favor of the President against 40% for the opposing alliance. The results were proclaimed as deceitful, but as of yet they have not been able to prove the accusation, even though throughout the campaign advantages favoring the government were verified, a fact that casts a shadow of doubt on the legitimacy of the process.

Just as an illustration of the lack of equilibrium in the coverage on behalf of the State-owned television of the preparatory campaign for the referendum, was the fact of the live and direct transmission of an aggression committed against an agent collecting signatures from the supporters of the Government. The electoral authority had authorized the collection of signatures to request the opinion in hospitals and rest houses.

The activists, not agreeing with the fact of confiscating the forms from the collecting agent, attempted to hit her, but the reporter's account of this action showed her "escape" as if she were a criminal.

Rights on Paper

As it has been explained, between the years 2001 and 2004 the aggravation of political passions fissured the climate of democratic cohabitation, which had characterized life in Venezuela. The verbal excesses of the President, retorted by his subordinates, provoked aggressions against the workers of the press and headquarters of mass media.

According to the report for the year 2004, jointly prepared by the organizations “Espacio Público” (Public Space) and the Press and Society Institute (Instituto Prensa y Sociedad – IPYS for its Spanish abbreviation), sponsored by the Konrad Adenauer Foundation, last year a 22% increase with respect to 2003 was recorded in violations to the freedom of speech and the right of being informed, in total 305 cases, being the most frequent intimidation (understood as access denied or freedom to displacement obstructed, espionage and detentions without a legal order; personal or telephone threats and the aggression to the property of journalists and/or their relatives) and in third place, the aggression (journalists injured or beaten by civil persons and security forces). Moreover, the report states that legal and verbal harassing is appealed to and the death of a communicator by hired assassins was recorded. Nevertheless, the report collectors highlight with great concern the trend of not reporting the cases before the authorities, which favors a climate of impunity.

Since the second semester of 2004 and throughout this year 2005, the climate of street belligerence has expanded. Now, the threats to freedom of expression are exercised from the legal and tax field, which favors self-condemnation. It is good to keep in mind that 80% of the judges of the country have provisional positions and can be removed at any time, a fact that compromises their freedom of criteria when reaching a verdict.

Specialists coincide in the fact that the Constitution of 1999 is one of the most advanced in the world in consecrating Human Rights. However, they also agree that the manner in which power is exercised conspires against the materialization of those benefits. That instrument incorporated among other things the principle of *Habeas Data*, Truthful Information and the Right of Replication, Right to Access of Information and the Right to Information during State of Exception Situations.

Law of Social Responsibility in Radio and Television

The Venezuelan Parliament is unicameral and the party in power in the government has 54% of the plenary. However, by means of manipulations of the internal regulations and of the Constitution – endorsed by the Supreme Court of Justice – has approved exclusively with its votes matters that the Constitution reserves for a qualified majority.

The Law of Social Responsibility in Radio and Television was approved in November 2004. According to the party of the government it has the purpose of protecting children and adolescents from inconvenient messages, an argument that was systematically refuted by the opposition who believes that the regulation has the only purpose of restricting freedom of speech and punishing the dissenting media.

The law imposes many restrictions to the contents and schedules of transmissions and contains 78 types of violations. It only specifies the obligations of the mass media, but not its rights. A committee integrated mainly by the representatives of the Government is the one who qualifies these violations.

Various national and international organizations stated their concern for the regulation. For example, Journalists without Frontiers (Reporteros Sin Fronteras) questioned its “ample margin of interpretation” which “could be instrumentalized against the mass media that do not share the government’s point of views” (...). “As of this moment, the authorities shall have available an arsenal of sanctions, including strong fines and the suspension, or withdrawal, of the concession to the media incurring in fault. Such a device could only encourage the mass media to self-condemnation, or rather give way to abuses on behalf of the authorities”.

The application of this Law is left in the hands of the National Telecommunications Committee (Comisión Nacional de Telecomunicaciones – CONATEL for its Spanish abbreviations), which grants the permits to the mass media. Among the ques-

tionings made to the Law is its vague write-up, leaving to the discretion of the officials the suspension of a transmission and even of the license.

Criminal Code

In March of this year, a partial reform of the Penal Code has come into force, which in the criteria of legal experts has placed Venezuela against the current of world trends.

This Code has widened the crime of contempt which contradicts the Eleventh Principle of the “Declaration of Principles on Freedom of Speech” approved by the Interamerican Commission of Human Rights in October 2000 that sustained that “Laws that penalize offensive expression directed towards public officials generally attempt against freedom of speech and the right of being informed”.

The Special Office of Court Reporters for Freedom of Expression of the Interamerican Committee of Human Rights (La Relatoria para la Libertad de Expresión de la Comisión Interamericana de DDHH), among other international organizations, remembered that among the arguments favoring the prohibition of the laws of contempt was “that they provide a greater level of protection to the public officials than private citizens, in direct contradiction with the basic principle of a democratic system” and that “they dissuade criticism due to the fear by people of legal actions or monetary sanctions”.

The Venezuelan organization promoter of Human Rights, Provea, questioned the punitive vision of the Code with regard to the questioning of public officials.

“The reform is stained with a repressive vision, which also widens the sanction to other types of crimes and restricts the right to trial in liberty, upon limiting the so-called procedural benefits. The reform increases the possibilities of sanction to persons on behalf of the State and together with the Law of Social Responsi-

bility in Radio and Television contributes to a climate of self-condemnation in view of the possibility of applying its dispositions. This consequence, difficult to quantify and measure, has a direct effect in the strength of the political debate and significantly reduces the powers of persons to supervise State action”.

This week and just three months from the enactment of the last reform, Parliament is again discussing the Criminal Code. At this time, it is being proposed to include, among other things, the crime of “conspiracy”, as well as new motives for tax fines and revocation of concession.

Dissidence with a Silencer

During this year it could be said that the behavior of radio-broadcasting media, particularly television, has placed itself at a distance from the press, which maintains, with its exceptions and nuances, its hard line against the Government.

In Venezuela there is national coverage by four television channels, one being a 24-hour news channel that has alliances with regional television channels that reproduce its signal. In the last ten years there has been an important development of local television media that cater with priority to the needs of each region, so that political tension with the National Government is concentrated in the media located at the capital city.

As previously stated, the threats of tax and legal sanctions has favored during this year the dismounting of the line of political confrontation with the power characterized by the programming of commercial television of varied programming. To this must be added the fact that it is the organisms of the State the main announcers in a country whose economy is kept in recession.

At the beginning of this year, almost suddenly, commercial television channels have dismantled their morning programming, loaded with political opinion programs having a high content against the performance of the Government, in exchange for

variety shows and family and home counselling programs. In programs having an informative nature and an opinion content that still survive, now it is suitable to have representatives of the Government and their party who previously did not appear on those screens. However, in the spaces of the State-owned channel the representatives of the opposition do not receive the same treatment.

The official strategy

Publicly, and with frequency, President Hugo Chávez complains about the flaws in the communicational strategy of his Government. In a meeting held at the end of last year with all the leaders of his party held at the main military fort of the country he demanded measures to counteract the campaign of his opponents since this dealt with the “defeat of his ideas”.

With respect to the III World Meeting on Solidarity with the Bolivarian Revolution, the Minister of Communication and Information announced the “restrengthening of the State-owned mass media” to “empower the people in a communicational manner”.

In addition to a national radio and television with 80% coverage of the territory, the communicational platform of the Government includes also Telesur, which is a joint venture with Argentina, Uruguay, Brazil and Cuba seeking to show the informative counterpart of the CNN and BBC versions.

Public Mass Media in a State of War

The use of the public mass media by the governments in power in Venezuela has always been characterized by certain complacency towards the ruler, but the news and opinion-oriented spaces were fully plural and the political adversaries were covered with respect and equilibrium.

Nowadays, the state-owned mass media in Venezuela exclusively make room for supporters of the Government and the coverage

of information or opinions that do not favor Hugo Chávez and his leadership are not acceptable, in spite of the fact that they are financed with money coming from all citizens.

In addition to this, in important meetings of the Executive Cabinet or of governmental instances, which conclusions are of a national interest, there is access only by the State-owned mass media in all its variations, radio, press and television, so that the private media be forced to be repeaters of focuses having doubtful equilibrium.

At the beginning of 2004, in an interview granted to the “El Nacional” Newspaper, the President of the State-owned television said: “Don’t ask me for equilibrium when we are in a battle, and in that battle I am not impartial”.

When Extremes Meet

Paradoxically, the private mass media in its eagerness to censure the abuses of the regime incur with an unfortunate frequency in scoring “self-goals”. The lack of precision in the verification of accusations and the absence of news contrast has become a boomerang against the disclosers of false information or semi-truths.

It is from this that sometimes legal threats against journalists having a professional and respectable course and dedicated censors that are victims of their hastiness are put in the same sack. The Government takes advantage of such confusion, taking away the importance among their followers of the accusations on the growing administrative corruption.

In this general view that I have tried to provide you concerning the mass media and their relationship with and from Power I am trying to indicate one of its major dangers which threatens Venezuelan democratic life which, with its flaws and defects, has projected us in the past decades as an exceptional country in a continent marked by dictatorships; I am referring to intolerance.

The excess of discretion on behalf of those responsible for directing the public and private media, the interpretative bias that distorts news facts and the assumption of political standings for the exclusive defence of its interests, can be equally directed by either one of the parts. Both favor in a privileged manner those who give them the reason to their editorial standings and if they make their spaces suitable for their ideological opponents, they do so in conditions not of interviewing but rather as if an execution. The result has been that each sector of society has become impermeable to the reasons of the other. Thus, reconciliation seems today as an objective of vital importance.

Collaboration Proposals

As it has been shown in the above-mentioned explanation, political polarization in Venezuela marks the occupation of the mass media, both public and private.

The democracy, with its defects and flaws that characterized life of citizens in the past 40 years has been noticeably affected with respect to tolerance and respect for different opinions. Besides the threats against freedom of speech and the right to be informed that has already been explained.

With regard to international collaboration, to invest in the promotion of the values of democracy will never be a waste.

In the Venezuelan case, the strengthening of the strife for the diffusion and defence of Human Rights is a priority. Within this same line of thought, the efforts to be made for the recovery of tolerance shall never be too much.

However, there are also concerning legal limitations with regard to external financing. A decision by the magistrate of the Supreme Court of Justice (Tribunal Supremo de Justicia – TSJ, for its Spanish abbreviation) Jesús Eduardo Cabrera, determined that representatives of civil society shall not be considered as organizations, and consequently, they cannot take part in requesting

the fulfilment of collective constitutional rights, if they receive financing from abroad. This sentence determined that only the Defence Counsel of the People (Defensoria del Pueblo) or national organizations that receive financing from the State could represent civil society.

Acknowledged experts presented a radiobroadcasting Project for public service in Venezuela since the decade of the 80's, which is still waiting to be considered. For now, in view of the information disequilibria imposed by the conductors of private and public mass media, an option for the dissemination of other focuses is the alternative media.

Yet here we find again an obstacle. According to official figures, there are currently 305 media of this type, 152 are legalized and the remainder are waiting to become legalized. But a Law regulating their functioning determines that the State shall be the one to prepare its programming.

In sum, the lack of truly alternative media in Venezuela, in view of an absence of a radio television for public service, leaves citizens subject to the fluctuations of the interests of the polarized groups and to the whims of power, precisely in a country with a situation placing the Government as its main announcer.

ALA MINDICANU

Media freedom in the Republic of Moldova - the sign of changes

1. Some facts on Moldova



Sandwiched between Romania and Ukraine, the Republic of Moldova emerged as an independent republic following the collapse of the USSR in 1991. Since the war in 1992 Moldova is divided with the separatist republic Transnistria. The Russian 14th army is still “watching” the boarder between the two parts. Since independence the country has faced a steady economic decline. According to UN figures the population decreased from 4,3 million to 3,3 million between 1989 and 2004. According to the UN Human Development Report, Moldova ranked 75th place, in 1995 81st and in 2004 118th. The latest OECD report states Moldova as the poorest country in Europe. At present the average salary is around 36 US-Dollar, an average pension amounts to 25 US-Dollar. More than 600 people are working presently abroad.

2. Laws and regulations

While the Moldavian constitution guarantees freedom of the press, the penal code and press laws prohibit defamation and insulting the state. There are a lot of regulations on media in the Republic of Moldova: Audio-Visual Law, Press Law, Civil, Criminal, Administrative Codes, Defamation Extracts, Law on Access to Information, Law on State Secrets...

3. Moldovian media in 2005

There are the following media today in the Republic of Moldova: Magazines 8, News Agencies 9, Newspaper-Dailies 4, Newspaper-Non Dailies (weeklies mostly) 21 (7 closed), Radio 9 (2 closed), TV 9 (2 closed). Some of the newspapers have been closed because of financial problems but some of the radio and TV stations because of the policy of the National Committee for Audio-Visuals. Political parties publish their own newspapers, which often criticize the government. Moldovian editions of Russian titles are among the most-popular Russian-language publications. The most effective actor of media democracy is civil society.

A memorandum released by leading Moldovian non-governmental organizations on the occasion of the World Press Freedom Day (May, 2005) highlighted the major challenges facing the country's media. According to the memorandum, a feature of Moldovian society is a striking discrepancy between declared press freedoms and their implementation in everyday life. The authorities' attempts to control the news outlets and use them as leverage in the political struggle with the opposition, along with grave economic problems, seriously hamper the development of the media. The memorandum also notes that self-censorship and political bias are widely spread not only among government-sponsored publications but also privately owned media. The document provides a series of proposals aimed at improving the legal framework for media activity in Moldova, and the financial situation of the outlets. These include: amendment of the law on the national public broadcaster, improvement of licensing regulations, introduction of a ceiling on pecuniary damages sought for defamation in the Civil Code, VAT exemption and other financial breaks for the news media, along with a few other proposals. The memorandum-signatories include more than 20 media development organizations and individuals (<http://ijc.iatp.md/cgi-bin>).

