

# **MEDIA SUSTAINABILITY INDEX**

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## **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.



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NORTH AFRICA**

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*The MSI should also be seen as an important tool for the media and media advocates in each country, as it reflects the expert opinions of local media professionals. We encourage local media professionals to use the MSI to continue their vital efforts at developing independent and sustainable media.*



I am pleased to introduce the 2006/2007 Media Sustainability Index (MSI) for the Middle East and North Africa (MENA), the second such study of 18 countries from Morocco to Iran. This edition of the MSI provides an analysis of the media sector based on events occurring in the latter part of 2006 through 2007.

The MSI was first conceived in 2000 and launched in Europe and Eurasia in 2001, in cooperation with the United States Agency for International Development (USAID). Since that time, it has become a universally recognized reference for benchmarking and assessing changes in media systems across Europe and Eurasia, the MENA region, and, for the first time this year, Africa. In addition to support from USAID, the Middle East and North Africa edition also received the generous support of the US State Department's Middle East Partnership Initiative (MEPI) and UNESCO.

Policymakers, development specialists, and professionals in developing countries increasingly recognize media as a key element of the development agenda. The MSI is designed to assist policymakers and implementers by analyzing the various elements of a media system and pointing to areas where assistance can be most effective in developing a sustainable and professional media system.

The MSI should also be seen as an important tool for the media and media advocates in each country, as it reflects the expert opinions of local media professionals. We encourage local media professionals to use the MSI to continue their vital efforts at developing independent and sustainable media.

IREX would like to thank all those who contributed to the publication of the MENA MSI for 2006/2007. Participants, moderators, authors, and observers for each country, listed after each chapter, provided the primary analysis for this project. At IREX, Leon Morse managed the MSI with administrative assistance from Blake Saville. Drusilla Menaker, Mark Whitehouse, and Christine Prince provided editorial and other assistance. IREX staff in the region provided important logistical support and guidance. USAID and the US State Department's MEPI program have been consistent supporters of the MSI, helping to develop the project and ensure its ongoing implementation. In particular, IREX would like to thank Mark Koenig at USAID and Saira Saeed at the US State Department for their invaluable guidance and support of the MENA MSI.

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

Sincerely,



Mark Whitehouse

Director, Media Development, IREX

*In 2005, the MSI identified contradictions between constitutional guarantees of free speech and the laws and regulations governing the media. Little progress was made in addressing those discrepancies in any country under study. An Algerian panelist described a “perfect” constitution compared to its “catastrophic” application.*



The 2006-2007 Media Sustainability Index (MSI) for the Middle East and North Africa (MENA), the second study of the media in 18 countries of the region, updates the findings of IREX's 2005 edition. The challenges facing media in much of the region remain largely unchanged, and most stem directly or indirectly from restrictive legal environments. While there were some cases of improvement or specific examples of alleviation of an issue, in most countries the obstructions to the work and development of independent, objective media have increased. The overall scores of 10 countries fell by more than .10 point, while three showed little to no change. In five countries the overall score showed modest improvement, greater than .10 point.

The methodology used in the MENA region was the same as that used in 2005, and the same as that used in Africa and Europe and Eurasia, allowing for comparison over time and across regions. More about our methodology may be found in the next section. The methodology, although the same in each region, is designed to compare universal elements of a media sector but allow the unique characteristics of each country to be highlighted. The result is that this study reveals challenges and strengths that are common in much of the world, but also those that are unique to the MENA region and sub-regions or individual countries therein.

### **Legal Frameworks: Impacting Media Sustainability**

Many of the common challenges in the MENA region include legal frameworks that are unfriendly to press freedom in practice. Again this year, Objective 1, free speech, received the lowest scores from panelists when comparing region-wide MENA averages. This total average dropped from 1.60 last year to 1.52 this year. Exactly the same as 2005, in six countries (one-third of those studied) this represented the lowest objective score, while only two reported it as their highest.

In 2005, the MSI identified contradictions between constitutional guarantees of free speech and the laws and regulations governing the media. Little progress was made in addressing those discrepancies in any country under study. An Algerian panelist described a "perfect" constitution compared to its "catastrophic" application. In Jordan, for example, panelists reported that the March 2007 Press and Publications Law eliminated jail sentences for violations of the law. However, the former jail sentences were replaced with fines of up to \$40,000; journalists may still find themselves imprisoned, as the Penal Code still includes certain provisions relevant to media professionals.

