

MEDIA SUSTAINABILITY INDEX

2006/2007

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



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

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USAID

The United States Agency for International Development (USAID) is an independent agency that provides economic, development, and humanitarian assistance around the world in support of the foreign policy goals of the United States. The agency works to support long-term and sustainable economic growth and advances US foreign policy objectives by supporting economic growth, agriculture, and trade; global health; and democracy, conflict prevention, and humanitarian assistance.

USAID provides assistance in four regions of the world: Sub-Saharan Africa; Asia and the Near East; Latin America and the Caribbean; and Europe and Eurasia.

With headquarters in Washington, DC, USAID's strength is its field offices around the world. They work in close partnership with private voluntary organizations, indigenous organizations, universities, American businesses, international agencies, other governments, and other US government agencies. USAID has working relationships with more than 3,500 American companies and over 300 US-based private voluntary organizations.

MEPI

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

UNESCO

UNESCO, the United Nations' Educational, Scientific and Cultural Organization, maintains a Communication and Information (CI) sector that is guided by the principles of freedom of expression and freedom of the press as basic human rights. Since 2003, the CI sector has supported the Iraqi people in their transition to democracy. Among other projects, UNESCO facilitated initiatives to develop a national media policy and provided practical guidance for journalists and civil society prior to the elections. Training and networking opportunities were made available to more than 550 media workers and professionals.

IREX

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

Founded in 1968, IREX has an annual portfolio of \$50 million and a staff of over 500 professionals worldwide. IREX and its partner IREX Europe deliver cross-cutting programs and consulting expertise in more than 50 countries.

It is sobering that 2007 showed few signs of improvement; in fact, events conspired to worsen the situation. The intensification of Israeli attacks, the deterioration of the Palestinian political situation, and Hamas' takeover of the Gaza Strip resulted in severe restrictions on citizen and press freedoms.



PALESTINIAN TERRITORIES

Assessing the status of press freedoms in Palestine can best be viewed in the context of the freedoms average citizens enjoy. The twelfth annual report of the Palestinian Independent Commission for Citizens' Rights (PICCR) described 2006 as "the worst year since the establishment of the Palestinian National Authority (PNA) in terms of violations of the right to life and personal safety in the Palestinian territories." A total of 133 complaints of rights abuses were filed, most of them against different police departments.

The PICCR also monitored treatment of journalists—both local and foreign—as well as restrictions imposed on local media outlets. It documented many abuses and violations of the rights of media workers. Most of these violations occurred in the Gaza Strip, which made some of the organizations that specialize in defending journalists' rights describe Gaza as "the most dangerous place in [the] Arab world in 2006." All foreign journalists eventually left Gaza, except for BBC correspondent Alan Johnston, who was later kidnapped by suspected militia members.

It is sobering that 2007 showed few signs of improvement; in fact, events conspired to worsen the situation. The intensification of Israeli attacks, the deterioration of the Palestinian political situation, and Hamas' takeover of the Gaza Strip resulted in severe restrictions on citizen and press freedoms. After Hamas' 2006 victory in the Palestinian Legislative Council (PLC) elections, factional infighting escalated and Israel detained 40 PLC members, mostly representatives of Hamas, which rendered the PLC ineffective and dysfunctional. The PLC was completely paralyzed in 2007 when Hamas took control of the Gaza Strip, and has not even managed to convene since then. According to PICCR, not only did the PLC not enact any human rights law, but it also failed to safeguard citizens' rights to life and personal safety.

The international embargo on Palestinians and the PNA intensified the conflict between the Fatah and Hamas movements. The PNA was first divided into two competing entities, "the presidency" and "the government." Another division resulted in the presidency with one government in West Bank and another government in Gaza. As a result, the PNA central authority has been weakened due to the increasing power of factions and armed groups, in addition to tribalism and widespread lawlessness. For its part, Israel used political, military, and economic means to render the PNA incapable of providing services or administering Palestinian internal affairs.

The MSI panel, which held a videoconference to link two panels in the West Bank and Gaza, returned an overall score of 1.83, down from 2.09 last year. This marked drop directly correlates to the serious decline in media and public freedoms resulting from the deteriorating political and security situation in Palestine, as reflected in panelists' scores for the objectives. Objective 1, Free Speech, and Objective 2, Professional Journalism, suffered the most serious drops, from 2.30 to 1.77 and 2.10 to 1.58, respectively. Other objective scores remained much more stable.