4. Main problems of Moldovian media.

Media organizations deplore a lack of genuine press. The most recent monitoring bulletin, produced by the Independent Journalism Center (IJC, <http://ijc.iatp.md>) in the framework of the project "Networking for Diversity," confirmed the major coverage tendencies identified during the previous monitoring periods: A **dominance by political elites** as news sources and actors, a **lack of socially-active individual** actors and a **lack of financial resources**, were characteristic of all the newspapers under analysis in 2005. The newspapers "Moldova suverana" and "Nezavisimaia Moldova" from Chisinau, "Pridnestrovie" and "Adevarul nistrean" from Tiraspol, as well as "Vesti Gagauzii" from Comrat continued to cover aspects of inter-regional relations more frequently than those between different ethnic groups. General elections in Moldova and the local elections in Transnistria were the major focus of the coverage in all the monitored publications, to the detriment of other issues. The **Opposition election blocs** (and in the case of Transnistrian papers the Moldovian Communist Party) were largely described as incapable of resolving the Transnistrian dispute and promoting **harmonious inter-ethnic relations**. As a result, issues affecting everyday life of Moldovian citizens were not covered in a comprehensive manner, and little effort was made to contribute to a better understanding among the residents of different regions. The project "Networking for Diversity" also includes such components as creation of a diversity network, and production of joint materials by journalists with different ethnic and geographical backgrounds.

5. Methods of civil society protest for the freedom of the media

There is extensive experience in Moldova to fight for human rights and press freedom. Thus, the joint Demonstration of Media was organized in May of 5th 2003, the Day of Press. During June-September 2004 a large number of pickets were organized as

protest against the defective reorganization of the state TV Company, when hundreds of journalists were dismissed because of critics of state policy in the field of human rights and the reform of state television.

A lot of pickets were organized in 2004-2005 in front of the Audio-Visual Council because of the politics of restriction toward the opposition attitude of journalists from independent media.

The monitoring of media restrictions was carried out by NGOs on media in 2004-2005. A memorandum on media was published on May 2005 as the result of events – general elections on March 6, 2005. We can conclude that the interest of civil society in the democratic process in the country is constantly increasing.

6. Moldovian NGOs supporting freedom of the media

There are many involved in the activity oriented to the support of democracy and media in Moldova. Thus, we can mention the following NGOs: Access-Info (<http://acces-info.org.md/noi.htm>), Independent Journalism Center (<http://ijc.iatp.md>), Helsinki Committee for Human Rights (<http://www.humanrights.md/>), Impact Media Agency (www.impact.md), Association for participatory democracy (www.e-democracy.md). All these organizations are supported by international sponsors and organizations and are a good example of efficient cooperation for democracy at international level.

7. Proposals for cooperation

- Much more attention should be paid to the education of young journalists. In this respect universities preparing journalists (more than 150 alumni every year) should be supported like ULIM (Free International University of Moldova) and USM (State University of Moldova). Exchange programs for professors and students, summer schools could be extended.

- Independent weekly newspapers, such as “Timpul” or “Jurnal de Chisinau” should be supported. “Democracy teaching” programs should be initiated and linked to the training for journalists.
- The project “Together” should be supported, as a magazine uniting different parts of society: gender, ethnic, religious, age, aspects. In general, initiatives to foster social values like tolerance and dignity should be promoted.
- As a reaction to the continuing state oppression, the non-governmental organization Free Press Foundation asks for:
 - Creation of a national TV network on the basis of local independent stations
 - Extension of independent radio stations all over the country
 - Publication of a digest of European press
 - Editing of an independent daily newspaper
 - Editing of the annual report “Mass-media in the Republic of Moldova”
 - Creation of a special fund to support oppressed journalists
 - Creation of a fund to encourage the anti-corruption journalistic investigations

8. Conclusions

Despite the international support for media freedom, there are no big changes of leaders’ and leading parties’ mentality in this field, or we can say, changes come too slow.

1. Civil society should direct all attention of both national and international bodies to the cases of media freedom infringements.
2. NGOs and the international democratic community should increase the project of the education of political and state leaders in the spirit of respect for human rights and freedom of media.
3. International support for the development of Moldovian independent media should be continued.

III. Authoritarian Systems

BASILTON PETA

The Independent Online-Service ZimOnline



Despotic regimes or authoritarian tyrannies do not come any better than what we today find in Zimbabwe under the leadership of one Robert Gabriel Mugabe (82 years old).

I thus could not help but laugh when I recently read an article in an old edition of the British Daily Mail newspaper in which German Chancellor Gerhard Schroeder was described as a dictator. Mr Schroeder's only crime it seems was to threaten the Daily Mirror with a lawsuit over a story in which the newspaper had accused Mr Schroeder of a fling with a German television personality.

Upon arrival here in Bonn, I have been most astounded to learn that Mr Schroeder's job as chancellor is probably on the line because of rising unemployment and an unstable economy. On probing further, I learnt that both the unemployment and inflation rates are still in single digits and that virtually everyone here can afford the basic of life.

I therefore could not help but conclude that if Europeans can afford to vote out a competent and principled leader like Mr Schroeder only on the basis of what I have learnt here and if some respected newspapers can even get away with labelling him a dictator, then some countries and their people are living on a different planet than the rest of us. I can only envy your freedoms. A Zimbabwean, Tinodya Rusere, who castigated his

President as a dictator while driving in a public bus to work has been languishing in jail for three weeks without trial – a victim of the country's draconian security laws that put Mr Mugabe and his cronies above the law.

In Zimbabwe, the president does not engage in lawsuits if you offend him as Mr Schroeder reportedly threatened to do, he simply jails you and shuts down your newspaper with no recourse for you.

I draw reference to Mr Schroeder not in jest but to illustrate my point better. If Germans can afford to punish their leader on the basis of roughly less than 10 percent or so unemployment, then let me draw your attention to the developments in my beloved homeland of Zimbabwe.

Zimbabwe has just concluded its sixth parliamentary elections on March 31 and on the surface they were convincingly won by Mr Mugabe's ruling ZANU PF party. But just consider the following economic environment within which his ruling ZANU PF party won the elections with 78 seats.

Inflation was at three digit figures at 265 percent, unemployment stands at 70 percent according to the government's own estimates but it could in fact be higher. The country has virtually no food, particularly the staple maize meal and bread. There is no fuel in the country and power shortages are the order of the day. Agriculture, the mainstay of the economy has been destroyed, since Mr Mugabe's often-violent land seizures began in earnest in 2002. Most of the cronies who benefited from large-scale productive farms seized from white farmers at the expense of the real landless have not put them to good use because they are not farmers. In fact Mr Mugabe, has since castigated his own cronies as "cell phone farmers" or "weekend farmers".

If we take everything to the logical conclusions, it means Zimbabweans must be very strange people. It means they prefer to retain a government that guarantees them more poverty and hardships. They would rather vote for hunger, unemployment,

food shortages and the general destruction of their economy. They would rather let Mr Mugabe get away with his economic Pol Potism. That cannot be the case. Zimbabwe has the second highest literacy rate in Africa after South Africa.

What it simply means is that the Zimbabwean dictatorship is now so entrenched that there is simply no way that the people of this embattled country can deal with it. They cannot remove it through elections, because elections in the Zimbabwean contest are a major farce. They cannot launch an armed struggle to remove it as we have seen in other African countries because Zimbabwe's neighbouring states all support Mr Mugabe and unlike during the liberation struggle, they will not lend their territories as bases for would be freedom fighters.

What great irony, ladies and gentlemen, that a fascist white colonial regime led by Ian Smith gave way to a far much more ruthless and callous regime led by Robert Mugabe. The 50 000 black Zimbabweans who perished in the liberation struggle for freedom in their country must be turning in their graves.

Professor Schmidt argues that Zimbabwe has passed the threshold of totalitarianism/ authoritarianism. Need I agree more? I would add that because Mr Mugabe tries to portray some semblance of democracy by holding regular, albeit phony elections, then Zimbabwe is a satanic democracy.

The question is why does Mugabe win elections in a country, which he has fought so gallantly to destroy. The answer is simple. It's not possible for anyone other than him and his party to win elections because these are not elections in the strict sense of the word. Of course people, queue and pretend to cast ballots dipping their hands into indelible ink. But all this does not make these legitimate elections. These are some but a few reasons.

1. All election institutions are run by Mugabe cronies, mainly soldiers from the Zimbabwe National Army and veterans of the 1970's independence struggle whose brief is to ensure Mugabe wins elections at all costs. Mr Mugabe is

constitutionally empowered to appoint everyone who runs elections and the appointments are entirely based on his discretion and patronage. An example from the March 31 elections can best illustrate my point. While officials at counting centres in Beitbridge constituency reported that 16 000 people had cast their ballots and the opposition Movement for Democratic Change was leading with 10 000 votes to ZANU PF's 6 000 with only a few other votes remaining to be counted, the figures dramatically changed when the Electoral Commission headed by John Chiweshe announced the final results a few hours later. The commission said 26 000 people had cast their ballots and ZANU PF had won with 16 000 votes in Beitbridge. An explanation on the discrepancy between the figures announced earlier by polling officials and the Commission's and the source of the 10 000 votes that swung the vote in favour of ZANU PF has not been forthcoming even as I speak to you now. This is the context in which elections happen in Zimbabwe with only victors having the sole control of the process and dictating the pace and the figures they wish to announce. This did not only happen in Beitbridge but in about 20 constituencies.

2. Mr Mugabe is constitutionally empowered to appoint 30 MPs in Zimbabwe's 150-member parliament. Only 120 seats are elected. So let's compare this to a race run to Bonn's neighbouring city of Cologne. Imagine if the starting point is here and all of you are members of the ruling party and I am the opposition. You are put 30 miles ahead of me in the race and I am supposed to catch up with you once the race begins. The reality is once the starter signals his gun for the race to begin, you are already in Cologne before I have made my first run. This is the context in which electoral races take place in Zimbabwe. It's impossible for the opposition to catch up with the number of seats in Mr Mugabe's bag before balloting even opens. Even in the event that the opposition wins all 120 contested seats, which in reality is impossible considering the

electoral bottlenecks it faces, Mr Mugabe can simply pick a cabinet from his 30 appointees and run the country while ignoring Parliament. He can also dissolve parliament before it has even sat and before it can pass a vote of no confidence in him.

3. All institutions of democracy have been appropriated in Zimbabwe by the Mugabe regime and they are solely at its service. The once proud and independent judiciary is now wholly at the service of the Mugabe regime after chief justice Antony Gubbay was fired and replaced by Mugabe's best friend and former minister in his cabinet, Godfrey Chidyausiku. As I have already alluded to, Parliament is toothless and a virtual lapdog instead of watchdog of the executive because Mugabe can over-ride its decisions through the monstrous Presidential Powers Act.
4. Recently passed security laws make it criminal for the opposition to organise and campaign without police permission for groupings of up to five people. Under the draconian POSA law, we would all have been arrested if we had assembled in Harare for this meeting without police permission. Legislation to outlaw and ban non-governmental organisations in Zimbabwe involved in human rights and civic education awaits the president's signature. A new General Laws Amendment Act will see journalists being imprisoned for up to 20 years for "putting the name of the president into disrepute" and for doing anything that "endangers state security".
5. The list of bottlenecks is endless but this brings me to the subject of my paper, which is the media.

Broadcasting by private players in Zimbabwe is banned via legislation. Although there have been attempts to liberalize the airwaves after a Supreme Court ruling that outlawed the government's monopoly on broadcasting, these attempts have in fact done the opposite. They have entrenched the monopoly via

the backdoor. A broadcasting commission has been established but it will never consider you for a licence if you are deemed to be a government critic. Consider what happened after Capital Radio, set up by Mike Auret Junior and Gerry Jackson, and successfully challenged the government's monopoly in the Supreme Court in 1999 before the Zimbabwean judiciary was bastardised.

The two entrepreneurial scribes proceeded to set up Capital Radio and installed their transmitter and other equipment at Monomotapa hotel in Harare.

But barely two hours after hitting the airwaves, the same equipment was pulled down and seized by the Zimbabwe National Army (ZNA) without any court authorisation. Mr Auret fled the country and has not been heard from since while Ms Jackson fled to London where she set up SW Radio Africa which tries to transmit signals into Zimbabwe via short wave radio. Its frequencies are now being blocked by the Mugabe regime using specially imported equipment from China.

You might all have heard about the expulsion of all correspondents of foreign media from Zimbabwe, including the Guardian's Andrew Meldrum, who was loaded into an Air Zimbabwe plane and deported despite three court orders staying the illegal deportation. In Zimbabwe court orders against the state are as worthless as the paper they are written on. They are wilfully flouted by the state with Mr Mugabe's active encouragement. Up to 60 journalists have been arrested and jailed over the past two years for the flimsiest of reasons, which are unsustainable in courts of law.

But above all the 2002 passage of the draconian and ironically named Access to Information and Protection of Privacy Act (AIPPA) ranks as the most determined and vigorous attack on the media in Zimbabwe since independence from Britain in 1980.

Most of the arrests I have mentioned have been carried out under AIPPA. Four mainstream newspapers, including the only privately owned daily newspaper, the Daily News, have been shut down for

various reasons. The Tribune was shut down for instance because it did not inform the Media and Information Commission of changes in its board of directors.