*An Algerian panelist noted that the largest obstacle to realizing constitutional guarantees is the subservience of the courts to political authorities. Panelists in Yemen, where judges are appointed by the justice minister, pointed to preferential legal treatment for media operated by the government.*

In many countries, discrepancies between constitutional guarantees and practice widened. In Morocco, panelists reported the use of national security provisions to arrest a journalist along with his wife and baby in order to compel him to disclose the source of a leaked military report. Jail sentences for opposition media professionals and blocking of certain Internet sites were described by Egyptian panelists. Palestinian panelists reported that political upheaval had damaged the legal protections—limited as they were—afforded to the press, particularly in Gaza.

Exacerbating this situation is the lack of independence of courts in most countries studied, although this is not unique to the MENA region. An Algerian panelist noted that the largest obstacle to realizing constitutional guarantees is the subservience of the courts to political authorities. Panelists in Yemen, where judges are appointed by the justice minister, pointed to preferential legal treatment for media operated by the government. Iraqi panelists noted that Coalition Provisional Authority rules still in place requiring approval from the prime minister before bringing charges against journalists are ignored by judges, and such charges proceed without such approval.

Another key way that legislation and regulations restrict free speech is through control of terrestrial broadcasting. Five of the countries under study (Algeria, Iran, Saudi Arabia, Qatar, and Yemen) control all terrestrial broadcasting, both radio and television. An additional seven countries (Bahrain, Egypt, Jordan, Libya, Morocco, Oman, and Syria) control terrestrial television broadcasting. Recent regulatory changes in Kuwait that have allowed for licensing of private television and radio are one bright spot.

Satellite channels have provided a way around this monopoly for citizens of the region. Many of the countries that control terrestrial television allow private or relatively independent state owned satellite broadcasters to operate from their territory. While this does add an expense that prices some

consumers out of the market for these services, many others are able to access domestic, regional, and international channels in this manner. In some countries, liberal laws exist in special zones that allow nearly unfettered operations of these stations, and could serve as the foundation for future liberal laws that could apply to an entire country.

However, governments have taken notice of this source of unrestricted news. The future of independent regional satellite channels was called into question in early 2008 after an Arab League proposal to jointly regulate satellite broadcasts within member countries. Only Qatar and Lebanon did not support this proposal initially, and although it is still pending, it fortunately appears to be on hold for now. Many satellite channels, however, cover only regional or international news in a relatively open manner; local news is subject to the many restrictions and self-censorship found in traditional local media.

The issue of self-censorship by media professionals came up often in panel discussions again this year, and that indicator within Objective 2, professional journalism, was problematic for most countries. Panelists in Algeria noted that self-censorship emerged in the wake of official censorship, and extended beyond stories involving the government or powerful politicians, but also to large advertisers. A panelist in Yemen referred to three taboo topics: “The person of the president, the army, and Yemen’s unity.” Panelists typically invoked government or financial pressure as the source of this self censorship. With criminal libel penalties in place in most countries—or worse, violence against media professionals who write critical articles—journalists are constantly taking pains to walk a thin line or simply not report on certain issues at all. Furthermore, in several Gulf countries media workers are often citizens of other countries and fear deportation should they ruffle official feathers. Official censorship does still exist as well: for example, Syrian media mostly did not report on the September 2007 Israeli airstrikes in their country.

Also in Objective 2, the indicator regarding pay levels scored low in nearly every country, as it does in other regions of the world. In Iraq, panelists were concerned with “piecework” journalism, which undercut quality of articles in favor of quantity. Panelists in Yemen reported salaries of \$100 per month, which essentially forces journalists into suspect practices at best, and corruption at worst. Even in Kuwait, panelists reported limited corruption; however another damaging effect of low salaries is loss of trained personnel. Panelists there noted that many graduates of journalism programs choose to take more lucrative jobs with the government.

Overall, Objective 2 scores remained about the same in nine of the countries studied, while three improved noticeably and six decreased. The overall score for the region declined from 1.73

to 1.68, but was still one of the leaders along with Objective 4, business management.

Restrictive legal frameworks also hamper the work of civil society in many countries in the region, although notably less in others. Scores for Objective 5, supporting institutions, represented a number of highs and lows for individual countries. Six country panels reported Objective 5 as their lowest score, although five reported it as their highest. On balance, however, the total MENA average score for Objective 5 was the second lowest, after Objective 1, and dropped slightly from 1.60 in 2005 to 1.59 this year. Between Objective 1 and Objective 5, 12 of the 18 countries studied reported either Objective 1 or Objective 5 as their lowest score.

Laws limiting the rights to assemble, such as government approval for public meetings in Oman or, as faced by the MSI panel discussion in Saudi Arabia, need for government approval for men and women to gather in the same meeting, hamper the ability for associations and civil society to support the work of the media and lobby for reform. In another example, Kuwaiti panelists reported that their government refuses to allow the formation of a recognized trade union of media professionals.