PALESTINIAN TERRITORIES AT A GLANCE

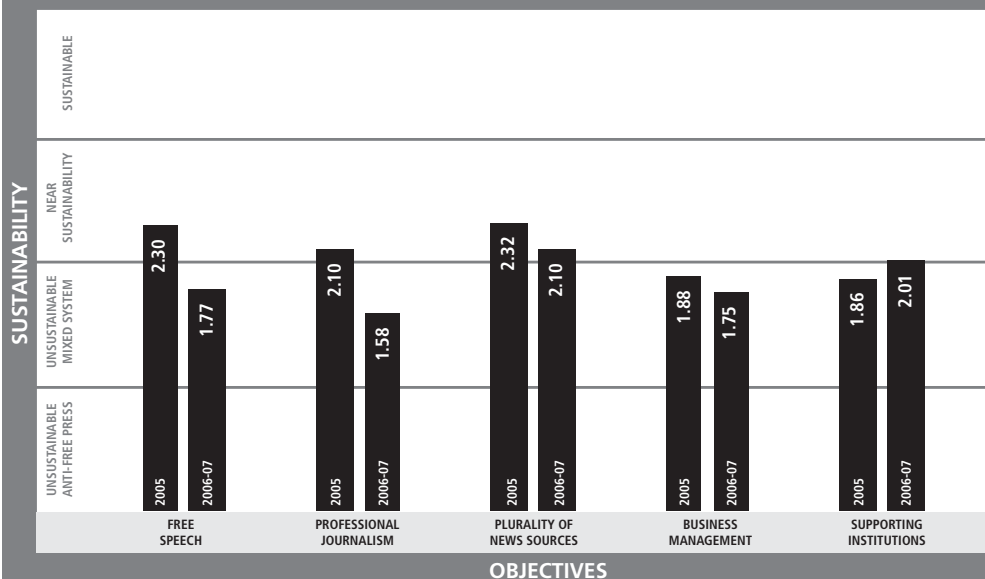
GENERAL

- > **Population:** 3,512,822 (July 2005 est., *Central Elections Commission in Palestine*)
- > **Capital city:** East Jerusalem
- > **Ethnic groups (% of population):** N/A
- > **Religions (% of population):** Islam 97%, Christian 3% (2002 est., PASSIA)
- > **Languages (% of population):** N/A
- > **GNI (2006-Atlas):** N/A
- > **GNI per capita (2006-PPP):** N/A
- > **Literacy rate:** male 95.7%, female 86.4% (2002 est., PASSIA)
- > **President or top authority:** President Mahmoud Abbas

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 4 daily newspapers (3 in West Bank, 1 in Gaza); Radio: 36 total (28 in West Bank, 8 in Gaza); Television Stations: 45
- > **Newspaper circulation statistics:** Total daily circulation for 3 West Bank newspapers does not exceed 50,000
- > **Broadcast ratings:** N/A
- > **News agencies:** Wafa (state-owned), Ramattan (private), Ma'an (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 355,500 (www.internetworldstats.com, 2008)

MEDIA SUSTAINABILITY INDEX: PALESTINIAN TERRITORIES



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Palestinian Territories Objective Score: 1.77

Internal political conflict reached a boiling point in June 2007 and the “country” became two areas with two sets of laws and policies being implemented in each region. Therefore, Objective 1 suffered the most severe drop this year, losing more than half a point as the political crisis, pressure from Israel, and international pressure dramatically impacted the ability of the media to report freely. Only a handful of the indicators scored within a half point of the average, the rest scoring either well behind or well ahead. On the plus side, Indicators 8 and 9, media access to and use of foreign news sources and ability to freely join the journalism profession both scored about 1 point or more above the overall objective average. However, Indicators 4, 5, and 6, attacks on journalists, special legal treatment for official media, and libel laws, all scored between a half and a full point lower than the average.

A huge gap exists between media freedoms enumerated in the law and actual freedoms granted to media in practice. Both the Basic Law (ratified by the late President Yasser Arafat in 2002) and the Declaration of Independence of the State of Palestine guarantee public freedoms, human rights, and freedom of expression. The Basic Law also prohibits media censorship. The Palestinian Press and Publication Law of 1995 was issued in a presidential decree by President Arafat to regulate the media sector. According to panelists the Press and Publication Law in fact restricts media performance. Further, the Press and Publication Law did not include the broadcast media and left the existing legal framework incapable of adapting to the changes in broadcast media during the past few years. The PLC, which has been paralyzed since 2006, has done nothing to harmonize the Press and Publication Law with the Basic Law, with international media charters, or with other charters guaranteeing the freedoms of opinion and expression.

Panelists felt that Press and Publication Law should be reviewed to resolve some of the disparities and inconsistencies among some of its articles. For example, Article 4 stresses the freedom of journalism and publication, while Article 7 prohibits the publication of anything contrary to “public order,” leaving the PNA to define “public order” and determine the appropriate actions required to maintain it. This preempts all the guarantees in the Basic Law, particularly in a situation marked by militarized internal conflict and the existence of two governments competing for legitimacy in the West Bank and Gaza Strip.

Nasser Lahham, editor-in-chief of Ma’an News Agency, said that, “the PNA has not stabilized yet as a state. It is neither a lawless state nor a country with a full-fledged legislative system. The exceptional circumstances and the acceleration of events compel us to view it as experimental, or under formulation, involving pros and cons.”

Talal Okal, journalist and media expert with the Ministry of Media in Gaza, commented that, “ Hamas’ military coup in the Gaza Strip literally overthrew the law, including the Press and Publication Law itself despite its limitations.” Khalil Abu Shammaleh, director of the Gaza-based Al-Dameer for Human Rights, pointed out that, “The PNA and its successive governments have so far been unable to contribute to the issuance of laws enacted to protect expression and ensure access to news, although such guarantees are somewhat alluded to in the Press and Publication Law. However, enactment remains the biggest obstacle. For example, despite the many cases of kidnapping of foreign journalists and attacks on media institutions, we have never heard of the punishment of those involved.”

Mahmoud Khalifeh, academic and general director of the Ministry of Media in the Gaza Strip, said that, “In addition to the printed media laws, a comprehensive media law was under development when the coup took place. Consequently, the law, judiciary, and public prosecutor have been marginalized. It is no longer possible for the public and journalists to resort to the judiciary in cases related to public and media freedoms, particularly the freedom of expression.

Wafa’ Abdel Rahman, director of the media NGO Filastiniyat, said that, “Until the PLC elections in early 2006, the legal rules had offered relative protection of the freedom of expression and the right to access news. But after the elections, the law was dominated by factional considerations rather than the other way around as it should be.”

Khalil Shahin, senior editor for *Al-Ayyam*, agreed that, “the internal conflict obviously curtailed public freedoms, and some media outlets became increasingly biased for the benefit of this party or that at the expense of the supposedly professional role of media. Some media outlets were exploited and became involved in incitement and political fighting. This explains the reason behind the presidency’s control of the Palestinian Broadcasting Corporation (PBC), which is supposed to be a public commission.”

Mousa Rimawi, general coordinator of the Palestine Center for Development and Media Freedoms (the Al-Mada Center), commented that “Palestinian law dictates the freedom of opinion and expression. However, the law is not implemented, although the freedom of opinion and expression is highly respected in Palestinian society, and

violations [of the law] spark condemnations, especially among civil society organizations.”