The Daily News was banned because it had reasonably refused to comply with AIPPA provisions requiring it to get a government license to publish, preferring to challenge this law in the courts. Apart from requiring media houses to be licensed, AIPPA also requires all journalists to operate on the basis of one-year renewable licenses. Forty five Daily News journalists who did not have licenses were arrested. They had not sought licenses since their newspaper had gone to court to challenge the law and had proceeded to work before their paper was forcibly shut down. They were then charged with having worked “illegally” before the demise of their newspaper.

The saddest thing perhaps in Zimbabwe’s decline is that the now stuffed Supreme Court upheld provisions of AIPPA requiring media houses and journalists to operate on the basis of one year renewable licenses, notwithstanding that even a half-brained layman in law can see why these provisions offend constitutional provisions on freedom of expression.

Under AIPPA journalists working without licenses are liable to two-year jail terms. The same penalties apply to journalists who offend various provisions of AIPPA meant to protect the President and the state.

It is worth mentioning that before the passage of AIPPA, which was meant to be the final nail in the coffin of the media, the offices and printing Press of the Daily News were bombed and destroyed by persons unknown. This happened hours after the Daily News had been branded “enemy of the state” by Mugabe’s then rabid spin doctor Jonathan Moyo.

It is easy to see why international press freedom groups repeatedly lambaste the Mugabe government for systematically eliminating independent media outlets and harassing journalists.

The Committee to Protect Journalists named Zimbabwe as one of the "World's worst places to be a journalist in 2004."

Reporters Without Borders ranked Zimbabwe 155th in its annual worldwide index of press freedom, just short of North Korea at the bottom of the list at 167th.

Only two weeklies – the Standard and the Independent - of limited circulation - remain outside of state-owned media which now dominates and parrot the government with no minute sense of shame.

But even these two weeklies are restricted by draconian laws that prescribe heavy penalties for journalists who offend the President or his government or publish anything deemed prejudicial to the state.

In a nutshell, no effective independent media remain in Zimbabwe. Which is why we have seen efforts to come up with alternative media to circumvent the Mugabe regime's octopus style grip on the media and society.

Concrete situations to expand democratic space

I have already alluded to SW Radio Africa set up by Ms Jackson in London to try and transmit radio messages into Zimbabwe for a couple of hours a day. There can be no doubt that radio remains the most important instrument for communication to reach the masses. However, as I mentioned, the regime has been able to invest millions of dollars in ensuring that SW Radio Africa's transmissions are interfered with as much as possible rendering the whole project ineffectual. I listened to the station before I left and all I could hear was a continuous whistling sound. SW Radio has now tried to transmit on medium wave but the huge expenses involved also make this difficult.

Studio 7, a program of U.S. government-funded Voice of America, airs one hour of programming recorded by exiled journalists in Washington and some in Zimbabwe and has provided a lifeline

for those shut out in the conventional media. But the radios required to access Studio 7 signals are not available to many in Zimbabwe.

ZimOnline provides one of the most concrete situations of intervention in Zimbabwe to try and break the regime's strangleholds. Established in June 2004 as a news service or agency, ZimOnline is one of the very few sources of original news online in Africa.

Within a short period of its existence, ZimOnline has established a solid reputation to be taken seriously by mainstream African publications that are actively re-producing its stories. The BBC country profile on Zimbabwe lists ZimOnline as the prime source of news on Zimbabwe.

Apart from filling the vacuum left by the wholesale closures of mainstream newspapers in Zimbabwe and providing news and information to Zimbabweans, ZimOnline's key goal remains to tell the Zimbabwean story to a larger African audience through existing, established African publications with their own established circulation bases.

Its newsroom is based in Johannesburg for obvious reasons. Stringers, mainly from the shut down newspapers, do stories on the ground that are relayed to Johannesburg for editing and for seeking additional comment from government officials to avoid exposing the stringers who are mostly operating without accreditation.

The Johannesburg office then oversees the uploading of stories on the site (zimonline.co.za) and the routing of stories to other partner publications for re-production.

Perhaps the biggest success of ZimOnline is to be found in the manner in which the project was conceptualised. Instead of trying to start a newspaper in exile, with all the consequent challenges of producing, distributing and raising resources to sustain it, it was thought prudent to just use existing established

media and gain access to their existing audiences. It is unfortunate that I did not carry samples of ZimOnline work produced by other newspapers – mainly in South Africa- for you to see what has been achieved. The progress of this venture speaks for itself.

Obviously the biggest challenge for ZimOnline is to access Zimbabwean newspapers, which are banned from using the online newspaper's work with attribution since it is considered illegal. Those with computers however can access the paper and it is encouraging that about 30 percent of the hits on the site are from within Zimbabwe. Visits to the sites vary from 150 000 to as many as 400 000 a day. ZimOnline has begun sending the edition via e-mail to reduce congestion on site.

The challenges for any media alternatives in Zimbabwe are of course resources to pay staff, stringers and other operational costs. ZimOnline has so far relied on the benevolence of mainly one donor. We would certainly welcome more resources to expand our coverage. Those who use our product have not started paying. African media are generally under -resourced and we fear the consequences of them not using our stories during this critical period if we insist on payment at this stage.

Resources are also required for training. When sanity finally returns to Zimbabwe, it is essential that there be a cadre of trained professionals to fill the vacuum left by those who have left the profession altogether or have migrated and are unlikely to come back.

We don't want a repeat in Zimbabwe of the situation in Iraq where it became free for all and everyone publishes their own thing, which they call a newspaper mainly because of a lack of professionals due to the situation that has historically obtained in that country. Such a scenario can undermine instead of promoting democracy.

ZimOnline and SW Africa projects offer a good opportunity for current training of journalists so that we have competent

professionals in preparation for when freedom eventually returns to Zimbabwe. For now don't ask me when or how. Suffice to say that I have a lay interest in astrology and I hope this will be sooner rather than latter.

ALES ANTSEPIENKA

Freedom of Expression in Belarus: A Need for International Cooperation

Introduction



For a long time the political, media and human rights situation in Belarus has crossed the national borders and become an object of attention by international non-governmental organisations or journalist-colleagues from many countries. However, it was just recently that the national governments, EU structures and inter-governmental organisations put it into the perspectives of their activity.

This report prepared by the Belarusian Association of Journalists (<http://www.baj.ru>), NGO based in Minsk, underlines the urgent need for international cooperation to prevent the destruction of freedom of speech in Belarus. Presenting the current media situation it contains a number of concrete proposals and defines a general approach to it.

1. Political Background

The current political regime in Belarus could be defined as an authoritarian rule with all branches of power dependent upon the president. The latter has the right to dismiss the Government, all other state officials as well as court judges including the Chairmen of the Constitutional Court, Supreme Court, Prosecutor General or Chairman of the Central Election Commission. The decrees of the president have the force of law. And Parliament having no controlling functions on the implementation of law

just remains a decorative organ, whose legislative initiative is substantially limited¹.

Exercising control over all spheres of public life the regime is extremely vigilant in the representation of the opposition political parties in Parliament and as a result of unequal campaigning conditions and law violations no one opposition candidate managed to become a member of the Belarusian Parliament at the latest Parliamentary election of 2004.

Alongside with opposition political parties NGOs are also quite often viewed as a destructive force. And the year 2003 witnessed their massive “cleanup”. As a result 51 public associations were closed by court decisions and the ruling bodies of 78 NGOs took decisions of self-liquidation².

There is no doubt that the campaign of closures was meant to significantly reduce the activity of the whole third sector before the parliamentary election and the National referendum of 2004, which paved the way to a new presidency of Lukashenka.

The latest attacks against remaining independent media, NGOs, national minority organisations and opposition political parties confirm this trend. It looks like this time the Belarusian authorities have launched a new campaign to prepare Lukashenka’s re-election in 2006.

2. State and Non-State Media

At the beginning of 2005 there were 190 radio and TV programs and channels registered, of which 130 were state-owned.

¹ For more detail, please, see Belarus: Reform Scenarios. Warsaw 2003. PP. 25 – 45.

² Svedcanni perasledu belaruskich njauradavyh arhanizacyj, Minsk, 2004. p. 83-84.

The existence of the non-state electronic media in Belarus should not, however, enforce to believe that they have anything to do with dissemination of free and non-censored information. Being a listener of the news programs of the non-state FM stations, it is really difficult to define, which country they broadcast from. And it is only the in-country weather forecasts or local time announcements that allow distinguishing them as Belarusian media.

The other remaining non-state electronic media are TV channels or programs and regional cable TV stations also ignorant of Belarusian realities. On the eve of significant political events some of these stations close their offices and their employees go on leave. Why? As one of the managers explained, they do this so not to be engaged in a political campaign and not to be closed by the authorities. Actually since August 1996, when the authorities closed the only public FM station "Radio 101,2", there have not been any public TV or radio stations in Belarus.

As regards printed media the country has 1.212 periodicals. Although more than 2/3 of registered printed media outlets are non-state, the overwhelming majority of them are, however, specialised editions or entertainment publications.

And it is no more than 20 printed media outlets that can be considered to be fully-fledged independent newspapers covering political, social and economic issues existing in the country. Their real influence, however, has been always jealously controlled by different means ranging from economic discrimination, persecution of journalists and publishers to suspensions and closures. The last two years have given numerous examples of limiting independent press circulation, suspensions and closures. Suffice it to say that by the end of 2004 in comparison with November 2003 the quantity of printed mass media in the country has de-

creased by 118 newspapers, 125 magazines and 19 bulletins³. As a result the combined print run of the existing independent press is around 350.000 copies per week. To compare, the only presidential daily has the print run tantamount to 1,7 million copies per week.

The picture would not be complete without saying a few words about Russian media. Mostly these are electronic media, among which two Russian TV channels, namely ONT and RTR, have the largest audiences in the country. According to the Belarusian independent sociological laboratory NOVAK their audiences constitute 62,3% and 38,4% respectively of the Belarusian population, while the 1st national channel is watched by 30,5% of the population only (the data of 2004).

Different show programs, westerns and TV serials, which are much less available on the Belarusian channels, mostly attract the attention of the Belarusian audiences. In this respect the higher popularity of Russian TV can be partly explained by an *escapist* approach to the Belarusian TV channels overburdened with Soviet-style propaganda.

In the meantime, according to the same source, 64,3% of Belarusians mistrust both Russian and Belarusian TV channels as regards their information programs.

Thus, the majority of Belarusians, while watching both TVs, do exist in the information vacuum and are actually deprived of free and reliable information.

3. State Media as a Tool of Propaganda

Being a part of the existent system of power, the state-owned electronic and printed media are prescribed the role of political

³ Mass Media in Belarus. 2004 Annual Report by the Belarusian Association of Journalists. P. 3

indoctrination.

Their everyday message is easily recognisable and can be defined as follows. Thanks to the unquestionable competence of the supreme power, Belarus has managed to avoid a lot of problems and is far ahead in different spheres of life. And unlike many other post-Soviet nations, Belarusians enjoy peace, social stability and economic growth.

The other part of the same message is meant to mobilise the Belarusian population against numerous enemies who cannot bear the country's independent policy and want to destroy it. Among the enemies is, of course, the in-country opposition, which has already divided the nation's property and is waiting for the moment to come to power and to sell it. And it goes without saying that the major political figure and newsmaker in the state-owned media is the president of the country.

A good illustration of such an approach can be the results of media monitoring of the 2004 parliamentary and referendum campaign coverage by the state media.

These are some examples. The aggregate monitoring form (from September 17th to October 15th) of daily news program broadcasts on the 1st *National Channel* showed that the president of the country took 64,24% of the program's time to compare with the other 33 political subjects monitored. And an unambiguously positive or highly positive way of the president's presentation prevailed.

The case of propaganda was also a special issue of the presidential daily *Sovetskaja Belorussia* published two days before the election and Referendum's day. Printed with an almost three times increased print run the issue was delivered by the state-owned distributor even to those people who were not subscribers of the newspaper.

The first page of the issue contained a big photo of the president with a little girl on his hand. And the three remaining pages pre-

sented the propaganda materials under the rubric *"Say to your president 'YES'"*.⁴

Under the prescribed obligations to disseminate a new state (president's) ideology, violations of journalist's ethics and professional standards are a routine practice in all state-owned media. At the same time it goes without saying that no alternative views or discussions are allowed. Moreover, criticised or rather slandered opponents to the regime have no access to the same media to refute numerous accusations. Even if applied to the court, court decisions are not in favour of them.

Being aware of the role of controlled media in sustaining the existing regime, the government heavily subsidises them. In 2005 the national budget allocated 41,2 million US dollars to fund electronic and printed state-owned media in Belarus. And since 2002 the state subsidies have almost doubled.

4. Freedom of Expression: Disappearing Reality

The latest trends in the media situation can be characterised as a real threat to the freedom of expression in Belarus. In brief they can be defined as follows:

- Much worsened printing and distribution conditions for the independent press;
- Augmented number of suspensions and closures of independent newspapers and more often arrests of their print runs;
- Increased number of court persecutions against independent newspapers, their publishers and journalists;

⁴ Media monitoring in Belarus: Parliamentary election 2004 coverage in the Belarusian Mass media. P. 37

- Worsening economic conditions for independent publications;
- Much deteriorated conditions for the legal protection of journalists and independent publications;
- Significant diminishment of independent and private printed media and their print runs;
- Self-censorship especially as regards small regional and district independent newspapers;
- Real threat of independent press in the country disappearing.

Thus, under the threat of disappearance of independent press the freedom of expression in Belarus tends to become a fiction.

5. Some Guidelines for International Cooperation

In view of the seriousness of the situation a long term and systematic approach based on coordinated activity of all the interested parties is really needed. The former oblivious approach which was based on believes that the democratic values for the country would be brought in from Russia, has already postponed a number of processes within the Belarusian civil society and has given the president an opportunity to strengthen his rule in the country.