The associations that do exist are, in many countries, not independent. For example, Syrian panelists dismissed the Journalists' Union there. One said "The union represents the government line; it is just a structure but it does nothing meaningful." The Tunisian Association of Newspaper Editors was expelled from the World Newspaper Association for being controlled by the government there, while an independently formed Syndicate of Tunisian Journalists has not been allowed by the government to hold a general assembly.

On the other hand, there are successful examples of associations working to support the media. Egyptian panelists noted with satisfaction that, despite what they considered a restrictive law on NGOs, a number of organizations exist that focus on human rights and act to protect journalists who find themselves facing court proceedings or under arrest. In Iran, panelists characterized the Association of Iranian Journalists as an independent and trusted institution, although they noted that it is increasingly coming under government pressure. One noted that "In recent months—unfortunately—it's been us journalists defending and supporting the association, rather than the other way around." A panelist in Morocco expressed his appreciation of the efforts of several civil society groups to improve access to information.

The indicators included in Objective 5 also include those geared toward evaluating journalism education, and those often did not help to improve scores. In Jordan, one panelist said, "Neither university [program] offers practical training

*Market research and reliable audience measurements are vital to the independence and overall financial sustainability of media outlets themselves. They promote a media sector based upon market principles, where independent media that become trusted by their audience can make a case with advertisers to place advertisements because they will bring results. Unfortunately, in many countries, advertisements are placed based upon business ties or political connections.*

for graduates. At best, training programs lack the minimum required standards." This comment was echoed in several other countries.

## **Business Management and Plurality: Promising Strengths and Lingering Weaknesses**

Objective 4 scores for the overall region led all others, with a combined average of 1.69 (compared to 2005's 1.76). The many robust economies of the MENA region help drive better performance in this objective; even outside the oil-rich Gulf countries one can find relatively strong advertising markets and traditions of media marketing.

However, there are still poor performers in the region. Media outlets in Tunisia lack the freedoms necessary to develop as financially independent businesses. In Libya, panelists said that there exist no media that they would term "commercial;" all media are dependent on the state directly or indirectly. In Iraq, panelists described a situation of inexperience with media management and advertising sales. In Yemen, panelists decried the weak economy and the impact it has on media operations.

Furthermore, a trait shared among all countries, even the best performers in Objective 4, is the absence of market research and audience measurement. Panelists in countries where such work does take place indicated that it is either rarely done or not trusted or both. Based upon the country reports, research and audience measurement is most advanced in UAE. Panelists there described research that is accused of being sold, with favorable results, to the highest bidder and newspaper circulation statistics published by a few newspapers that back claims by each that they enjoy the largest readership.

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Market research and reliable audience measurements are vital to the independence and overall financial sustainability of media outlets themselves. They promote a media sector based upon market principles, where independent media that become trusted by their audience can make a case with advertisers to place advertisements because they will bring results. Unfortunately, in many countries, advertisements are placed based upon business ties or political connections. Finally, market research promotes a media sector that better responds to the information needs of the consumer, including increased reporting on issues such as local issues, health, and education.

One consistently positive aspect of the media sector in the MENA region is plurality of news sources, covered by Objective 3. Across the region, as a whole this objective ranked first in 2005, although it dropped to 1.64 this year, placing it third. In general, the region's proximity to Europe and access to multiple satellite channels is a plus. In many countries, the relative wealth of consumers allows them to access many sources of information, including the Internet. Free media zones also encourage plurality in the Gulf. Lebanon, which scored a 2.88 for this objective, the highest in the MENA region this year, has the further benefit of a liberal licensing framework that allows the many competing voices into the media landscape.

Lebanon's additional strength, however, is a key weakness in most other countries. While citizens may access international or regional news freely, it is difficult for them to receive objective news—or even competing, yet biased voices—about their own country. As mentioned above, panelists in UAE and Qatar reported that regional satellite news channels based there rarely cover local news and local media must abide by a

different, and more stringent, set of regulations. Therefore the ability of citizens to make political or other decisions based on unbiased information or an individual analysis of competing points of view is limited, with countries such as Libya, Yemen, and Tunisia the extreme examples on the low scoring side.

## **Media Development in Common: the Middle East, Africa, Europe & Eurasia**

Compared to the Africa and Europe and Eurasia (E&E) MSI studies for 2006-2007, which showed the quality of journalism and business management of media as the weakest of the five MSI objectives, the MENA MSI study showed these to be the two strongest overall. This allows for a certain advantage in considering future development of media, particularly in those countries with stronger economies in the region. Better resources may allow for better news and information for citizens produced by trained professionals. Much of Africa and Central Asia, in particular, have a long way to go to catch up to many countries in the MENA region in these two objectives.