Dunia Al-Amal Ismail, a journalist in Gaza, emphasized that, “the existence of law is undoubtedly important but would not be sufficient and active without a supportive society and culture behind it. What is the meaning and value of the law if it does not punish those who disregard it?” Ismail further explained that, “With such a long violations record against freedom of expression in our country, civil society organizations, despite all their efforts, could not put enough pressure on PNA officials to stop its attacks and violations against freedom of media and all kinds of expressions.”

On the other hand, Shams Odeh, from the Union of Journalists and the Television Department director of Reuters in Gaza, commented that Israeli violations of freedom of expression in the Palestinian territories are met with denial by the Israeli public. Other panelists said there were many cases where Israeli public opinion did not demand a stop to these violations. This was the case with a reporter and photographer from *Al-Ayyam* newspaper, Fadi Arouri, who was injured while covering an Israeli military operation in the middle of Ramallah at the end of 2006. Israeli public opinion did not condemn this crime.

The Ministry of Information is responsible for granting licenses to media outlets and is supposed to do so without imposing constraints on entry to the media market. There are still procedures that allow some security apparatus to interfere in the process. In addition, license seekers are

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

FREE-SPEECH INDICATORS:

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

required to submit a certificate of good behavior, which is contradictory to the law. Palestine’s internal conflict has increased the licensing chaos. For example, the first Hamas government to be formed in spring 2006 issued licenses to media agencies in favor of Hamas (e.g., Al-Aqsa satellite channel and *Falasteen* daily newspaper).

According to the Al-Mada Center, the period from May 1, 2006 to April 30, 2007 was marked by more than 200 violations of the rights of media, such as killings, shootings, assaults, kidnappings, attacks on and closure of media centers, and the destruction of equipment. These violations were perpetuated by a number of groups, including the Israeli Army, PNA security agencies, Hamas-affiliated agencies in Gaza, and members of various armed militias.

Attacks on journalists and media institutions occurred in tandem with other forms of internal conflict that reached a boiling point in June 2007. Andalib Odwan, chairperson of the Community Media Center in Gaza, said that, “Palestinian media and personnel face serious and dangerous obstacles, such as death threats as well as the destruction or closing of media institutions.” Odwan cited the murder of some media figures during Fatah-Hamas clashes in Gaza in May 2007, when journalists Sulieman Al-Ashy and Mohamad Abdo of *Falasteen* daily newspaper were gunned down by unidentified men in Gaza City. She also mentioned Hamas seizing control of Palestinian state television and taking it off the air. The same was done to the Youth and Freedom station, which had its equipment destroyed and stolen. “So far not a single legal case was reported to the police” in connection with those events, she said.

Ilyad Krunz, community activist and director of the Palestine Commission for Human Development, agreed that, “Journalism in the Gaza Strip has become one of the most dangerous careers. Many journalists have been excessively beaten by Hamas members and they are repeatedly being harassed as a result of the severe polarization between Gaza’s governments and Ramallah’s [in the West Bank].” Ismail continued, “Violations are not committed solely by the government but also by families and tribes, such as when Jabalia residents north of Gaza demonstrated against university newspapers reporting on their marriage customs and traditions. There is also nothing that could stop the kidnapping or threatening of journalists if they dared publish reports on topics related to the patriarchal system, especially in the Gaza Strip.”

Moreover, Ismail said that, “The situation is gradually worsening so that arrests, kidnappings, threats, or bans on distributing newspapers are not enough satisfaction for some officials in Gaza.”

Palestinian media workers face multiple threats in a complicated political environment. A May 2007 report by the Al-Mada Center posited that physical attacks on journalists in most countries are usually committed by the ruling authorities. However, in the Palestinian territories such attacks are committed by the ruling authority in addition to opposition parties and armed groups. First and foremost, however, the attacks have come from Israeli occupation authorities.

Based on Al-Mada's monitoring, violations committed by the Palestinian side included:

- 33 cases of physical assault on media personnel by different Palestinian parties
- 19 cases of injury to media personnel committed by armed Palestinian groups
- 8 cases of media institutions' equipment being destroyed
- 6 cases of journalists kidnapped, including five foreigners

Some specific examples include Hamas men breaking into and shutting down two radio stations: *Al-Sha'ab* and *Al-Hurryya*. After Hamas took over Gaza in the summer of 2007, the PNA increased its restraints on West Bank agencies that favor of Hamas. Some offices were closed and their employees detained for some time, among them Mohammad Eshtiwi, director of Al-Aqsa satellite channel. Some reporters and photographers were also arrested or attacked while on assignment in the West Bank and Gaza, especially when photographing security forces violently dispersing peaceful demonstrations.

The most salient example of violations and suppression of journalists occurred on November 11, 2007, when Hamas security launched brutal attacks on journalists during commemorations of the third anniversary of President Arafat's death. The following journalists were beaten, had their cameras destroyed and tapes confiscated or erased, and/or were detained:

- Tamim Abu Muammar (reporter, Voice of Palestine Radio)
- Khaled Bulbul (cameraman, Palestine Television)
- Mohammed Sawalha (reporter, Abu Dhabi satellite channel)
- Muwafaq Matter (photographer, *Al-Hayat*)
- Mohamed Al-Sharafi, (head, WAFA News Agency). His house was also raided, inspected, and a personal computer confiscated

Following these events, the Fayyad government issued a ban on all protest marches against the Annapolis Conference that was held on December 27, 2007. Police in many West Bank cities attacked demonstrators marching in defiance of the ban

as well as the journalists covering their stories. In Ramallah and Bethlehem, the following journalists were attacked, detained, and their equipment returned after their release:

- Wael Shyoukhi (correspondent, Al-Jazeera satellite channel). His left hand was also fractured
- Muammar Oraby (director, Watan TV)
- Abbas Moumni (photographer, Agence France-Presse)
- Nadir Al-Ghoul (photographer, BBC)
- Issam Rimawi (photographer, EPA)
- Rami Samara (news producer, Palestinian Broadcasting Corporation)
- Najeeb Farraj (reporter, *Al-Quds* newspaper)
- Jalal Hamid (correspondent and photographer, Al-Ru'aa TV)
- Ghassan Banoura (photographer, Bethlehem TV)

Article 79 of the Geneva Protocol I of 1977, an amendment to the Geneva Conventions of 1949, states that journalists in areas of armed conflict should be considered civilians and therefore be protected. The Israeli army and other authorities continued their attacks on the Palestinian media, including their premises and staffs; previous attacks were documented in last year's MSI, and elsewhere. According to monitoring reports published by the Al-Mada Center, the period from May 2006 to April 2007 featured multiple Israeli violations against journalists and media institutions in the Palestinian Territories, including:

- The death of journalist Zakaria Ahmed after Israeli warplanes bombed his home in Khan Younis on June 21, 2006
- 33 cases of injuries involving live ammunition, rubber bullets, missile fragments, and non-lethal weapons
- 15 cases of beating and other forms of physical assault
- 11 cases of forced entry into media institutions. In December 2007, the Israeli army stormed and shut down three media organizations in Nablus, West Bank, including a local television station
- 4 cases of destruction of equipment and property
- 2 cases of the WAFA (Palestinian news agency) Web site being blocked by Israeli hackers
- 2 closures of press institutions

Palestinian law allows journalists the right to access information, but the concept has not taken hold in officials' minds, whether in the public or private sector. In practice, prior permission from officials is required before information and ordinary news can be disclosed to media agencies. Although

there are no constraints on access to formal news, many officials prefer foreign journalists or agencies to local ones, which explains why foreign media often run breaking news reports on official issues before local media do.

There are limited restrictions on practicing journalism. For example, article 11 of the 1995 Press Law sets out conditions on who may operate a print media publication. It states, for example, that an editor-in-chief must be a journalist, have a good command of the language, live in Palestine, and not have been convicted of a crime, among others. "Furthermore, in accordance with an order from the dismissed prime minister, the Ministry of Information in Gaza was replaced by an office comprised of three top-level officials—spokespersons from the cabinet and the Ministry of the Interior, and the former deputy assistant of the Ministry of Information. This new office demanded that journalists obtain new media badges so that they can pursue their career in the Gaza Strip," Khalifeh added.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Palestinian Territories Objective Score: 1.58

Most of the individual indicator scores fell slightly under or modestly higher than the overall objective average. The sole exception was Indicator 3, self-censorship, which received a score more than three-quarters of a point lower than the average and represents a key weakness for Palestinian media.

During the panel discussions, participants agreed that Palestinian journalists face a double challenge: lack of professionalism and inaccessibility to information sources, especially under Israeli restrictions. However, there are several internal constraints limiting development, especially with regards to professional standards. Some of these restrictions lie in the existing Press and Publication Law and in the PNA's interpretation of it. Also, the internal conflict between Hamas and Fatah and the accompanying politicization of the media is another roadblock to Palestinian media development. Therefore, problems occur with stories' comprehensiveness, source verification and accuracy.

For example, the Israeli army and other authorities limit the mobility of journalists and media crews, and block their access to information and news sources. That also includes a ban on news coverage in areas declared military activity zones. These restrictions on movement and coverage mean that Palestinian media can not convey the story from a Palestinian perspective or describe what is really happening on the ground. Often, the only story to circulate is the Israeli version of events as broadcast by army reporters through Israeli media institutions.

Further, journalists often fear for their lives, which forces some to side with one faction or another in the internal political split. Some journalists watched passively, but the worst abuses occurred when many Palestinian media outlets became tools for incitement. For example, some Gaza stations aired incendiary messages accusing certain elements of blasphemy and heresy, and some Hamas extremists even incited the killing of others.

Mousa Rimawi said, "Journalists do not verify the information they provide in many cases, and the majority of them practice self-censorship. In many cases, statements and reports do not include all the political parties' perspectives, especially since most of the media outlets are in favor of either Hamas or Fatah." Okal said, "Media work, especially party-controlled, is no longer committed to the minimal levels of impartiality, professionalism, or business ethics. The party media worked with a slogan close to 'the ends justify the means,' and thus became busy preparing for an internal conflict, justifying it, or advertising it. That led to violence and fear mongering, which doubled [the effects of] self-censorship. All that impacted the performance of journalists."

Khalifeh continued, "There is a large number of so-called 'journalists' who entered the field for one reason or another. Despite their sheer numbers, this profession is still lacking professionalism, neutrality, and development. Some objective reasons do exist, but we should not ignore the subjective ones that turned journalism from a respectable profession into a money-making and unethically competitive business. Of course there are some exceptions but the situation is generally dire, particularly in Gaza. For example, how could it be acceptable or understandable for journalists to work for five different outlets with different perspectives and missions?"

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

How do they adapt themselves and their opinions according to each outlet? What is their stand? And will they still carry their national identity while doing their job?"

Panelists remarked that the Palestinian media has experienced huge horizontal and professional development during the last few years. According to Okal, however, "While some journalists have left the country or quit journalism due to threats and intimidation, the majority persist. Leaving journalism is not an option. It only means unemployment since there are no job vacancies to fill. On the other hand, new media organizations established by the political parties have undergone expansions and recruited a large number of fresh, inexperienced journalists, whose futures are more likely to be negatively impacted by early exposure to political party media."