International foundations interested in cooperation with Belarusian media and NGOs have also to take into account much more difficult conditions to work and adjust their strategies to the new Belarusian realities. A real mistake would be limiting their support by periods of different political campaigns in the country, as was the case in previous years. A society with no free circulation of information and extremely limited freedom of expression is not able to make a democratic choice and will never be ready to defend their political leaders who stand against authoritarian or dictatorial regimes.

It should also be stressed that due to numerous means to limit independent press circulation, as well as due to the lack of a real media market, any strategies based on a pure business approach to the development of alternative media in Belarus are misleading. Nowadays it is a real fact, that under the threat of closure the existing FM stations turned out to be easily put under state control and censorship.

Thus, the dissemination of free and non censored information in the Belarusian society is a real priority which should be viewed as the main purpose of cooperation between different international bodies, foundations and Belarusian partners in the media field.

6. Concrete Ideas and Proposals

Achieving the proclaimed goal is not possible without the presence and efficient operation of the non-state electronic and printed media in the Belarusian information space. The other idea is that media support should be as versatile as it is possible. It means that all kind of efficient means of public communication are to be developed and supported. In a more concrete way these ideas presuppose

- a) To resume operations of Radio “Racyja” from Poland, Radio “Baltic Waves from Lithuania” and, probably, start some FM stations from Ukrainian territory;
- b) To launch Belarusian language programs at the “Voice of America”, “Deutsche Welle” or other well-known radio stations broadcasting from abroad;
- c) To expand the Belarusian program of the Polish Radio;
- d) To ameliorate the reception of Radio Free Liberty throughout the whole territory of Belarus;
- e) To establish a satellite TV channel (public service TV);

- f) To provide significant support to the remaining independent national and regional newspapers, which is nowadays a task commensurable by its importance with resuming operations of Belarusian radio stations from abroad;
- g) To support free-of-charge subscriptions to newspapers in the regions (for libraries, non-governmental organisations, hostels, hospitals, universities' libraries, etc.);
- h) To support independent youth, cultural, women's and national minorities' publications (magazines and newspapers) irrespective of their being registered or not;
- i) To develop and support local ad hoc publications throughout the country;
- j) To develop and increase the capacity of alternative networks of distribution both at national and regional levels;
- k) To start distributing TV programs and other video products like documentaries created by independent Belarusian film directors on tape and CD by using alternative networks of distribution;
- l) To set up and support web-publications instead of newspapers closed by the authorities;
- m) To support the development of information, educational and analytical Internet sites and forums;
- n) To set up an analytical group analysing and forecasting the situation in the media sector and working out new dynamic messages meant for different social and cultural groups;
- o) To expand training programs for young Belarusian journalists abroad;
- p) To support the only independent information agency in Belarus by covering the costs of news subscription, so that independent media could receive its info for free.

It should be specially stressed that the information products (audio and video-files) to be broadcast from abroad should be mostly prepared by Belarusian journalists living in the country to avoid any effects of “foreign propaganda”. To coordinate this kind of activity as well as to fulfil a number of other important functions, the Media Centre by the Belarusian Association of journalists should be established.

6.1 Media Centre

The media-centre activity should be mostly aimed at content production and it would be as follows:

- a) Coordination of the activity aimed at the creation of radio (and TV) programs’ files;
- b) Preparation of weekly reviews (in English) on the most important events in Belarus to distribute them among different journalists’ organisations, international structures and foreign embassies in Belarus;
- c) Development of a BAJ web-site in Belarusian, English and Russian;
- d) Gathering, systematisation and dissemination of information on the cases of media rights’ violations in Belarus;
- e) Carrying out media monitoring;
- f) Publishing and distributing BAJ professional magazine “Abajour”;
- g) Widening of information on educational opportunities as well as implementation of educational programs for journalists with the aim of increasing their professional skills;
- h) Preparation and publication of teaching materials for young journalists.

7. Legal Protection of Journalists and Media

In view of the current trends in the Belarusian media situation the role of the Centre for Legal Protection should be increased. First of all the talk is of international legal campaigning in favour of persecuted independent journalists and newspapers as well as against numerous violations of freedom of expression⁵ in Belarus.

Conclusions

The growing oppression by the regime of the freedom of expression does not leave any doubt that the victorious scenario is the only planned option for Lukashenka at 2006 presidential election. And any other alternative political forces remaining without access to media are and will be in an extremely disadvantaged situation.

Thus, a shift of attention and aid by international structures and sponsoring organisations has to be made towards the development of alternative media and to both in-country and international campaigning in favour of freedom of expression in Belarus. While supporting different NGOs a strong communicative and free information dissemination approach to their activity would be also useful.

There is no doubt that the destruction by the authorities of remaining independent newspapers will be conducive to a disintegration of independent journalists' community in Belarus. Journalists, however, cannot but exercise their profession. Support of alternative media solves this problem.

Diversity in approach to the current Belarusian situation, strong two-sided expertise and continuous support, even if it is not so

⁵ The chronicle of violations may be found at <http://www.baj.ru/Vybar04/choice04.asp>

much substantial, will allow creating feedback and a realistic view of transformation perspectives for the Belarusian society, which was not the reality in the past.

To open new ways of cooperation between Belarusian media, NGOs and international sponsoring organisations a critical review of the former approaches, strategies and experience is also needed.

IV. Post-conflict and Fragile States

HONORE NDOUMBE NKOTTO

Media Role in Promoting Democracy in West and Central African Countries

Introduction



James Madison warned more than two centuries ago, "A popular government without popular information or the means of acquiring it is but a prologue to a farce or a tragedy or perhaps both. Knowledge will forever govern ignorance, and a people who mean to be their own governors must arm themselves with the power knowledge gives." Madison wrote those words in the first years of the 19th century, but they still ring true in the first years of the 21st

In general, what are the ways in which media could contribute to democracy and democratization?

Free media is essential to democracy, and media should communicate objective information particularly in the political arena; this will enable citizens to participate in public political life; media should be a means of expression for a full range of political interests and viewpoints, and should act as a watchdog against abuse of power by public authorities; they can also serve as a conduit for information coming from non-political and civil society groups including NGOs.

According to World Bank, free media play three crucial roles in democratic governance:

- act as a civic forum and give voice to different parts of the society;
- as a mobilising agent, facilitate civic engagement among all sectors;
- as a watchdog, check abuses of power and increase government transparency.

African states now want to be called states of guaranteed human rights. Transition towards democracy implies that everybody should have access to an independent, impartial and pertinent information, in a language he can understand, and in a form which gives him the possibility to objectively appreciate the reality of the world in which he lives.

But more precisely, what is the current situation in west and central Africa?

Media Situation in Central and West Africa

The democratisation process in west and central Africa can be said to be at the stage of electoral democracy. In most cases, radios and televisions are still in the hands of the governments, which use them as propaganda tools. But at the same time, there is a relatively important development of radios and televisions, and Internet.

The African landscape has witnessed a real boom: In West Africa, radio stations number has gone from around forty in 1993 to 426 in January 2001. But what seems more interesting is their diversity. The number of company radios is now higher than that of community radios, and the number of radios outside capitals is higher than that of urban radios. The main characteristic of those new radio stations is their being local and their closeness to people. Most of them operate in FM. Of course, the impact is real, and

those stations created a space to those who didn't have the possibility to be heard (youth, children, women) and on taboo topics (as sexual affairs), instored unusual debates (elected ones and their electorate), forged or revealed new talents or competences, mobilized solidarity chains and new social engagements.

Thus, those radios appear to be an exceptional cultural phenomenon, able to generate unexpected social dynamics, playing a key role for change and development.

However, this idyllic scheme must be tempered for the following reasons:

- The pertinence, utility, social impact, quality of broadcasted programs appear to be weak;
The qualification of radio animators is generally low; however the School of Journalism in Cameroon, created more than 20 years now, produces good quality professionals. Their main problem currently is the difficult access to employment, due to economic morosity, or difficulty to create a viable press organ.
- Geographical disequilibria and poor economic viability in most cases can also be mentioned.

In Central Africa, media systems are relatively small urban phenomena, while the majority of the population in African countries lives in the rural areas. And even in the urban areas, the penetration and availability of the media is not uniform. Circulation of, for example, daily newspapers is very small.

Access to media channels and messages depends not only on the existence of channels, but also on their effective distribution, accessibility and affordability. Here, most media operations are normally concentrated in major cities and cover very few issues related to rural and underprivileged people. Diversity or pluralism has become more and more part of how human communities

live. And yet, national news media have lagged behind in the projection and reflection of this diversity.

But generally, freedom of the Press is still a debatable issue.

According to RSF (Reporters Sans Frontiers), Eritrea, Zimbabwe, Ivory Coast and Democratic Republic of Congo remain the four African countries where it is most difficult to be a journalist. But some less mediatized countries are not really better, as far as disturbing journalists exercising their work is concerned. That is: Cameroon, Djibouti, Gabon, Guinea-Conakry, Equatorial Guinea, Lesotho, Mauritania, Rwanda, Seychelles, Sudan, Swaziland, Zanzibar Island.

One can also note more or less epidemic and sporadic reactions against media in countries like Congo-Brazzaville, Ethiopia, Kenya, Niger, Uganda, Sierra-Leone, Chad, and Zambia.

While they are not yet peace havens, Angola, Burundi, and Liberia are no more graveyards for journalists and for press freedom. Press offences have been depenalized in Central African Republic and Togo.

Only a few African countries really enjoy press freedom: South Africa, Botswana and Namibia, closely followed by Benin, Cap-Vert, and Mali.

Several initiatives have been introduced to promote democracy in Central and West Africa. Unfortunately the results were not the same, depending on the region or even the country concerned.

Initiatives have emerged in almost every country. In Cameroon, "Le Messenger" stands as a good example, in the field of general information of the public or awareness.

Founded in 1979, Le Messenger, a press group was and is still at the heart of the quest for democracy in Cameroon. The group celebrated its 20th birthday on November 17th, 1999; a 20-year's coverage of an essential period of the emerging democratic Cam-

eroon. The topics addressed by the daily newspaper are varied: politics, economics, decentralization, etc.

An example of direct support of "oppositional media" and networking is given through the 100.000 signatures campaign launched since May 3rd 2004, the World Press Freedom Day, by the Central African Press Publishers' Union (CAPPU) and the Central African Media Organisation (CAMO), in Bujumbura, in favour of Freedom FM, the Cameroonian Le Messenger Press Group's broadcasting station.

The campaign aimed to obtain from the Cameroonian authorities "the liberation of Freedom FM, the dismissal of the judiciary procedures against its promoters and the restitution of its equipment".

According to the press release, on the 23rd May 2003, elements of the police, of the gendarmerie (military branch entrusted with civil missions of Law and Order) and soldiers made a brutal landing on the premises of Freedom FM, Le Messenger Multimedia Group's broadcasting station, whose first broadcast was scheduled for the next day. After having threatened to ransack the equipment in case of any resistance from the station's executives and employees, the disciplined forces sealed off the studios and transmitters. The Communication Minister banning Freedom FM presented this putting on of seals as the practical application of a decree passed that same day.

Since then this radio station's promoters have petitioned the authorities requesting them to lift the ban and remove the seals, unfortunately to no avail. A judicial review of the ministerial decision also failed, the court ruling that it was incompetent to order the equipment's restitution. The prejudice caused to Le Messenger Group is aggravated due to the fact that the seals were put on when the premises water-proofing had not yet been completed; the equipments have consequently been submitted for one year to rain and bad weather, in a city such as Douala which is particu-

larly humid. At the end of the day the equipment could be irrecoverably damaged.

Journalists organise themselves in networks and try to positively influence their working conditions: On 21 April 2003 in Hilton Hotel Yaounde, the Cameroonian Union of Journalists (UJC) organised in collaboration with Panos Institute Paris, a roundtable gathering the National Syndicate of Cameroonian Journalists, the Central Africa Press Editors Union, UJC and the Representative of the Communication Minister, Mr ZOGO, in the presence of about fifty journalists. The issue was about the public aids given by the government for a total of 150 millions FCFA (230,000 euros). While it was strongly emphasised the necessity for a State support to medias, the minister's representative was questioned by several press leaders on the sharing keys of that ever first support to medias. Cameroon by then was the only Central African country where indirect support to media was provided in the form of non- or reduced taxation of certain imported materials. The State decided that computer and numerical equipment would pay no custom duty.

Medias themselves express their determination to fight for the press freedom and for the public to be informed. In December 2002 in Kinshasa, the Central Africa Media Organisation was formed (OMAC), giving itself as priority to compact press freedom attempts in the region. The putting up of a regional quick warning was given in February 2003 to the Congolese NGO "Journalists en Danger".

Several other examples can be given, on training initiatives or media legislation efforts, but it may be interesting to understand what brings in differences in results among the various countries.

As a matter of fact, while one can number ten private radio stations in Chad, one hundred are recorded in Mali. The two countries are rather similar in several points: almost the same surface (a bit more than 1,200,000 km²), no access to the sea, French colonization and long period of military dictatorship after inde-

pendence in the sixties, among the poorest countries in the world. So how to explain such a big difference in radio proliferation?

According to Gilbert Maoundonodji, Director of FM LIBERTE, the second independent radio station in Chad and created in 1999, "collective action, values of freedom, tolerance and democracy, aren't yet totally integrated by the governants. This creates a blockage and prevents all types of initiatives".

Meaning that the political context reflects on the radio. Mali, which organised its first free elections in 1992, while providing itself with democratic institutions functioning rather well, had its first private radio in March 1991: Radio Bamakan. Then came a myriad of stations: Radio Liberté, Radio Kayira, Kledu FM, etc.

On the other hand, Chad in early 1993 was satisfied with a fake national conference, which only reinforced the President's power. There, even the confessional radio stations have it difficult to function. The first catholic radio station, "la voix du paysan" was launched in 1996. The first non-confessional station, DJA FM, came to existence only three years later. To this, one can add FM LIBERTE, RADIO BRAKOS, and a few others.