However, one strength in particular shared by Africa and E&E, supporting institutions, turned in another low performance this year in the MENA region. Furthermore, the combined free speech scores in the MENA region ended up much lower than those in Africa and E&E. These deficiencies in the MENA region may well negate the advantages enjoyed by certain countries and essentially cap their development until addressed. Robust supporting institutions that can protect media professionals and advocate for legal reforms are an integral part of sustainable legal reform. In turn, such legal reform is necessary to allow better quality, and ultimately more financially sound, media to develop.

### MEDIA SUSTAINABILITY INDEX 2006/2007: OVERALL AVERAGE SCORES

▲ Libya (0.45)	□ Tunisia (0.89)	▼ Yemen (1.12)	▼ Saudi Arabia (1.42)	▼ Algeria (1.50)	▼ Syria (1.31)	▼ Iran (1.56)	▼ Bahrain (1.63)	▼ Jordan (1.86)	▼ Morocco (1.89)	▼ Oman (1.65)	▼ Palestine (1.84)	▲ Egypt (2.23)	▲ Lebanon (2.45)	▲ UAE (2.09)	▼ Kuwait (2.04)	▼ Qatar (2.36)
0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00	3.01 – 3.50	3.51 – 4.00									
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM				NEAR SUSTAINABILITY		SUSTAINABLE								

### MEDIA SUSTAINABILITY INDEX 2006/2007: FREE SPEECH

▲ Libya (0.40)	▼ Tunisia (0.50)	▼ Iraq (0.89)	▼ Yemen (0.97)	▼ Iran (1.05)	▼ Saudi Arabia (1.38)	▼ Syria (1.36)	▼ Algeria (1.25)	▼ Bahrain (1.52)	▼ Jordan (1.70)	▼ Kuwait (1.78)	▼ Morocco (1.90)	▼ Oman (1.84)	▼ Palestine (1.77)	▲ Egypt (1.97)	▲ UAE (1.92)	▲ Lebanon (2.24)	▲ Qatar (2.97)
0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00	3.01 – 3.50	3.51 – 4.00										
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM				NEAR SUSTAINABILITY		SUSTAINABLE									

#### CHANGE SINCE 2005

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

## MEDIA SUSTAINABILITY INDEX 2006/2007: PROFESSIONAL JOURNALISM

<ul style="list-style-type: none"> <li>□ Libya (0.59)</li> <li>□ Tunisia (0.94)</li> <li>▼ Iraq (1.00)</li> </ul>	<ul style="list-style-type: none"> <li>□ Iran (1.35)</li> <li>□ Yemen (1.35)</li> <li>▼ Algeria (1.43)</li> </ul>	<ul style="list-style-type: none"> <li>□ Jordan (2.00)</li> <li>□ Morocco (1.85)</li> <li>□ Syria (1.58)</li> <li>▼ Bahrain (1.61)</li> <li>▼ Oman (1.70)</li> <li>▼ Palestine (1.58)</li> <li>▼ Saudi Arabia (1.62)</li> </ul>	<ul style="list-style-type: none"> <li>▲ Egypt (2.25)</li> <li>▲ Lebanon (2.44)</li> <li>▲ UAE (2.26)</li> <li>□ Kuwait (2.31)</li> <li>□ Qatar (2.43)</li> </ul>				
0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00	3.01 – 3.50	3.51 – 4.00
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY		SUSTAINABLE	

## MEDIA SUSTAINABILITY INDEX 2006/2007: PLURALITY OF NEWS SOURCES

<ul style="list-style-type: none"> <li>▼ Iraq (0.94)</li> <li>▲ Libya (0.62)</li> <li>□ Tunisia (0.75)</li> <li>▼ Yemen (0.75)</li> </ul>	<ul style="list-style-type: none"> <li>▼ Bahrain (1.35)</li> <li>▼ Saudi Arabia (1.38)</li> <li>□ Syria (1.24)</li> </ul>	<ul style="list-style-type: none"> <li>□ Algeria (1.61)</li> <li>□ Iran (1.54)</li> <li>□ Jordan (2.00)</li> <li>▼ Morocco (1.74)</li> <li>▼ Oman (1.71)</li> </ul>	<ul style="list-style-type: none"> <li>▲ Egypt (2.38)</li> <li>▲ UAE (2.04)</li> <li>▼ Kuwait (2.16)</li> <li>▼ Palestine (2.10)</li> <li>▼ Qatar (2.28)</li> <li>▲ Lebanon (2.88)</li> </ul>				
0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00	3.01 – 3.50	3.51 – 4.00
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY		SUSTAINABLE	