Despite efforts in the last two years to develop a code of conduct for journalists, nothing has been achieved. These scattered and unsystematic efforts did not see success partially because media and civil society organizations worked independently on similar externally funded programs without attempting to coordinate them. The panelists agreed that creating an enabling environment is a prerequisite for the media to fulfill its monitoring role of the PNA, report truthfully to the public, and create a public opinion supportive of anti-corruption, women's rights, and the poor and marginalized. That requires providing journalists free access to information as a right guaranteed by international charters. But it also requires a commitment to professional standards. According to panelists it is important to get relevant laws passed and activate the Palestinian Journalists Syndicate's code of ethics and educate journalists, especially in the West Bank, on the existence and significance of the code.

Within the same context, Khalifeh mentioned that "the [Palestinian Journalists] Syndicate, journalists, and media figures agreed on set regulations, ethics, and standards for this profession, but they have not reached the status of a law or bylaw. It is hard for journalists to work within this framework, especially under the political polarization of the media. Not only are most media outlets ancillary to the political parties, but the industry also has to survive the absence of profitable media."

Wafa' Abdel Rahman remarked that, "The political news now favors political parties and is no longer subjective. A code of ethics will not protect journalists from Israeli bullets or internal conflict between Palestinian political parties, a fact that renders such a code void of meaning or significance." She maintained that, "Journalists should demand the political parties sign a code of ethics that forbids harassment of journalists and criminalizes violations against them. There should also be a code of ethics for all journalists affiliated with the Journalists Syndicate."

There is widespread self-censorship among Palestinian journalists and media institutions. This is true when reporting on the Israeli-Palestinian conflict and on social issues. Okal believed that, "Self-censorship is constantly reinforced by a vicious cycle of social pressure, Israeli policies and measures, media owners and management, and commercial advertisers who provide the most important source of income, especially in daily newspapers."

In the opinion of Ibrahim Kamish, an editor and reporter at *Al-Hayat* newspaper in Jenin, "Journalists are forced to self-censor because of a real fear of losing their jobs, despite the moral and ethical standards of media organizations and associations." However, Dunia Al-Amal Ismail said, "Journalists themselves play a major role in this chaos by favoring their own good over professionalism. The bigger crime is that there is no supervisory party and by that we refer to the journalists' union which is present yet absent in the media work."

In the same vein, Khalil Shahin felt that, "the Syndicate is partially to blame for its weakness in defending journalists' rights, providing performance-enhancing training, and raising awareness of the importance of moral standards, despite the pressures of the Israeli occupation and the internal Palestinian conflict."

Shams Odeh felt there is a large wage gap between private and public media. The panelists also confirmed that local media, public and private, pay lower wages than regional Arab and international media counterparts, which are insufficient to keep up with rising living costs, a deteriorating economy, and continuing embargoes and closures. The average income of a newly graduated reporter in an international agency is four or five times more than that of a reporter at a local outlet. Poorly paid reporters are forced to look for part-time work outside of their media jobs, which results in low work quality.

In such situations, Musa Rimawi declared that, "Some journalists tend to accept money or gifts for their coverage." Kamish added that, "Very low wages lead journalists to quit journalism in preference for other jobs. For the same reason, some journalists sell their reports for the benefit of politicians and businessmen to increase their income."

Local media outlets are poorly equipped to allow for local production of news and entertainment. For example, cameras and broadcast equipment is often not modern. Most broadcast programming comes from Arab and international television channels. The same thing happens in the daily newspapers, which devote a great deal of space to political and entertainment content from Arab or Israeli media, sometimes without acknowledging the original sources.

Specialized and niche reporting, such as economics and sports, exists. Newspapers, for example, also feature regular topical inserts. However, in-depth investigative reporting is lacking. Mahmoud Khalifeh pointed out that “Palestinian private media outlets lack the advertising, distribution, and marketing strategies to generate revenue. Therefore there is a real need to strengthen aspects like advertising, distribution, marketing and protection of intellectual property, in partnership with building capacity in specific areas such as investigative reporting.”

OBJECTIVE 3: PLURALITY OF NEWS SOURCES

Palestinian Territories Objective Score: 2.10

Indicator scores for this objective differed greatly, revealing a couple of strengths and a few serious challenges to sustainability in the availability of different sources of news in the Palestinian Territories. Indicators 2 and 4, access to news sources and the existence of independent news agencies, scored more than three quarters of a point more than the overall objective average. However, Indicators 3, 6, and 7, objectivity of state media, transparency of ownership, and representation of broad social and minority interests all scored more than a half point lower.

The panelists expressed their worries about Palestine’s political and geographical divisions and their effects on the plurality, subjectivity, and independence of media outlets. The sheer number and variety of media institutions illustrate their pluralistic nature, but also suggest that their quantity outweighs their quality. For example there are several daily newspapers: *Al-Quds* and *Al-Ayyam* (independent), *Al-Hayat* (pro-PNA), *Falasteen* (Hamas-run). One weekly newspaper and dozens of radio and television stations, though each with a broadcast radius of less than 50 kilometers, also provide news to Palestinians. Andalib Odwan said, “Since the second half of 2007, the media have taken a non-objective turn more than before, where politics overshadows professionalism and objectivity.” Sahar Haddad, a media activist in Ramallah added that, “The diversity of Palestinian media agencies is not a result of professionalism or pluralism in the true sense of the word. Rather, it is a reflection of diversity in the political thoughts supporting the party’s status, as it also serves the benefit of some owners of media outlets.”

Talal Okal said, “Monitoring current media quickly reveals the extent to which it has been politicized. It is dominated by one party while other parties have a very weak media presence or institutions. What is broadcast or written is selective and subjective, and in some cases untrue and dishonest. A lot

of it is more rumors than news.” Khalil Abu Shammaleh offered his opinion that, “The party media are divisive. They try to expose rivals and other parties, not out of concern for transparency or integrity, but to score points with the public.”