The Chadian case is emblematic of central African countries situation, even though they seemed to be relatively advanced as compared to West African countries when Africa No 1, the very first and unique pan African radio was created in 1980. But since democratisation process of the African states in the nineties, West Africa witnessed a very strong expansion of independent radios, bringing their number to more than 400, while the private investments in the audiovisual sector were lagging behind in the central part of the continent, which today is ten years backwards, mainly because of chronic political instability. Most of those countries are subject to residual armed conflicts spots, or are under effective war.

In the East of DRC, for example, the few existing stations prior to the war (August 1998) were confiscated by rebels. The Muungano

radio transmitter, carried away for "repairs" in Uganda, never came back.

Where there is no formal war, like in Equatorial Guinea, Gabon or Cameroon, media pluralism is threatened by other means, mostly institutional. In a press release, Eyoun Ngangue, a Cameroonian journalist, made it clear that since 1990 and the adoption of the audiovisual freedom law, Cameroon government found all sorts of subterfuges to prevent the emergence of private stations, apart from rural ad community radios sponsored by UNESCO or Francophone Agency.

The authorities multiplied administrative complications, imposed very short application time (4 months), and requested very high amounts of money to issue exploitation licenses (around 15,000 euros in a country where the average salary of a civil servant is around 130 euros). Most projects were in this way disqualified.

Also in Central Africa, firms, afraid of having problems, avoid to send their publicity on private medias considered as opponents to the power in place. Competition within private and public sectors develops also at the purse level.

While it is true that the medias role is crucial to reinforce populations in playing their role of citizens, it appears equally important for those medias to be supported, in order for them to develop. The role of international community is essential to influence governments of the south, which otherwise have become very good in permitting the noise, while remaining with no reaction to the demands.

Role of External Support to Medias

The IPDC is the only multilateral forum in the UN system designed to mobilize the international community to discuss and promote media development in developing countries. It was established in 1980 following a proposal made by the United States of America to mobilize voluntary contributions from industrial-

ized countries to support media development in the developing countries.

Since its inception IPDC has channelled US\$ 92 million to more than 1100 media development projects in 135 developing countries.

African medias, emerging from the end of states monopolies of information, received the support of organisations like Panos Institute, which favoured both the mobilization and closeness of various media actors, public debates, production and the broadcasting or distribution of papers and programs.

African citizens in most cases ignore or are poorly informed on action and role of the public authorities. This explains their relatively low capacity to question them, criticise, control and correct them. Medias, by revealing power abuses and corruption are already contributing, but this role can be amplified. Control of public authority action is therefore one key aspect where African medias need assistance.

It is also crucial to reinforce information production on human rights (civil and political rights, women rights, minorities' rights including diasporas and refugees).

African media are like having a suspended sentence, and at any time the public authorities can act, putting a term to the media work. At the same time, and above the economic and political pressure, press freedom, mostly in Central Africa, lacks legal frameworks. This can lead in some countries to poor functioning of the so-called communication councils, and consequently to a situation of several stations operating illegally, in precarious conditions.

PHAN SOPHEAP

Cambodian Media: the development after 1993

Introduction



Cambodia's media sector is relatively young and inexperienced compared with that of more developed and the rich countries both in the region and the world. This is due mainly to the country's successive, rapid changes of political regimes since the 1950s. These changes have placed Cambodia under five different political leaderships: the Sangkumreash Nihjum regime led by the then Prince Norodom Sihanouk, the Khmer Republic regime led by General Lon Nol, the Democratic Kampuchea government under the genocidal leader Pol Pot, the State of Cambodia regime of Prime Minister Hun Sen, and the current Cambodian democracy resulting from the elections sponsored by the UN in 1993. The characteristics, operation, and the development of our media sector have varied according to each political leadership. However, Cambodia's media sector improved remarkably after the first elections of 1993, shifting from total government control to becoming a free and democratic media as guaranteed by Cambodia's 1993 Constitution.

This paper aims to present three major points concerning the development of Cambodian media since the main, conflicting political parties united to form a democratic Cambodia in 1993. First, I am going to draw your attention to the major achievements or positive developments, so as to show how far the sector has marched, serving the needs of our socio-economic develop-

ment. Second, I will discuss the negative scenarios facing Cambodian media professionals in their attempts to bring about media transparency, effectiveness, and professionalism. The drawing on both aforementioned points, I will conclude by proposing what could be done to further improve the sector.

A New Change

Parallel to our process of democratisation, Cambodian media has been mushrooming with impetus from the private sector making possible rapid changes in the media sector- initially in quantity and gradually in quality. With guarantees of citizens' rights to freedom of expression and freedom of press in the 1993 democratic Constitution, Cambodia now seems to enjoy a more open press, which in fact is unprecedented in our history. Numerous local and international, privately-owned media businesses, especially print and broadcast media have been established to keep people better informed of what is happening both inside and outside the country. The media has started talking more openly about corruption and social concerns. As part of its development, Cambodia at present has 19 radio stations, 9 TV stations, 2 Cable TV stations, 190 Khmer language newspapers, 22 bulletins, 45 magazines, 38 foreign press agencies, and nearly 100 printing companies. Over the years, many of these press organizations and agencies have not only helped promote democracy in the country, but have also endeavoured to maintain a culture of democracy. We can therefore argue that today Cambodian press enjoys greater freedom of expression than ever before.

According to the latest report by Reporters Without Borders and the Worldwide Press Index (2004), Cambodia ranks 109th among some 167 countries when press freedom is surveyed. Its standing is good in the ASEAN region. It is better than the Philippines (111th), Indonesia (117th), Malaysia (122nd), Laos (153rd), Vietnam (161st), Burma (165th). Although Cambodia needs to continue to improve its media practices, this ranking shows that

young, democratic Cambodia fared better than Singapore (147th) and has nearly caught up with Thailand, even though both have more developed and stable economies and political environment, more educated populations, and longer experiences of democracy.

Apart from its effort to provide people with more freedom to access information and to do business in media, the current Cambodian government also supports the establishment of academic programs in journalism at the university level. As a result, a Bachelor degree program in media studies was established in 2001. This program is the first of its kind in Cambodia's history.

I think this is a positive achievement for a young media sector like Cambodia's. Therefore, I would like to talk a little about this school before I move to the next point about the difficulties and challenges.

The Department of Media and Communication of the Royal University of Phnom Penh is the only media training institution in Cambodia. Established to respond to the urgent need for qualified media professionals in the Kingdom, the Department was officially opened on January 14, 2002, by Samdech HUN SEN, the Cambodian Prime Minister. The core mission statements of the Department are to prepare students to be effective users and practitioners of the mass media and to foster a free, pluralistic and accountable media in Cambodia by forming journalists who are effective, creative, ethical, critical, users and practitioners of the mass media. This Department was set up with spiritual, material, and financial support from the government, people of Germany through the Konrad Adenauer Foundation, and the German Academic Exchange Service (DAAD). This invaluable support shows generous care and attention of the government and people of Germany to less-developed countries like Cambodia which have just emerged from civil war, and a genocidal regime, and which needs urgent assistance to reconstruct itself. Cambodians will never forget such priceless support.

The Department of Media and Communication is playing a very important role in qualifying prospective media practitioners and in improving the image of Cambodia's media. This is the first Bachelor's program of Media Management ever offered in Cambodian history. We select 25 students each year through stringent national exams. Our program uses English as the medium of instruction, starting with a foundation year of general knowledge, followed by a year focused on print media, and then two years devoted to electronic media production. We now have a total of 80 students in four-year program. Our first graduating class just completed their final exams last week. These students expected to receive their degrees this August. Even though we have not had any graduates yet, our students have already become well known among media institutions for the quality of their work, which was demonstrated during their internship programs. As a result, they are already sought after by media organizations in the Kingdom. So we do believe that through our media education program these young people will surely be able to meaningfully contribute to further strengthening the Cambodian media and journalism profession.

Despite all this development, problems remain.

Many practicing Cambodian media professionals who are attempting to play a very important role in society do not possess the professional skills required for their career. Media managers, who are supposed to give their staff proper training to do their jobs effectively, do not have a degree in media or other related specializations. Lacking these skills, many of them tend to make a great deal of mistakes. This can harm the populace and undermine the interests of the country. These people learn by doing and by observing. Although they are able to retain their jobs, the quality of their work has not yet met satisfactory standards. Blatant biases may be caused by the lack of education in professions and lack of critical thinking. The lacks of education, professional training, or creative thinking leads media practitioners to work

unprofessionally and to slow down the real development of the media professionalism. The hindrance of real development may be due to the fact that these people are unable to keep themselves posted on what is going on in the outside world and unable to adopt the changes of the external environment. Keeping updated with the external environment changes is truly vital for all media practitioners, especially for decision makers.

In addition, inadequate qualified staff is one of the main factors causing problems to the administration, since the responsibilities and duties of personnel are not appropriately delegated. Some personnel have too many responsibilities whereas others have too few. Overlapping of the personnel's responsibilities leads to the hindrance of good program production and other working processes. As the old saying goes, "Too many cooks spoil the broth!" At the same time, some unskilled and unproductive staff members remain employed even though they do not contribute as much as expected to their organizations.

The traditional authoritarian leadership style used in Cambodian media is seen to be impractical for the improvement of the field. Cambodia was ruled by Socialist regimes for decades; thus its media was totally under the strict control of the government. Centralization and bureaucracy are still practiced in almost all media institutions, since a majority of media directors and managers were media practitioners in the Socialist regimes and are using the Socialist working system. Therefore, their experience has locked their mind into this system, which leads to inertia. As the result of this leadership style, Cambodian media is regarded as uncreative. According to Covington (1999), creativity cannot only sustain the existing media, but can also engender increased profitability and audience size. Since the Cambodian media staff is uncreative, some productions do not meet the public satisfaction criteria. For example, in the broadcasting sector program content is adopted from those of other countries, which sometimes do not work for Cambodian society.

Shortage of finance hinders the development of every Cambodian media sub sector. It is like the so-called “chicken and egg theory.” Because of a shortage of money, the sectors are unable to employ skilled professionals. As a result they produce poor quality work, which attracts neither audience nor advertisers, who are the financial sources of all the media work. For instance, most Cambodian radio stations broadcast news published in daily newspapers instead of producing the program themselves. These journalists do not only copy newspaper news but also do they not “speak” the language required in broadcast media to communicate effectively with their audience. Language for radio has to be shorter, sharper, and stronger than for newspaper journalism. Newspaper information is too difficult to understand on radio. Moreover, low-paid media practitioners may accept bribes.

Then there is problem of outdated equipment that everyone in the industry has to put up with, and which has limited the reach of the work to only the capital city and its surrounding areas.

Media law, which is believed to help regulates media operation, is not only improperly enforced, but is also thought to be a means used by the government to intimidate media practitioners and censor the media. Since media law was enacted in 1994, the law has still been controversial. Since the law was passed, several media practitioners have been jailed or threatened. Furthermore, absence of copyright law also negatively affects professionalism. Copyright law is still being processed and will be passed soon. Without copyright law, media practitioners, program producers and others may not be motivated to produce good programs.

Some media organizations are blatantly politicized and do not present factual information in an unbiased and impartial way. Critics of the sector have also noted the lopsidedness of the present broadcasting and printing content, which has been very heavy on entertainment. On Cambodian radios, important social issues such as education and agriculture take up less than 100 hours a week while the entertainment fare eats up about 800 hours per week. Critics say radio is especially guilty of ignoring

the needs of its audience and paying attention only to the commercial value of its offerings. They say even quality has been left by the wayside, as shows that have shoddy production are being aired. This may make the audience soon begin to tune out.

The fact that Cambodia's media sector, especially radio and television broadcasting, is still below expected standards is now posing a big challenge for the overall Cambodian development plan. Improvements are required before they can hope to truly fulfill their responsibilities to the public.

The Press Law

The government argues that the Cambodians have the courage to commit themselves to democratic pluralism and the respect for human rights as unmistakably enshrined in the constitution. It says Cambodia simply cannot afford to let inexperienced and irresponsible press to undermine or destroy through abusive language or unfounded allegations the institutions that are all depositories of these values. The current press law, the government claims, adequately guarantees fundamental freedom of expression. There is no censorship, and all sources of information are protected. The government also emphasizes that while this law provides no criminal charges for expression of opinion, it must be remembered that journalists are also citizens. As citizens, says the government, they will face criminal charges in defamatory cases, or when they commit other crimes.

But there are those who are not impressed with the government's arguments. They even say that the law is, to a large extent, vague, controversial, and illogical. It is also unconstitutional, say the law's critics, since it allows the government to accuse any media practitioner of whatever it sees fit. The law thus puts more pressure on the media to toe the government line, and many believe it has just become harder for journalists to publish or broadcast anything critical of the government or that touches on a controversial issue now that there seems to be a threat of criminal

charges hanging over their heads. Not surprisingly, journalists have demanded that all criminal penalties be deleted in the press law, arguing that no one should be jailed for the words that they write or say.

It is a debate that may take time to settle. One can only hope that the result would be more voices heard across Cambodia.

The way forward

All in all, it is expected Cambodia's media will play a crucial role in helping to shape and develop its' society, following this media education initiative and through the joint effort of local media practitioners. Moreover, it is anticipated that the media education program will place Cambodian media on par with regional and world media in the future.

- Promote understanding of the importance of the media and its role in a modern, vibrant and democratic Cambodia;
- Impunity must end; all serious cases of attacks against the media must be investigated in good faith and the perpetrators brought to justice in accordance to due process;
- Establish a professional code of conduct for the media, and possibly a statutory media council to regulate the media for example complaints against the media for untrue reporting, censorship or unequal access;
- Enact a freedom of information law to end the undemocratic culture of unnecessary secrecy and bureaucracy.