### CHANGE SINCE 2005

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

## MEDIA SUSTAINABILITY INDEX 2006/2007: BUSINESS MANAGEMENT

		<ul style="list-style-type: none"> <li>□ Algeria (1.57)</li> <li>□ Iran (1.80)</li> <li>▼ Bahrain (1.99)</li> <li>▼ Jordan (1.80)</li> <li>▼ Morocco (1.76)</li> <li>▼ Oman (1.75)</li> <li>▼ Palestine (1.75)</li> <li>▼ Saudi Arabia (1.67)</li> </ul>	<ul style="list-style-type: none"> <li>▲ Egypt (2.23)</li> <li>▲ Lebanon (2.27)</li> <li>▲ UAE (2.50)</li> <li>▼ Qatar (2.27)</li> <li>▲ Kuwait (2.71)</li> </ul>				
□ Libya (0.15)	<ul style="list-style-type: none"> <li>▼ Yemen (0.98)</li> <li>▼ Iraq (0.70)</li> </ul>	<ul style="list-style-type: none"> <li>▲ Syria (1.27)</li> <li>□ Tunisia (1.25)</li> </ul>					
0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00	3.01 – 3.50	3.51 – 4.00
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY		SUSTAINABLE	

## MEDIA SUSTAINABILITY INDEX 2006/2007: SUPPORTING INSTITUTIONS

		<ul style="list-style-type: none"> <li>▲ Syria (1.08)</li> <li>□ Iraq (1.04)</li> <li>□ Oman (1.28)</li> <li>▲ Libya (0.51)</li> <li>□ Tunisia (1.00)</li> </ul>	<ul style="list-style-type: none"> <li>▲ Algeria (1.66)</li> <li>▲ UAE (1.74)</li> <li>▼ Bahrain (1.71)</li> <li>▼ Jordan (1.80)</li> <li>▼ Qatar (1.83)</li> <li>▼ Saudi Arabia (1.07)</li> <li>▼ Yemen (1.53)</li> </ul>	<ul style="list-style-type: none"> <li>▲ Egypt (2.34)</li> <li>▲ Palestine (2.01)</li> <li>□ Iran (2.05)</li> <li>□ Lebanon (2.42)</li> <li>□ Morocco (2.22)</li> </ul>			
0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00	3.01 – 3.50	3.51 – 4.00
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY		SUSTAINABLE	

### CHANGE SINCE 2005

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

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*The challenges facing media in much of the region remain largely unchanged, and most stem directly or indirectly from restrictive legal environments. While there were some cases of improvement or specific examples of alleviation of an issue, in most countries the obstructions to the work and development of independent, objective media have increased.*



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

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

1. Legal and social norms protect and promote free speech and access to public information.
2. Journalism meets professional standards of quality.
3. Multiple news sources provide citizens with reliable and objective news.
4. Independent media are well-managed businesses, allowing editorial independence.
5. Supporting institutions function in the professional interests of independent media.

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

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

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

## I. Objectives and Indicators

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

#### FREE-SPEECH INDICATORS:

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

### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

#### PROFESSIONAL JOURNALISM INDICATORS:

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

### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

#### PLURALITY OF NEWS SOURCES INDICATORS:

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

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

#### BUSINESS MANAGEMENT INDICATORS:

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

## SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

### SUPPORTING INSTITUTIONS INDICATORS:

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

## II. Scoring System

### A. Indicator Scoring

Each indicator is scored using the following system:

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

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

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

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

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

### B. Objective and Overall Scoring

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

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

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

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

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





**NORTH AFRICA**

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*Algerian media is distinguished by strong state-owned radio and television, as well as a news agency. Attempts at ending the government's ban on private investment in broadcast media have not been successful. However, a strong and influential private sector coexists in the print media, both in Arabic and French, mostly in the form of politically focused daily newspapers.*



## ALGERIA

In Algeria, the media scene has not changed significantly since the events of October 1988 and the adoption of a new constitution in February 1989, when for the first time in Algerian political history, political, labor union, and media pluralism was allowed. From the end of the 1980s to the beginning of the 1990s, several social groups, including journalists, exercised these freedoms.

Algerian media is distinguished by strong state-owned radio and television, as well as a news agency. Attempts at ending the government's ban on private investment in broadcast media have not been successful. However, a strong and influential private sector coexists in the print media, both in Arabic and French, mostly in the form of politically focused daily newspapers.

Despite improvements in the security situation since the 1990s, several terrorist attacks in 2007 targeted government institutions and the UN headquarters, resulting in the deaths of dozens of Algerians and foreigners. Al-Qaeda's Committee in the Islamic Maghreb and the Salafi Group for Da'wa and Fighting claimed responsibility for the bombings.