Wafa’ Abdel Rahman said, “Many sources of information exist in Palestine, especially online. Unlike the Arab countries, the weak PNA did not ban web sites, so today the Internet functions as the main source of uncensored information. As a result, web pages became not only a huge arena for freedom of opinion and expression, but also a place to exchange accusations and expletives reflecting on the current political situation.”

She continued, “Printed materials are a major challenge, but the PNA is not to blame for that. They are limited in number, particularly foreign ones, because Israel controls access to books and printed materials. It is worth mentioning that some strong, new competing sources emerged, such as the mosques that are used for information dissemination and incitement. The mosques have become the most important source for the public to rely on, stemming from the high public trust they enjoy as religious institutions. Finally, it is important to note that Palestinians rely on widely circulated word-of-mouth rumors.”

Controlling the movement of journalists and their ability to cover news and events also impacts on the diversity of viewpoints in the news. The PNA banned the pro-Hamas outlets from working in the West Bank, such as *Falasteen* and *Al-Resala*. In retaliation Hamas tried to subjugate some media outlets with threats, rights violations, office closings, and distribution bans on newspapers in Gaza in retaliation

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

for similar measures. Hamas has taken steps to ban the PNA-controlled PBC and raided other radio stations, such as Al-Hurryya, forcing them to close. They also prohibited journalists from covering some events and demonstrations, perpetrated assaults on some, and mandated the possession of special official media cards as a prerequisite for practicing journalism in Gaza.

Mahmoud Khalifeh commented, "On one hand the Israeli blockade and closure of entrances in Gaza made access to Arab and international newspapers impossible; on the other, the closure or destruction of some local radio stations by public officials, [i.e. the Hamas government] made it impossible to review different perspectives."

Regarding access to news sources, the panel agreed that the PNA does not impose restrictions on accessing varied news sources since Palestinian society has unlimited exposure to various television channels and the Internet. Nevertheless, the panel concluded that local Palestinian media is unable to compete with them and the high poverty and unemployment rates hinder access to news sources, especially in Gaza and rural areas. Talal Okal noted that, "Importing international print materials is not only limited but also requires special permits. But to obtain them, it requires before everything the opening of borders and lifting of the closures on Gaza. At present, newspaper distribution is limited to major West Bank cities, which makes radio and television the only source of news for rural populations." Okal was referring to prohibitions by Israeli authorities on the delivery of Palestinian newspapers to the Gaza Strip (e.g., seven days in July 2006, 16 days in August 2006, and 15 days in June 2007).

Until the formation of the Hamas-headed government in 2006, the Palestinian official media dominated the entire media arena. It was run by the executive authority and its officials were members of the governing party, Fatah. In 2005 the minister of information adopted a decision, also approved by the cabinet, to place all official media agencies under the direct authority of the Ministry of Information. Those steps meant a transformation of public agencies into totally governmental ones. In other words, the media were expected to cater to the PNA's needs, cover its news from its perspectives and neglect all other parties, especially opposition parties whose media agencies were at the time both weak and lacking in professionalism.

However, the official media agencies have grown more biased since Hamas' election victory, and since Hamas took control of Gaza. President Mahmoud Abbas decided to place the official media agencies under the direct control of the Office of the President, especially radio and television. According to panelist Khalil Ibrahim, "This would not have happened without the silence of Palestinian media, if not official

sanctions by some institutions, especially the Syndicate. No action was taken to oppose presidential control of the public media. On the contrary, it brought the media closer to the perspective of Fatah, and they trumpeted incitements against the other party to the internal conflict."

This also blurred the line between official public media and party-run media. PBC television is now competing with the Hamas-run Al-Aqsa channel, which is intensifying the polarization between the two parties. Other media outlets also receive pressure to side with one of the parties. Shahin added, "Hamas for its part launched its own TV channel, Al-Aqsa, which bragged of repeatedly airing violent footage of murders committed by Hamas members in the streets of Gaza in June 2007, such as the murder of Sameeh Al-Madhoon, who was publicly killed in the streets without any trial, and other humiliating scenes of semi-naked security men being arrested and escorted out of their stations."

Abdel Rahman noted the impact of such divisions at official media. "On December 10, 2007, Palestine TV did not broadcast a recorded series produced by [Abdel Rahman's NGO] Filastiniyat, without giving any justifications. Apparently this had to do with the program hosting a member of Hamas, which is to TV a red line."

Official media includes the Wafa news agency, but also two non-official news agencies, Ramattan and Ma'an, provide coverage.

Production of own-source news programming by local independent broadcasters is limited. Private Palestinian radio and television stations lack sufficient capital investment, which restricts their development and leads the majority of them to put profit ahead of professional performance. They focus on attracting a bigger audience through entertainment, religious, and political programming by using recorded materials, often without permission, from Arab and international channels. In itself, this indicates weakness in local television and radio stations and the abilities of their employees, some of whom landed work at television stations despite having no relevant qualifications. The reorganization of those channels and agencies has become harder under the division of the two governments, each trying to use media to their perceived advantages or as sides in the internal conflict.

Khalifeh noted, "Production of news programs is also very much limited, and some try to rerun news from satellite channels (mostly Al-Jazeera and Al-Arabiya) to escape slipping into controversy with officials on what is allowed or prohibited, or to escape the necessity of giving an opinion in some important cases. All of that eliminates transparency in the media agencies' work."

Journalists feel they have a mandate to show the cohesion of Palestinian social fabric because of the occupation. There is also the pressure of prioritizing Israeli violations over addressing social problems, such as the issues of women, youth and children, or domestic violence and sexual harassment. Religious issues are also “taboos” that cannot be discussed in the local media.

According to Iyad Krunz, “As a result of the current conflict and polarization, there is no independent media in Palestine. The majority of the media outlets are biased to parties and most news is presented in a biased fashion. There is a clear neglect of social and cultural issues in preference for a more dominant political agenda. One could also say that the media is monopolized by issues of political interest rather than by social content, especially in matters related to gender and poverty.”