YUBARAJ GHIMIRE

Promoting Democracy as the Central Task of the Media in Nepal



Bringing the country back to the rail of democracy and development is something that Nepalese sincerely want. But the question that has been defying answer is: Is it possible in the present context? King Gyanendra has assumed all powers and headed the council of ministers himself since February 1, 2005. His advisors, mostly with army background, and cronies, do not get tired telling the world that

only the king can save this country, but do not quite know how?

Maoists continue to raise arms against the state. And the ten-year-old insurgency has resulted in the loss of more than 12,000 people. The country loses at least six citizens a day in the conflict while thousands feel compelled to flee Nepal for safety and livelihood. Thousands have been rendered disabled. At least 500 children have lost their lives too, while children in thousands have been uprooted from their home. We fear the number of children deprived, displaced or orphaned would soar if the conflict is not checked. It would be a dreadful scenario to think how Nepal would be like in coming twenty years when this group grows into a full-fledged citizen's category in the country.

Pro-democracy political parties constitute the vast middle space, but have been facing the wrath of the state as well as the Maoists. "There is no military solution to the conflict in Nepal, every one – from international donors to the senior army officials – have been saying this. But in practice what one sees now is a

clash between the military led security forces on one side, and the Maoist guerrillas on the other.

The Royal Nepal army with about 78,000 strength now, is rapidly growing in size especially during the past couple of years. The RNA now wants 18 billion Rupees – an all time high budget – that will enable it to carry on the modernization campaign as well as recruitment of 13,000 fresh soldiers. The king, especially after his takeover, has included retired army officials in key constitutional bodies as well as diplomatic missions. There is apprehension that he banked more on the strength of the army than his own popularity while taking over. He has said he would restore peace and democracy in three years, effective from February 1, 2005.

On the other hand, insurgents with about 8 to 10 thousand trained guerrillas have been conscripting children and able bodied rural folks into what they call the People's Liberation Army (PLA) with an avowed objective to turn Nepal into a republican state, rooting out the 237- year old monarchical system.

Three way conflict:

King's take-over has a background of bitter conflict between him and the political parties who suspected that the king was politically ambitious, and that he was not happy with his role as a constitutional monarch. In October 2002, he sacked Prime Minister Sher Bahadur Deuba, and started appointing and firing Prime Ministers at will. Ultimately, on February 1, he declared himself the Prime Minister and appointed a council of ministers that will serve him at his pleasure.

The King's regime has brought about massive changes in the bureaucracy and directly appointed administrators at top level injecting fear that he wants a bureaucracy as pliable as the council of ministers. He has made his 'dislike' borderlining hatred for the political parties clear both at domestic and international forum. He has however, been reiterating that he is fully committed to system of multi-party democracy and constitutional monarchy.

His actions however, speak otherwise. With the proclamation of royal takeover, first thing he did was to suspend civil and fundamental rights, cripple political parties, and try to silence media into submission through censorship. The state has brazenly interfered in the independence and fairness of judicial system, and there are dangerous signs of executive inching to control judiciary.

The Royal Commission on Corruption appointed by the king ostensibly to 'try corruption in high places' is one such example. The commission, which is headed by a former chief of the Government's Intelligence Department, and has a retired army and police officials as member, have been given sweeping powers to investigate, prosecute and pronounce judicial verdict. For any critical write-up or comment in the media, the commission possesses the right to fine up to Rs 10,000 order imprisonment for six months or both. As anticipated, the commission indicted Sher Bahadur Deuba, a former Prime Minister for corruption in a multi-million dollar drinking water project and awarded him and Prakash Man Singh, a minister under him three years imprisonment and Rs 370 million (1 US-Dollar equals to 70 Rupees nepali) as fine. Deuba and Singh consistently refused to cooperate with the commission saying it's not only unconstitutional, but also the government's arm of vengeance and vendetta against politicians. The way this trial was conducted has earned hostile reaction and disapproval from international human right groups, donors and international community including the United Nations.

The king, perturbed by international criticism, dropped in the last minute his scheduled visit to New York to participate in the 60th United Nations General Assembly in September. He seemed to be in a half-hearted move to patch-up with the international community whose support is so vital for Nepal's survival and progress. On the 8th month of his direct rule, although the king declared that he would hold elections to parliament by mid April 2007 that would bring the constitutional process back in rail, he simultaneously brought out an ordinance that in effect would

mean stringent punishment – both imprisonment and fine – against editors, journalists and publishers for any thing considered 'negative' against the king and his heir. Political parties have decided to boycott the poll saying “the king only wants to legitimise his role by conducting a sham election”. And the media has decided to move the Supreme Court seeking that the ordinance it promulgated to curb media freedom be stuck off.

Media in the forefront of opposition:

As soon as the state of emergency was imposed in February restrictive orders were issued against media – which meant massive curb on the press freedom guaranteed by the constitution – media started defying those orders. Security forces were deployed in almost all the media offices – both electronic and the print. The Government literally forced all the 56 FM stations to stop airing news and current affairs program across the country. As a result, nearly 2000 employees, mostly journalists have lost their jobs. The Government has also brought out a new policy to stop official ads to the media, which do not support the royal move of February 1. Nepali media was in the forefront of opposing the royal move as it realized that freedom of the press and democracy were synonymous and one could not function and flourish without another. Before we go deep into the role of the media, it will be appropriate to delve into the role of international community, king, Maoists, judiciary and the civil society in the present context. Taking a cue from this, the bar has now come out in the open and leading movement for restoration of democracy. It has also started raising the question of constitutionality of what the king did on February 1.

International community:

It seems quite divided on how to respond to the situation that Nepal is in today. Is it already a failed or a failing nation? Or is it a

fragile state? What should be the basis of their continued support to or withdrawal from Nepal?

China, Pakistan, Cuba and some Middle East countries supported the king's move instantly. But the bulk of the democratic world – India, EU, USA – all called it a setback to democracy, and asked the king to immediately revert back to democracy. Not only that the stalemate continues, the crisis is getting deeper each day.

India, UK and US have suspended regular supply of lethal arms to the Royal Nepal Army so far ignoring the king's inference. It is for the international community to decide – whether they want to support 'terrorists' (meaning Maoists) or those advocating peace (king). In fact, in the fast polarizing politics, even pro-democracy political parties have been appealing to the international community not to supply arms to the RNA 'working for a regime that is not legitimate'.

Although the international community, which had been supporting many programmes for transparency, good governance and grass root democracy, were not quite happy with the political parties in the past few years on the plea that their commitment and actions did not quite match, the royal takeover came as a shock, and in total detriment to the cause that they were supporting in a limited scale. Some of them even fear that the government is launching wilful and deliberate persecution of political rivals by framing up non-conformist political leaders beginning with sacked Prime Minister Deuba.

UN Secretary General Kofi Annan almost represented the pro-democracy international opinion when he said, "I want to see constitutional democracy in Nepal. I think it is important that political parties are allowed to resume their activities as we have agreed during our (with the king) discussion". This was in his brief talk to the media following his meeting with King Gyanendra in Jakarta on the sides of the Afro-Asian summit. This coincided with a meaningful initiative that major donor agencies working in Nepal took: that violence, abduction, torture and other threats

are not acceptable and the assistance will not be used for military, political and communal purpose. This was basically a warning to the Maoists as well as the state whose growing dependency on the RNA even in execution of development activities was visible. The chief donor agencies included CIDA, DANIDA, DFID, EU, GTZ, JICA, SNV, Swiss Development Mission, and Norwegian Mission for Development besides the Embassy of Finland. These agencies have said they would continue with the humanitarian assistance in the country.

But in a marked difference from this stance, the US government, which has been providing training and other assistance to the RNA and supplying arms for the past few years, initially took the stand that insurgency was the biggest threat to the fragile society and the state should be strengthened at the moment. For that cause, even a tactical support to the king was one option it was considering. But it all changed when the king failed to trudge along the road to democracy, which he had promised to the US that he would only need 100 days from the day he took over. The US waited for six months, and disappointed, its ambassador in Kathmandu James Moriarty said in July that the king was not true to what he had said.

While the international community is reviewing its earlier stand and rallying in favor of democracy, media, by and large has been warning international agencies that even a limited support to the king's regime in the present form would be an act against democracy.

Judiciary:

Is judiciary actually independent and free? In fact, the quality of justice is not so much an issue of debate here. But occasional defiance of the judiciary by the executive, and judiciary's helplessness to act decisively has brought about an erosion in the image of the judicial system. The question it raises is: can such a judi-

ary be called independent? Is the principle of separation of judiciary and executive being practiced in real sense?

In about a dozen cases since February 1, the security forces re-arrested political activists, whose release had been ordered by the court. But Media pressure, their criticism of the helplessness exhibited by the judiciary have forced the Supreme Court to take much bolder stance on the issue of habeas corpus. In the past two months, around 150 political activists and leaders have been released following the Supreme Court directives, and the frequency of security personnel re-arresting the released ones has dramatically fallen. In fact, the bar and the media associations have gone hand in hand, taking the lead, in their demand for restoration of democracy.

Civil Society:

The civil society as an integral and supplementary organ of democracy has not yet taken concrete shape in Nepal. The civil society groups are divided on political lines affiliated to one or the other political parties. As a system their long-term role has not yet been defined.

The intensity of violence, intolerance and killing of civilians by the Maoists has further injected fear and terror in the society in a scale that effective functioning of the civil society has suffered a lot. As a result, the natural cause that civil societies are expected to promote – human rights, good governance and transparency campaign, conservation, literacy – all have suffered leaving all these issues in the government domain. As violence has escalated in more than 3/4th of the total area of the country and Government has withdrawn from many places, it's only natural that all these above mentioned issues or cause have suffered.

And nothing has happened so far to retrieve the situation. Normalcy cannot be restored unless the three players and causes of the present crisis – king, political parties, and the Maoists – come together to resolve the problem.

On June 20, Maoists supremo Prachanda issued a statement asking his PLA for total halt on the killing of unarmed people, a practice that Maoists have indulged in during the past ten years. The official estimate indicates that at least 12,000 lives have been lost in the conflict, with the daily murder rate in the country going up to six. He has also said he is willing to cooperate with the 7 democratic parties if they are willing to have a constituent assembly elected in order to draft a new constitution. The New polarization, if pitted against the king, would pose a new threat to the monarchy.

The king who seems to be on the way to be an active or absolute monarchy after February 1 has been surrounded with a set of rootless coterie, and how he responds to the new political development would be determined by his ability (or lack of it) to sense the growing frustration of the people with the monarchy. His direct rule so far has brought the country almost to the brink of economic collapse, where as it has not enhanced the sense of security among the ordinary citizens.

There is no doubt that people had started demonstrating their frustration with the political parties for lack of delivery when they were in power during 1991-2002 periods. Although development index, construction of physical infrastructures, achievement in the health and education sector, growth in average life expectancy, fall in child mortality rate etc indicate that democracy has proved to be an effective political system compared to the preceding 30 years of king's absolute regime, it did not quite match the unchecked, and at times, unrealistic expectation of the people. First the Maoists, and then the king exploited this disparity between the expectation (of the people) and the actual delivery as a failure of democracy.

Media – its central task:

It would be difficult to generalize the priorities, commitment and stance of media as a whole. There are roughly three categories of

the media: private owned print and electronic, government owned print and electronic, and the FM services largely run on community basis.

The government owned ones in the present context works as mouth piece of the king's regime deriding political parties where as the government has stopped the news and current affairs programmes being run by the FM radio.

The only section of the media that is, in principle demanding, at times working in an activist style, is the private sector media. Beginning with the Samay magazine, private sector media generally opposed royal takeover, and subsequent suspension of the civil liberties, press freedom and political activities. In fact, it was initially only the media that started mobilizing public opinion in favour of democracy in the country. They printed and broadcast the international opinion that was largely critical of the king's move although doing so was prohibited under the Royal Government's executive order which is still 'in force' even after the three month spell of the state of emergency was lifted on April 29.

However, I need to clarify here that Nepalese media, largely the political tabloids, have not always acted with responsibility. Some of them have taken partisan view against multi-party system of democracy ever since it was introduced in 1990. In fact, many such tabloids which acted as the media-arm of the regime during the pre-1990 absolute monarchy era are still in operation and they are not happy with the challenge to the 'monopoly' in terms of access to power they once enjoyed. These tabloids even today are supporting the Royal takeover. As they came from some of the elites families during the previous Royal regime, even democratic countries and their embassies recognized them as the 'voice of the society'. Some of those tabloids even toe the opinion that occasionally appears in the government controlled newspapers – rising Nepal and Gorkhapatra – to the effect that democracy means a system in which country's sovereignty and freedom are compromised, and that the country is run more by big countries in neighbourhood than by the free will of the people.

But the mainstream media, which has flourished and marched fast in a professional manner during the past 14 years enjoying and exercising the freedom guaranteed by the constitution, have all through taken critical view of the political parties as well as the king's regime. This of course involves lot of risk, as both the Maoist insurgents as well as the present regime are not at all tolerant about the criticism. The fact that more than 12 journalists have lost their lives, mostly in the hands of the Maoists, during the past three years, and many more harassed is a proof of this.

Media has highlighted lack of democracy and violation of human rights on both sides. They have encouraged the government and the Maoists on one hand, and the king and the political parties on the other to explore negotiated settlement to the conflict and political crisis. Moreover, they also exposed the corruption in high places always.

In fact, this bold initiative of the mainstream media in Nepal has also brought it closer to the international community, which has been advising the three sides in Nepal to sit for a dialogue. The political crisis has also affected the development sector as large part of the budget earmarked for development is being diverted to security and the situation is gradually bringing the security forces, mainly the Royal Nepal Army, to centre stage of governance.