Despite these bombings, the country's financial situation improved significantly due to rising oil prices, although the purchasing power of workers in many professions, including journalism, has decreased at the same time. This has led unions in the service sector—including those representing health workers, educators and others—to organize several protests and strikes. The situation has spurred significant social upheaval including theft, kidnappings and emigration of youth to Europe.

The year 2007 witnessed parliamentary and municipal elections that were largely ignored by Algerian citizens and did not significantly impact the national political landscape. Participation rates were estimated at 35.6 percent in the parliamentary elections and 44 percent in the municipal elections. The campaigns for these elections focused on everyday social issues facing citizens as well as combating increased corruption.

Algeria changed little over the past year in terms of media sustainability, and its score of 1.50 places it in the middle of the "unsustainable mixed system" classification. Most objective scores were close to those posted last year, the sole exception being Objective 5, supporting institutions. The increase in this objective score is the main reason that this year's score increased from 1.40. Some of the key obstacles panelists felt were holding back media sector development include: 1) the dichotomy between media freedoms in Algerian law and the discouraging reality of daily practices; 2) the duality of a state-owned broadcast sector and a privately owned, more unfettered print sector, while specialized, local and party media have a poor presence; 3) the longstanding deterioration of the political and media scene in Algeria, and; 4) the shrinking purchasing power of the working middle class, including journalists, who have not been able to form powerful syndicates to defend their rights.

# ALGERIA AT A GLANCE

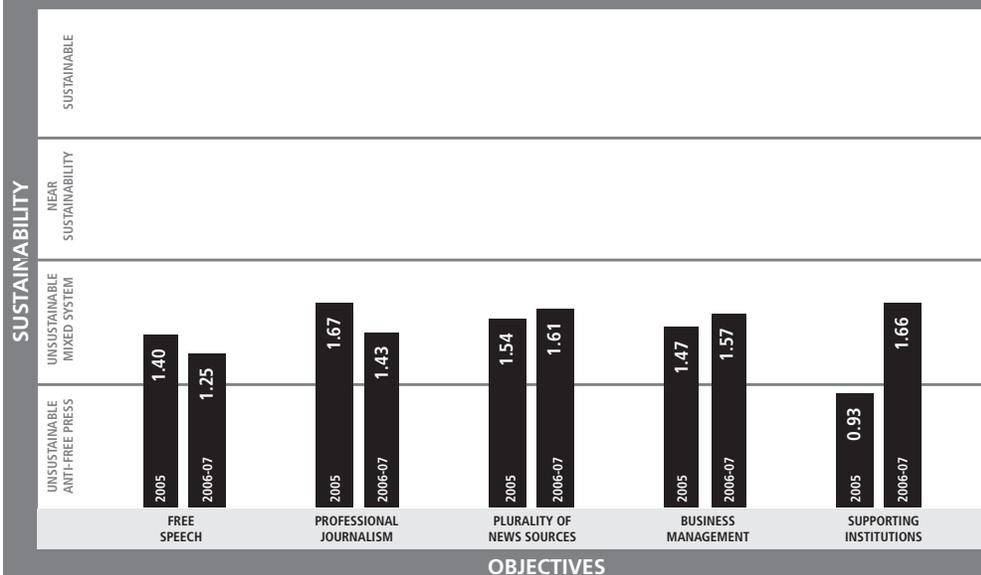
## GENERAL

- > **Population:** 33,769,669 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Algiers
- > **Ethnic groups (% of population):** Berber 99%, European less than 1% (*CIA World Factbook*)
- > **Religions (% of population):** Sunni Muslim (state religion) 99%, Christian and Jewish 1% (*CIA World Factbook*)
- > **Languages (% of population):** Arabic (official), French, Berber dialects (*CIA World Factbook*)
- > **GNI (2006-Atlas):** \$101.2 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$5,940 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 69.9% (male 79.6%, female 60.1%) (2002 est., *CIA World Factbook*)
- > **President or top authority:** President Abdelaziz Bouteflika (since April 28, 1999)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: N/A; Radio: 37 (5 national, 32 local); Television stations: 3 (all three are state-owned)
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Algeria News Agency (state-owned)
- > **Annual advertising revenue in media sector:** None
- > **Internet usage:** 2,460,000 (2006 est., *CIA World Factbook*)

### MEDIA SUSTAINABILITY INDEX: ALGERIA



**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

### Algeria Objective Score: 1.25

Most of the indicators received scores somewhat below the overall average score. Indicator 2, broadcast licensing, received a score almost a full point lower, reflecting the government's total control of broadcasting. Only Indicators 8 and 9, media access to international news sources and government control of entry into the journalism profession, scored moderately well (each about a point higher), thus keeping the average from falling below 1.