OBJECTIVE 4: BUSINESS MANAGEMENT

Palestinian Territories Objective Score: 1.75

The embargo on the PNA and the Palestinian people following Hamas’ victory in the PLC elections has severely disrupted the local economy, continuing even after the formation of the unity government in March 2007 that represented the majority of Palestinian factions and parties. This situation exacerbated previous financial difficulties facing Palestinian media and therefore this year’s score dropped somewhat, from 1.88 to 1.75. Most indicators fared similarly poorly, and only a few received scores above 2. Indicator 2, media receive revenue from multiple sources, scored a half point higher than the average. All the rest scored within a half point, except for Indicator 6, market research, which scored almost three-quarters of a point lower.

The private sector was hit hardest by the embargo, and many enterprises (more than 80 percent in Gaza) closed down and laid off their personnel. The resulting shrinkage of the advertising market meant that insufficient income was generated for private media. Salaries could not increase in line with the rising cost of living. Private media owners, managers, and personnel have thus faced mounting pressure along with the public media, where employees did not receive their salary for over a year and still have outstanding salary owed to them.

Panelists stated that private media seek profit but face institutional weaknesses, along with a number of other factors such as Israeli restrictions, declining investment, and increasing poverty in the Palestinian areas. All of these factors severely

limit private media’s ability to generate high enough profits to enable the effective management and development.

The economic conditions in Palestine recovered slightly after Hamas took control of the Gaza Strip. The inflow of donor funds has enabled the newly formed government of Prime Minister Salam Fayyad to resume the disbursement of public sector salaries and the partial settlement of government debts to daily newspapers and printing houses for services including the placement of public announcements and the printing of textbooks and other publications.

Despite this temporary revival in the West Bank, the economic conditions in the besieged Gaza Strip have deteriorated at an unprecedented rate. The most serious damage is in the private sector, especially in the advertising, printing and publishing industry, and in the decrease of the purchasing power of the majority of the population. It is also estimated that about 70 percent of Gaza residents live below the poverty line.

In addition to these difficulties, the panel pointed out that the small Palestinian media market faces very strong competition from Arab and international media. Given the unstable political situation and the economic embargo of the Gaza Strip, not to mention Israeli policies, those with domestic capital have understandably grown more reluctant to invest in the media sector at a time when advertising revenues are insufficient to cover the overheads of private media.

In the opinion of panelist Mahmoud Khalifeh, “There is a significant problem facing the private or independent media, which stems from a bad economic situation that does not allow advertising. Therefore, the continuity of many radio and television stations, and even newspapers, hinges on receipt of financial support from major political parties or external

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

BUSINESS MANAGEMENT INDICATORS:

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

sources. For some media centers, advertising revenues fall far short of meeting operational expenses. For example, the three daily newspapers combined (*Al-Quds*, *Al-Ayyam*, and *Al-Hayat*) distribute less than 50,000 copies per day for nearly five million people in the West Bank and the Gaza Strip. Moreover, the advertising agencies are weak and lack the professionalism and research that would solve the problems of advertising, marketing, and distribution.”

In addition to their dependence on advertising as a meager yet vital source of income, local newspapers, especially *Al-Ayyam* and *Al-Quds*, own printing facilities that provide a crucial source of income. The media, particularly newspapers, recruit special departments, teams, and local agencies to obtain more advertising to run, particularly ads from international firms that pay more than domestic ones. However, Khalil Shahin noted that, “Market fluctuations, political instability, and the ongoing embargo negatively affect media revenues and plans for expansion, development or salary increases for their staffs. It also means that most advertising does not use market research techniques, which in turn hampers any strategic planning attempts or verification of the actual needs of the market.” Furthermore, Rimawi noted that “most media are not functioning effectively or professionally to produce profit. Most use primitive distribution networks and rarely employ marketing research techniques that assist in strategic planning or forming the products that fit customers’ needs and interests.”

Except for a few newspapers, most private media institutions could be considered small businesses. Palestinian capital has yet to lay the foundations of a modern media industry, including infrastructure such as printing, paper, and training centers. Real competition mechanisms, business practices based on supply-and-demand principles, and standards of quality are simply not a reality. Therefore stable plans for generating profit for private media can not be identified.

The panel noted that for the management of media institutions, particularly daily newspapers, distribution rates are well-kept “secrets” that are not be revealed to papers’ own journalists. Media institutions provide misleading information on distribution figures to the Ministry of Information and research centers alike. This leaves opinion polls as the source of information, which indicates that the total daily distribution volume of all three newspapers combined likely does not exceed 50,000 copies. According to Talal Okal, “There is no party authorized or responsible for providing information on media impact, distribution, and circulation capacities or resources. Their management refrains from providing figures either because of their weakness and lack of transparency, or perhaps to conceal outrageous shortcomings.”

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Palestinian Territories Objective Score: 2.01

Panelists scored this objective slightly higher than last year, with a score of 2.01, up from 1.86. However, the strength in this objective is due to a couple of indicators, while others did not fair nearly as well. Panelists gave high scores to Indicators 3, 6 and 7, supporting NGOs, access to printing facilities, and distribution of media; these all scored roughly half a point or more above the average. Indicators 1, 2, and 4, on the other hand, trade associations, professional associations, and academic journalism programs, all scored more than a half point lower than the average.

There are associations for printers, advertisers, and publishers, such as the Union of Private Radio and Television Stations to represent the interests of ownership. Panelists characterized these associations as weak and lacking impact on the media sector.