Media is highlighting this and many other trends, which could prove detrimental to the effective and easy restoration of democracy. And it involves lot of risks. Nepal's media is facing a situation that is unique to itself, and the challenge and responsibility bestowed on it at the moment are vast, different from that in Germany or major democracy elsewhere. Nevertheless, the media in these democracies remain an ideal inspiration for us in Nepal today because we know democracy and free as well as responsible media cannot survive without each other.

V. Statements

WORKING GROUP 1:

Defective Democracies

1. **A comparative analysis of the current media situation** in Peru, Venezuela and Moldova gave an insight into the main differences and similarities of the three countries:

There are significant differences regarding the **legal environment**:

- The Peruvian 2004 Radio and TV Law is an example of a mainly equilibrated media legislation.



- The Venezuelan 2004 Law of Social Responsibility in the Media acts as censorship, as it defines obligations, but not rights, of the media. The changes in Criminal Law have the same effect, as they protect public servants by punishing “conspiracy in the media”.
- Moldova has a broad variety of laws which negatively influence press freedom: the Audiovisual Law, the Press Law, the Law on Access to Information, the Civil, Criminal and Administrative Codes and the Law on State Secrets.

The media face severe **economic problems** in all three countries:

- The media mainly struggle for economic survival: e.g. 2000 radio stations in Peru or 5 national and 26 local TV stations in Moldova (for a population of only 3 Mio.)
- The struggle for survival favours corruption and self-censorship.
- The state is a central advertiser (Peru) or even the main advertiser (Venezuela), and therefore also influences the contents, which leads to self-censorship.

The **journalistic quality** is far from being satisfactory in the three countries:

- The media compete for audiences but not for journalistic quality.
- The media do not promote citizens’ participation in public affairs.
- Non-commercial and public media copy the style of commercial media outlets.
- The journalists face poor working conditions (no time for research etc.).

2. Four main **intervention strategies** have been identified to face these limitations:

Media Legislation Initiatives including

- Development of models for equilibrated media laws and transparent mechanisms for media regulation and frequency allocation
- Lobbying and Campaigning (Journalists Associations, NGOs)

Journalistic Training including

- Revision of University Curricula (“teaching and practising democratic values”, positive examples of Cambodia and Mozambique starting from scratch)
- Certification/Benchmarking/Quality Control of University Journalism Courses (400,000 university students in Latin America, but only about 192,000 jobs)
- No isolated training activities but integration of training into long-term strategies
- Training in specific areas, e.g. parliamentary journalism, court journalism, civic journalism, human rights reporting, investigative journalism
- International exchange

The **implementation of self-regulatory mechanisms** including

- “Participative” Codes of Conduct, i.e.: Codes of Conduct developed by all stakeholders
- Media Monitoring

Activities strengthening **economic sustainability** including

- Management Training

- Use of Social Marketing (Social Advertising) Techniques
 - Good Practice Research (lessons learned from case studies)
 - Technical Equipment Funding
 - Creation of national networks (radio, TV)
3. Some major problems faced by Media Development Cooperation, especially the donors, are:
- The lack of continuity and ineffective knowledge management within the donor community.
 - The lack of comparative evaluation and research.
 - The lack of transparency and coordination among donors.
 - The inflexibility, i.e. the subordination of processes of change (which often need time) to project cycles and pre-defined timetables.
 - The lack of specialisation within the donor community: few agencies are specialised in Media and Communication.
 - The utilitarian concept of communication, which reduces “development communication” to social marketing.
 - The growing fascination for Internet and new ICTs by donors and NGOs without taking into account that a vast majority of the population in developing countries does not have access.
 - Some donors (e.g. European Community) tend to oblige partners in the South to work in ‘artificial’ Consortiums, i.e.: Consortiums, which only have been created to receive the donors’ money – instead of supporting open networks through broad coalitions of different stakeholders.

WORKING GROUP 2:
Authoritarian Regimes

For the analysis of media freedom and sustainability, the participants of the workshop on authoritarian/autocratic systems considered the concepts of “embedded” or “defective” democracies as rather confined schemes. The lines between authoritarian systems and illiberal democracies are drawn mainly due to the electoral regime. This factor, however, does not give an indication on the amount of media freedom in the different systems. Listing the factors restricting media freedom (see table 1), Belarus, Cameroon and Zimbabwe show some similarities but also big differences, which should consequently lead to different priorities in the setting of intervention strategies.



As in the cases of Belarus and Zimbabwe, the primary aim at present is to provide the local population and the international community with reliable reporting on the country. In both countries, this aim could only be followed through by supporting respective media initiatives abroad. In Cameroon, there is still more leeway left for action inside the country. Despite the differences in the current situation, all participants agreed on the main fields on which media development cooperation should concentrate. Which concrete activities and initiatives are seen as priorities and how they are to be realised should be closely related to the actual situation in the different countries.

The following basic orientations were stressed by participants, which should be taken into consideration for all intervention strategies:

- (1) Priorities are different in each of the countries, depending on the degree of media freedom and the possible scope for action resulting from it as well as the strengths of local partners. They should always be defined in close co-operation with the regional/local partners.
- (2) There is more freedom for manoeuvre even in autocratic systems than observers from abroad would sometimes argue. This space should be used and followed through, even if the activities could only be considered as provisions for a democratic future.
- (3) Development cooperation in the field of media requires a lot of staying power.
- (4) Although self-sustainability remains a primary aim, financial support is often needed in the process of establishing and developing such strong sustainable media environments. As main fields for intervention were identified:

Authoritarian Regimes, Fields of Media Cooperation

WHAT	HOW	WHO
Reform of Media Law, Political and Economic Frameworks	Lobbying	
Transformation of the State into a Public Service Broadcaster	Broad Context of political, social, economic, legal, cultural aspects	
Capacity Building	Training of Journalists (Professionalism)	Media Associations
	Media Management training	Journalists' Unions
	Exchange Programmes for Journalists	
Support/Strengthen Media Councils	Implementation/Realisation of Code of Conduct	
Support Alternative Media - Local - Community Media	Stimulate – Networks – Priv.-Publ.-Partnership – Priv.-Priv.-Partnerships	
	Economic Support	
	Lobby for Fair Licensing Procedures	

● **Reform of Media Law, Political and Economic Framework:**

Although in most authoritarian countries, freedom of opinion and free media coverage are guaranteed by constitution or law, the legal environment restricts the amount of freedom dramatically through i.e. licensing procedures of media houses and journalists, libel laws, regulatory bodies and procedures.

These “legal” restrictions are regularly accompanied by harassing political and administrative measures and ruining economic pressure. Here again it was emphasised that each of the countries represented in the workshop shows a different and somehow “typical mixture” of such factors (see table 1). Such lobbying among parliamentarians and different social groups is considered a kind of preparation for the transformation processes to come in Zimbabwe. In the case of Belarus, the strong administrative and economic dependency from state printing houses and distribution systems might be eased through the establishment of alternative facilities. In Cameroon emphasis was laid on supporting local radio initiatives in their struggle to receive licences.

● **Transformation of the State into a Public Service Broadcaster:**

The participants agreed that a functioning media system sustaining democratic societies could not be left entirely to the market and private initiative. The transformation of the existing state broadcasters into public service broadcasters was considered one of the main tasks in the process of building up democratic societies. Here again it was emphasised that such transformation processes have to be put into the broader context of political, social, economic, legal, and cultural aspects, since it cannot be sustained without a broad understanding and contribution of civil society.

● **Capacity building:** Well trained journalists (through seminars, workshops and exchange programmes) and a qualified media management were seen as main pillars of capacity building, together with the implementation or – if already founded – the strengthening of Media Councils. Freedom alone is not a guarantee, that media will fulfil their functions for democratisation responsibly.

● **Support of alternative (community) and local media:** Although it is understandable that the leading national media in the capitals (or even abroad) must be supported, as a general orientation it should also be kept in mind, to “go local”. To

improve the performance of local media (newspapers in Belarus, radio in the African countries) networks should be stimulated that might facilitate the position of local media, improve the quality of reporting and their economic performance. Here private-public partnerships and private-private partnerships should also be stimulated.

Table 1: FACTORS RESTRICTING MEDIA FREEDOM

Restricting Factor	Belarus	Cameroon	Zimbabwe
Ownership	Dominating state-owned media (electronic and press) controlled by regime	Dominating state media; private media in increasing numbers	No private daily newspaper, radio or television; complete state monopoly of electronic media
Literacy		30-40 % of illiterates (mainly countryside)	approx. 40 % of illiterates
Access to media		Restricted in countryside; media as urban phenomenon, high percentage in using foreign media	Media mainly urban phenomenon
Legal environment			
Obstructing legal procedures	Without court decision the Ministry of Information can issue official warnings to	Without court decision the Ministry of Information may suspend the publication of a media outlet	

Restricting Factor	Belarus	Cameroon	Zimbabwe
	newspapers for alleged violations of the law which leads to the suspension of the publication of a media outlet (closure after three warnings)		
Restrictions through other laws	Criminal code articles: 367 Slander against the president; 368: Insulting the president; 368: Insulting government officials; “Honour and Dignity” cases	Criminal codes, slander against the President, insulting the President, honour and dignity cases etc.	Public Order and Security Act (POSA) imposes heavier penalties on journalists and media houses which publish stories “deemed to be false or prejudicial to the state” Parliamentary Privileges and Immunity Act forces journalists to reveal their sources, especially regarding reporting on corruption,

Restricting Factor	Belarus	Cameroon	Zimbabwe
			before courts and parliament
Censorship permitted	Censorship officially not permitted by law or degree; but confiscation of printed issues (Post-Censorship punishment); Refusals to print a newspaper; All FM-stations are obliged to submit printouts of their news programmes		Censorship not officially permitted; but confiscation of printed issues
Free access to journalism	By law free, nobody can be excluded from working as a journalist; court and police intimidation; high fines endanger economic existence	Journalist card now installed with a commission controlled by the government	Access to Information and Protection of Privacy Act (AIPPA) gives info minister sweeping powers to decide who can work as a journalist; “Licences for journalists” are handed

Restricting Factor	Belarus	Cameroon	Zimbabwe
			out (fines for those who work without it)
Regulatory bodies and procedures	Registration, licensing and accreditation systems are dependent on government (Registration of new editions repeatedly denied) Violations of procedures for licensing are common	In the field of radio: to receive a licence, taxes are high and the time given to prepare an application is extremely short, which in practice hampers the success of newcomers in the field	Access to Information and Protection of Privacy Act (AIPPA) – Daily News, Africa Tribune, Daily News on Sunday, The Weekly Times shut down by a regulatory commission established under AIPPA closed for i.e. failing to register for a license, changing board of directors without the regulatory commission's approval
Political factors			
Limited access to official information		Journalists from independent media are given limited access to government information	

Restricting Factor	Belarus	Cameroon	Zimbabwe
Exclusion/restriction towards certain parts of population	Offices of western donor organisations (IREX, Internews) closed down		
Self-censorship	Mainly electronic media (private radio and TV stations) abstain from political broadcasting Self-censorship of journalists (mainly in dominating state-owned media) are a common phenomenon	Widespread because of fear of repression	Necessary to survive
Limited access to Internet	Blocking of Internet sites ISPs have almost monopolised prices		Censoring Emails by requiring ISP to forward to the authorities "objectionable, obscene, unauthorized" messages
State-institutions control production / distribution of print media	Ministry of Information, of Justice regulating		

Restricting Factor	Belarus	Cameroon	Zimbabwe
	<p>media coverage;</p> <p>State Control Committee engaged in confiscation of property</p> <p>Ministry of Information registers distribution companies</p>		
Other administrative measures	<p>Harassment by militia of overtly oppositionist independent publications</p> <p>Arresting of journalists</p> <p>Refusal of access to state-owned printing facilities and/or to state monopolised distribution systems</p> <p>Frequent tax controls</p>	<p>Harassment by police</p> <p>Arresting of journalists</p> <p>Confiscation of newspapers</p>	<p>Harassment of journalists by police</p> <p>Breaking of workplaces and equipments, court cases, “unsolved” burglaries</p> <p>Arresting journalists</p> <p>Equipment seizures and unsolved burglaries</p>

Restricting Factor	Belarus	Cameroon	Zimbabwe
	<p>Obligation to apply for permission at the Department of Humanitarian Aid in the Presidential Administration if newspapers want to receive grants from foreign aid organisations</p> <p>Confiscation of newspapers</p> <p>Equipment seizures and unsolved burglaries</p>		
Economic pressure	<p>State subsidises its own media tremendously; independent ones don't receive any subsidies</p> <p>Independent papers are charged higher subscription</p>	<p>State subsidises certain media without official opening</p> <p>Privileges in distribution system</p> <p>Lower/higher taxation system (cheap computers, expensive paper)</p>	<p>Attempts to control Internet services</p>

Restricting Factor	Belarus	Cameroon	Zimbabwe
	<p>prices, higher prices for print, higher taxes and higher rates for delivery services</p> <p>Compulsory subscriptions to state newspapers</p> <p>Non-state newspapers are denied to increase the number of distributed copies by the state-owned distribution network</p> <p>Belsojuzpechat</p> <p>Independent media are quite often dependent on foreign assistance</p>	<p>Blocking of short-wave stations</p> <p>Economic crises increases prices for newspapers while purchasing power has diminished</p> <p>High prices for ISP (lack of competition)</p>	
Other factors			
Journalism		<p>Low quality writing</p> <p>Lack of respect for “real demands of readers/audience” and expectations</p>	