The main focus of the panel members was Algeria's constitutional guarantees of citizen freedoms. While these are acceptable on paper, this framework is actually not applied, according to Hemida Ayashi, manager and owner of the daily newspaper *Algeria News Daily*. According to Ayashi, existing legal frameworks are relatively positive but social and political obstacles turn them into formalities that do not foster an atmosphere of media freedom.

Agreeing with this was Mohamed Bouazdi, editor-in-chief of *El-Khabar* weekly. Freedom of expression is a key requirement for Algerian society, one that is protected by the constitution, he said. However, the political regime interprets the constitution in a deeply negative way. Such contradictions create a type of "sick double practice," which is accepted by many. "On the one hand, we have a perfect constitution and on the other hand there is a catastrophic adoption of such a constitution," Bouzadi said. Abdelaziz Boubakir, professor at the Media Institute, agreed and added that the largest obstacle to putting constitutional freedoms into practice remain the judiciary's subordination to political authorities.

Mostafa Boushashi, a law professor and president of the National Association of Human Rights, also believes that the Algerian constitution guarantees freedom of expression. However, the media law of 1990 does not stipulate the protection or encouragement of journalists, spelling out instead a litany of penalties. Rabeh Helis, a project director at Radio Algeria, said that the legal situation deprives the media of maneuverability; they remain totally subject to the regime's logic in everything from editorial policy to the appointment of staff positions.

Because the state controls all broadcasting, panelists did not discuss the mechanisms or transparency of licensing such outlets. Panelists did say that licensing of newspapers is handled non-transparently by the government, but noted that there was no change from last year in terms of new licenses: they are based on political or other connections and given out infrequently. Law professor Mostafa Boushashi

said that in addition to the media law's existing flaws, the government often disregards it altogether. For example, establishing a media organization requires a license from the Ministry of Justice, even though the law only requires notifying the relevant regional attorney general of the intent to establish one.

The difficulties facing Algerian journalism are not limited to the relationship with the government. According to journalist Samia Belkadhi, the Algerian economy remains entrenched in bribery and organized crime, making it difficult for journalists to investigate stories without bumping up against these twin obstacles. According to her, these conditions are responsible for kidnapping, abuse and threats to reporters by organized crime. One example is the 2002 case of *Al-Watan* reporter Abdelhaï Beliardouh who reported on connections between a militant group and Saad Garboussi, the head of a local chamber of commerce. Beliardouh was beaten and later committed suicide after being directly threatened by Garboussi.

The level of preferential legal treatment for state media remains unchanged from last year, even though panelists then said that there was no formal legislation granting advantages to any particular type of media. However, like last year's panelists, Abdel Kader Zegham, an *Al-Watan* reporter, stated that he believes that public media organizations and even some private newspapers are favored, depending on the subject being reported and the government's stand on it.

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

#### FREE-SPEECH INDICATORS:

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

*Rahmani stated that information is inaccessible to many. Journalists from some privately owned newspapers are denied access to public information while those from public media are granted it.*

Fatma Rahmani said that legal and social conventions still legitimize the imprisonment of journalists, reporters and news publishers. In 2007, several journalists were convicted with suspended sentences and fines, and in early 2008 *Al-Watan* director Omar Palhoshat and journalist Shawki Ammari were sentenced to two months in prison and received a fine. Nazeir Ben Saba, a journalist and representative of the International Federation of Journalists (IFJ), noted that the government modified the Penal Code in 2001 to include libel, slander and similar lawsuits as felonies, which can lead to imprisonment, instead of incorporating them into the Media Law of 1990.

The internal security situation has become one of the polarizing points over the years between the authorities and journalists. The government is sensitive to coverage of various destabilizing elements that have plagued the country since the 1990s, such as terrorism and insurgency. Despite improvements in recent years, this topic still overshadows the continuously tense relationship between journalists and the government.

Rahmani stated that information is inaccessible to many. Journalists from some privately owned newspapers are denied access to public information while those from public media are granted it. In general, there is no legislation governing access to public information. A presidential decree on the subject dating from the 1970s, a time of one-party rule, is effectively ignored.

However, panel members awarded favorable ratings to international media and news sources in terms of information access. Journalists are able to access the Internet for international news, and Abdelaziz Boubakir, professor at the Media Institute, remarked that there is a margin of freedom when addressing security and international issues. However, as reported last year, Algerian newspapers may not reprint translations of foreign newspapers for local distribution.

Finally, while no license is needed to practice general journalism, correspondents must obtain a permit to attend government events.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Algeria Objective Score: 1.43

Although panelists did not agree on the exact level of professionalism within the Algerian media, the prevailing opinion was critical, as reflected in the objective's score of 1.43. Indicator 5, pay levels for journalists, scored a full point lower than the overall average. Otherwise, indicator scores were mostly near the average, with none exceeding a score of 2.