Likewise, panelists were critical of the Palestinian Journalists Syndicate. Despite the surge in violations of the right of free expression and the unprecedented abuses of journalists and media institutions in the Palestinian territories between 2006 and 2007, the Syndicate remains paralyzed. The Syndicate has not taken any practical measure to defend journalists’ rights to work despite its penchant for issuing statements of denunciation of these violations. Journalists’ mistrust of the Syndicate has deepened because it does not provide them with any services. The head of the Syndicate is not a journalist, and some doubts were raised over the membership of non-journalists who join merely to acquire press credentials that facilitate the crossing of Israeli military checkpoints.

The general political division in Palestine has been reflected internally at the Syndicate. For example, the pro-Abbas head of the West Bank Syndicate usually denounces violations of the Hamas-led government in Gaza while shying away from denouncing similar violations undertaken by Fayyad’s government in the West Bank. The West Bank Syndicate adopts a relatively conciliatory approach as if assuming an intermediary role to reconcile journalists with the executive authority and its security services.

The Hamas government has tried to force the Gaza Syndicate to fall in line with its political interests by rejecting members’ attempts to push for greater freedoms for journalists. Hamas encouraged its “Palestinian journalist bloc” to wrest control of the Gaza Syndicate, while at the same time curbing journalists’ freedom, as described above.

In the face of violations on both sides, journalists have organized protest activities and events independently of

the Syndicate, and with limited support from civil society organizations and political figures. Frequent journalist sit-ins have become a familiar scene in many cities in the absence of a strong, influential and respectable Syndicate capable of mobilizing journalists. In contrast, Shahin said, "Journalists are prevented from establishing trade union bodies other than the existing ones that claim monopolistic representation of journalists. Consequently, journalists are deprived of a trade union to serve them and defend their rights."

Wafa' Abdel Rahman commented on the state of the Syndicate saying, "Not only is the Syndicate unfortunately weak as a journalist-defending body, but this weakness also seems to encourage more attacks on journalists." She added that, "Other institutions tried to assume the Syndicate's role, but unfortunately did not succeed. The Syndicate is the recognized body both locally and internationally, which means that while it has legal legitimacy, it does not enjoy a legitimacy derived from its constituents, the journalists themselves. It seems that journalists should pressure strongly for holding Syndicate elections, and then identify its responsibilities in addressing many of the attacks against journalists."

Palestinian NGOs support the media's rights to independence and freedom of expression, and advocate for a stronger social role for the media. Some monitor violations against the media and condemn them publicly but lack mechanisms to effectively pressure the relevant parties to stop such infringements. "Most NGOs, particularly human rights organizations," said Andalib Odwan, "are the only supporters of media rights and the other participants in journalists' protests."

For example, the Al-Mada Center is active in defending media freedoms. According to the center's coordinator Mousa

Rimawi, "The proactive NGOs are cooperating with the media to have their rights respected, but the problem is that not many media institutions expose the violations they were subjected to by Hamas or the PNA. The majority of media institutions are either affiliated to or owned by either of the two parties."

Panelists criticized formal journalism education programs. Talal Okal asserted that, "Media-related academic programs at Palestinian universities are outdated and lag behind developments in the field, which leaves graduates in dire need of further training." Odwan said, "Theory is emphasized more than practice in academic media programs."

The panel did point out that the PNA does not constrain the teaching of media programs, which are open for any Palestinian student to enroll in, provided that they meet the admission requirements based on the standards approved by the Ministry of Higher Education. However, the most critical problem lies in the absence of coordination between colleges and media institutions, and the lack of market studies on the actual need for various types of media graduates in the local labor market. This leads to a greater supply of media graduates than required by the relatively small institutions with limited capacity to absorb them all.

In addition to formal academic programs, some NGOs organize ad hoc training courses that often fail to meet the real needs of Palestinian journalists. Nasser Lahham noted that a number of specialized institutions in the United States and European Union provide their local partner organizations with financial support and media experts to conduct specialized training programs for media institutions, their journalists, and personnel. However, "When local institutions or international projects provide training," commented Shammaleh, "they often do it without performing proper needs assessments with journalists or their professional bodies."

Professionals suffer from the absence of training programs designed and implemented by the media institutions they serve. Kamish thought that "short-term journalists' training opportunities are generally available and accessible, but what is missing is enough institutional support from employers in offering their teams opportunities for professional development." Haddad added, "Sometimes it is a question of capacity, because the number of trainees overwhelms the limited absorption capacities of existing media institutions, and many media graduates pursue other careers that are most likely incompatible with the education they received."

All three West Bank-based daily newspapers monopolize a major portion of the printing and distribution industry. No newspaper printing house exists in the Gaza Strip. Rimawi explained that, "Weak distribution challenges their

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

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

journalistic roles, but political interests hamper even printing. A case in point occurred when the Al-Ayyam printing house in Ramallah declined to continue printing the Hamas-affiliated *Falasteen* newspaper after the ban of Hamas media activity in the West Bank following the party's seizure of the Gaza Strip." However, it should also be noted that none of the printing firms are owned by the PNA; they are owned by the private sector. Khalifeh explained, "[They] are not subject to any form of censorship from the PNA because the Printing and Publishing Act does not generally impose censorship on the media."

List of Panel Participants

WEST BANK:

Sahar Haddad, media activist, Ramallah

Khalil Shahin, senior editor, *Al-Ayyam*, Ramallah

Mousa Rimawi, general coordinator, Mada Center, Ramallah

Nasser Lahham, editor-in-chief, Ma'an News Agency, Bethlehem

Ibrahim Abu Kamish, editor and press correspondent, *Al-Hayat Al-Jadida*, Jenin

GAZA STRIP:

Andalib Odwan, chair of the Board of Directors, Community Media Center, Gaza

Dunia Al-Amal Ismail, writer and journalist, Gaza

Talal Okal, journalist and media expert, Ministry of Media, Gaza

Mahmoud Khalifeh, general director, Ministry of Media, Gaza

Shams Odeh, director of the Television Department, Reuters Agency Office, Gaza

Khalil Abu Shammaleh, member, Al-Dameer Organization, Gaza

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