Restricting Factor	Belarus	Cameroon	Zimbabwe
		<p>Journalists trapped in debates on ethnic conflicts</p> <p>No common “ideology” of one’s own role</p> <p>Journalists spread hate messages (tribalism)</p> <p>Corruption demotivates journalists in state media</p> <p>Journalists adjust their papers to the possibility to be rewarded by the people boosted or threatened in the paper</p>	
Collective organisations		Weak collective organisations of Journalists	
Corruption		<p>Expanding corruption in the media</p> <p>Blackmail of journalists (for not speaking about certain people implicated)</p>	

Restricting Factor	Belarus	Cameroon	Zimbabwe
		in scandals)	
		Political apathy of readers	
Foreign donors	Lack of continual support		
		Lack of continual support	

WORKING GROUP 3 (HELMUT OSANG):

Post-conflict states / “fragile democracies”

Countries represented in the group: Nepal (Yubaraj Ghimire) and Cambodia (Phan Sopheap)

Restrictions of media freedom:

Extensively discussed during presentations to the plenary. Workshop discussions focused on *interventions* and *recommendations for future cooperation*



Interventions: Strengths (+) and weaknesses (-) of media cooperation as experienced in Nepal and Cambodia

+		-	
Nepal:	International support in discussions about the current problems in the country (King dismissed government and suspended democratic institutions on February 1, among them media freedom)	Nepal and Cambodia:	Newly trained journalists not given access to state radio
	When media freedom was banned, international media allowed Nepali media and journalists to publish using their means, offering space, and giving wide coverage to the events and developments in Nepal; support by diplomatic ways		Support limited to urban areas and journalists with already international exposure because of predominant training language: English
Cambodia:	UN-Radio UNTAC (1992-1993) helped a lot to bring about drastic changes to		General language and communication problems hindering effectiveness of training (Khmer and Nepali)

+		-	
	radio scene leading up to the first democratic elections in May 1993		
	Effective training cooperation		Communication problems, misunderstandings and conflicts due to cultural differences between foreign trainers/consultants and local journalists/media workers
			Overseas trainers not well prepared and trained for inter-cultural activities
		Nepal:	Slow reaction of international media donor community in times of urgent crisis (seminar of international media coop. agencies in Nepal on 41 st day after 1-February events)

Recommendations (Nepal and Cambodia):

- Close monitoring of media projects, continuous review
- Better coordination of international donors in planning/execution/evaluation

- Evaluation of both sides: donor agencies and receiving bodies
- Support media in strengthening democratic institutions
- More and continuous training of journalists
- Special attention to journalists and media in the rural areas
- Material support in terms of basic “tools” (camera, recorder, computer)
- Lobbying for independent and decentralised media / support process of bringing independent media under the control of civil society
- Transparency of how to write and submit proposals (the donor mechanisms...)
- International partnership of media to be reviewed
 - in terms of values preached
 - conditions of help
- Support
 - process toward code of journalistic conduct / code of ethics
 - establishment of freedom of information law
 - building awareness about issues, about role of media and journalists in society (example Cambodia: 100 hours per week on radio on social issues versus 800 hours per week on entertainment)
- Training on rights issues (situation now: uninformed helplessness in times of crisis, see Nepal, even among judiciary), democratic institutions, rule of law, court reporting
- Masterplan on community-based radio development

Seminar Program (Tagungsprogramm)

FREITAG, 24.06.2005

10.00 Begrüßung und Einführung

Jörgen Klußmann

10.15 New kids on the block: "Eingebettete" Demokratien, "defekte" Demokratien und zerfallende Staaten.

Zur Diskussion um aktuelle Konzepte und Typologien

Prof. Dr. Siegmund Schmidt, Institut für Sozialwissenschaften, Universität Koblenz-Landau

Vortrag und Diskussion

11.00 Defekte Demokratien

Dr. Rosa Maria Alfaro, Faculty of Communication at the Universidad de Lima, Coordinator of "Veeduría de Medios" (Peruvian Media Observatory) and Head of Communication Centre Calandria / Peru

Ivia Gomez, Editor of the daily "El Universal", Caracas/Venezuela

Dr. Ala Mindicanu, Chief of Department of Communication at the Faculty of Journalism and Communication Sciences at the Free International University of Moldova (ULIM)

Kurzvorträge und Diskussion

13.00 Mittagessen

14.00 Autoritäre Systeme

Basilton Peta, ZIMONLINE, Zimbabwe

Ales Antsypienka, Belarus Association of Journalists

Ndoumbe Honoré Nkotto, Director von "Nouvelles Horizons" und "Pipeline-Journal", Kamerun (angefragt)

Kurzvorträge und Diskussion

16.00 Kaffeepause

16.30 Post-Konflikt- und Fragile Staaten

Phan Sopheap, Co-Director Cambodia Communication Institute, Kambodscha

Yub Raj Ghimire, Chief Editor, "Samaya Weekly", Nepal

N.N., Afghanistan

Kurzvorträge und Diskussion

19.15 Abendessen

20.00 Ahoar - Irakischer Maqam Jazz

SAMSTAG, 25.06.2005

08.45 Andacht

09.00 **Lektion gelernt?**

- **Beschränkungen der Pressefreiheit**
- **Erfahrungen aus der Entwicklungszusammenarbeit**
- **Empfehlungen für die Zukunft**

Diskussion in Arbeitsgruppen

AG 1: Defekte Demokratien

Leitung: Dr. Christoph Dietz, CAMECO;
Frank Priess, KAS

AG 2: Autoritäre Systeme

Leitung: Andrea Sophie Jannusch, CAMECO;
Peter Schellschmidt, FES

AG 3: Post-Konflikt-/ Fragile Staaten

Leitung: Dr. Helmut Osang, Deutsche Welle;
Martin Zint, Dritte Welt
Journalistinnennetzwerk e.V.

Zwischendurch Kaffeepause

11.00 **Berichte der AGs im Plenum - Diskussion**

12.30 Mittagessen

ca. 13.00 Ende der Tagung

FRIDAY, 2005-06-24

10.00 am Welcome and Introduction

Jürgen Klußmann

10.15 am New kids on the block - Embedded democracy, defective democracy and failing states

Prof. Dr. Siegmар Schmidt, Institute for Social Sciences,
University of Koblenz-Landau

Lecture and discussion

11.00 am Defective Democracies

Dr. Rosa Maria Alfaro, Faculty of Communication at the
Universidad de Lima, Coordinator of "Veeduría de
Medios" (Peruvian Media Observatory) and Head of
Communication Centre Calandria / Peru

Ivia Gomez, Editor of the daily "El Universal",
Caracas/Venezuela

Dr. Ala Mindicanu, Chief of Department of
Communication at the Faculty of Journalism and
Communication Sciences at the Free International
University of Moldova (ULIM)

Short lectures and discussion

01.00 pm Lunch

02.00 pm Authoritarian States

Basilton Peta, ZIMONLINE, Zimbabwe

Ales Antsipienka, Belarus Association of Journalists

Ndoumbe Honoré Nkotto, Director of "Nouvelles
Horizons" et "Pipeline-Journal", Cameroon (asked)

Short lectures and discussion

04.00 pm Coffee Break

04.30 pm Post Conflict/Fragile States

Phan Sopheap, Co-Director Cambodia Communication
Institute, Cambodia

Yub Raj Ghimire, Chief Editor, "Samaya Weekly", Nepal
N.N., Afghanistan

Short lectures and discussion

07.15 pm Dinner

08.00 pm Ahoar - Iraqui Maqam Jazz

SATURDAY, 2005-06-25

09.00 am Lessons learned?

- **Restrictions on media freedom**
- **Experiences of development cooperation**
- **Recommendations for the future**

Discussion and working in groups:

WG 1: Defective Democracies

Coordination: Dr. Christoph Dietz, CAMECO;
Frank Priess, KAS

WG 2: Authoritarian States

Coordination: Andrea Sophie Jannusch, CAMECO;
Peter Schellschmidt, FES

WG 3: Post Conflict/Fragile States

Coordination: Dr. Helmut Osang, Deutsche Welle;
Martin Zint, Third World Journalist
Network

In between Coffee Break

11.00 am Report of the WGs to the Plenum - Discussion

12.30 pm Lunch

01.00 pm End of Conference

BIBLIOGRAPHY**ROSA MARIA ALFARO**

Dr. Rosa Maria Alfaro Moreno, since 25 years lecturer for "Communication and Development" at the University of Lima, at current she is the head of a training program for lecturers at the communication and medical faculties of the eight public universities in Peru. She founded the media-NGO "Asociación de Comunicadores Sociales Calandria" and the media-monitoring-initiative "Veeduría Ciudadana de la Comunicación Social". She is the director of both organisations and a member of the organisational committee of the "World Congress Communication for Development" (WCCD), which will meet November 2006 in Rome. Since 1984 she published 11 books and public investigations on media and gender issues.

ALES ANTUPIENKA

Aliaksandr Illich Antsypienka is Director of the *Belarusian Collegium* and Member of the Advisory Board of the *Belarusian Association of Journalists*. As a researcher and journalist his main interests are media, culture and post-colonial studies, Belarusian identity and European integration. He is also the author of the book: "European Choice for Belarus. Scenario of Reforms." Warsaw 2003-2004.

YUBARAJ GHIMIRE

Born on April 13, 1958; studied Sociology at the Patna University in Patna (India). Did his Masters in 1982. Worked as journalist covering mainstream political parties and parliamentary affairs and Government policy from 1982-1985 Dec in Bihar and later Delhi

Was a correspondent for the United News of India (UNI), has contributed to many international journals on Nepal/India and regional issues. Acts as a regular commentator in international print and electronic media such as BBC and the main Indian media such as "The Telegraph", "Weekly" and "Indian Express". From 2000 to 2003 he was editor at Kantipur (Nepali) and "The Kathmandu Post". Since April 2004 he is Editor of the "Samay (Weekly Stringer)", "Time Asia" for Nepal. Yubaraj Ghimire is married with two children.

ELVIA GÓMEZ

Born in 1965. Diploma in Social Communication at the Universidad del Zulia, Maracaibo, Venezuela, 1986. Since 1988 she works as a journalist covering national political and economic affairs. Since 1996 political editor for the daily "**El Universal**", Caracas, Venezuela. Participated in several national and international conferences on journalism, political elections organized by Konrad-Adenauer-Foundation and Friedrich-Ebert-Foundation. Member of the Disciplinary Court of the press workers trade union (Sindicato Nacional de Trabajadores de la Prensa (S.N.T.P)).

JOERGEN KLUSSMANN

Born in 1962; Studies in African sciences, Islam sciences and politics in Cologne, Bonn and Zanzibar; Freelancer at the information service of Southern Africa, "Deutsche Welle", "WDR", "taz" et al. 1992-1994 editor at the "Deutsche Welle" and "Deutschlandfunk"; afterwards referee at the "Stiftung Entwicklung und Frieden" [Foundation of Development and Peace] 1999-2003 Head of the department "Eine Welt Medien" [One world media] at the "Gemeinschaftswerk Evangelischer Publizistik"; Free trainer in conflict sensitive journalism; Since 2004 Studies Director at the Protestant Academy of the Rhineland.

ALA MINDICANU

Ala Mindicanu, PhD, is Chief of Department of Communication at the Faculty of Journalism and Communication Sciences at the Free International University of Moldova (ULIM). In this position she is also a consultant for Communication Strategies. Between 1994 and 2001, she was a Member of Parliament and the Vice-President of the Human Rights Committee. For the UNDP she wrote a report on Development Strategies of the Republic of Moldova. Besides, Ala Mindicanu is the Head of the *National Council of Women of Moldova*, a registered NGO. Various reports and articles were published on topics related to women's participation in the transition of societies. She has recently been nominated as expert to the UN Division for the Advancement of Women (DAW)

NDOUMBE HONORÉ NKOTTO

Director of "Nouvelles Horizons" und "Pipeline-Journal", Cameroon

BASILTON PETA

Born on the 4 AUGUST 1970 in Zimbabwe; Diploma in Mass Communications at the Harare Polytechnic; further studies in journalism at the Maryland University, United States; at current completing a bachelor of law degree with the University of South Africa. From 1992 to 2001 reporter, senior and chief reporter for "The Daily Gazette" in Harare, for the "Sunday Gazette", Harare, for the "Zimbabwe Independent" in Harare; then deputy news editor in charge of investigations desk at "The Daily News", Harare; News Editor / Special Projects Editor at "The Financial Gazette", Harare; at current Southern Africa correspondent, (independent news and media group), based in Johannesburg; 2000

African Journalist of the Year - in business reporting. Secretary General of the Southern Africa Journalists Association (SAJA).

SIEGMAR SCHMIDT

Born in 1961; 1981-1987 Master student of political sciences, new history, German studies and political economy at the university of Munich

1988-1990 research assistant at the university of the German army, Munich-Neubiberg

1987-1991 research assistant at the "Geschwister-Scholl-Institute", university of Munich

1991 working with the "Stiftung Wissenschaft und Politik (Ebenhausen)" [foundation of sciences and politics] and the psychological seminar of the university of Munich

1992 PhD at the university of Munich, title of the dissertation: "Die Rolle der schwarzen Gewerkschaftsbewegung im Demokratisierungsprozeß Südafrikas" [Role of the black unionists in the democratising process in South Africa]

1992-1998 Post doctor at the university of Trier

1998 Habilitation, title of the habilitation treatise: „Demokratie und Marktwirtschaft als Exportgut? Politik und Strategien der Bundesrepublik Deutschland gegenüber neuen Demokratien in Afrika und Osteuropa“ [Democracy and market economy intended for export? Politics and strategies of the Federal Republic of Germany with the new Democracies in Africa and Eastern Europe];

Since 2nd term 1999/2000 professor in international relationships/comparing religious sciences at the university of Koblenz-Landau, department Landau

PHAN SOPHEAP

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