Professor Boubakir, based on his experience in the Media Institute at the University of Algeria and as a former editor-in-chief, said that in most cases a journalist will not verify the validity of information during reporting, so resulting articles often amount to commentary. Moreover, expert opinions are not used, and although ethical and professional standards are accepted in theory, they are neglected in most cases by media professionals.

Self-censorship was a big concern for panelists. Mohamed Bouazdi, editor-in-chief of the *Al-Khabar* weekly newspaper, said that self-censorship has emerged in the absence of official censorship, with private publishers and newspaper owners censoring media products. Abdelaziz Boubakir agreed with this and held the government responsible. In his view, self-censorship has become more intense due to official pressures. Adding to this is the economic dependence of journalists on their employers or on other sources of income if necessary. Many journalists often censor themselves due to pressure from their publishers or the parties they are covering. Consequently, training and professional ethics have little impact on this. Self-censorship has thus become a national sport for the press since 2004 in particular—for

#### 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).

example, no Algerian newspaper can criticize the leading advertising organizations.

With regard to professionalism in general, Rabeh Helis said that the press does not embrace quality standards, and that performance remains deficient due to many factors including self-censorship, unavailability of information and poor journalist training. Most of the panel members shared this opinion. Nazeir Ben Saba stated that newspapers favored by authorities encourage these practices, despite the efforts of the Professional Ethics Council.

Poor training received by university students was also criticized by the panel. Nazeir Ben Saba noted that training requirements in the institutes and universities are outdated with respect to technological advancements. Hemida Ayashi said that poor journalism training is reflected in the final media product. Media objectivity exists to some extent, but it lacks the strict respect for journalism due to the poor training of new graduates and the lack of qualified personnel capable of providing on-the-job training.

The indicator related to journalists' salaries received the lowest rating within this objective. There was agreement that poor journalist salaries lead to practices that violate professional ethics, in addition to negatively affecting the quality of reporting. Samia Belkadhi stated that since a journalist's average monthly salary is 20,000 dinars at most (about €200), it is hard to guarantee the objectivity or professionalism of reporting. Often, a journalist is forced to neglect professionalism and credibility in exchange for financial considerations or outright bribes. Furthermore, many panel members asserted that journalists publicly demanding salary increases face harassment that can lead to imprisonment for slander.

Kamal Zayet, a journalist for the *Al-Khabar* daily newspaper, was circumspect on this point. He said that it is difficult to generalize about the press because of the differences between media outlets. He noted the different character of public and private media or newspapers that have sufficient financial resources and those that are interested in advertising as a primary objective.

### OBJECTIVE 3: PLURALITY OF NEWS SOURCES

#### Algeria Objective Score: 1.61

Indicator scores in this objective varied greatly. Indicators 1 and 2, plurality of news sources and the ability of citizens to access them both scored well above the average. However, Indicators 3 and 5, state media reflect points of view from across the

*The state's monopoly control of broadcast media and the official news agency was considered by the panelists as one of the elements undermining Algerian media. At the same time, private print media enjoy reasonably free expression as well as a remarkably critical viewpoint.*

political spectrum and private broadcasters produce their own news, both scored a point or more lower than the average.

Such extreme differences in the panel's ratings are understandable. The state's monopoly control of broadcast media and the official news agency was considered by the panelists as one of the elements undermining Algerian media. At the same time, private print media enjoy reasonably free expression as well as a remarkably critical viewpoint. In fact, private outlets dominate the print media sector.

However, Algerian society still faces an illiteracy problem, among rural women in particular, which increases the influence of broadcast media. Abdel Karim Hamoush, manager of a public printing company, further noted that the print media guarantee pluralism in news sources when widely distributed, but that the limited national distribution network undermines access to diverse news sources for those in small cities and villages. The high proportion of youth in Algerian society and the relative popularity of the French

#### 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.

*Mostafa Boushashi, a human rights activist, put it clearly when he said that all citizens have access to the national and international press, but that the state-owned media, whether broadcast or print, never accepts opinions that oppose those of the regime.*

language are all factors that benefit satellite channels, and even the international press and Internet in both Arabic and Amazigh languages. Despite Algeria's vast area, which hinders distribution of national and international print media, especially in the southern desert areas, residents typically have access to broadcast and satellite media.

Rabeh Helis, the former news director of the Algerian Radio and a project manager, said that in Algeria the issue of news source pluralism is conflicted. On the one hand, the use of receivers (antennas and encoders) and the Internet are free, while on the other hand, internal broadcast media are monopolized by the state.

Hemida Ayashi, director and owner of the daily Arabic-language newspaper *Algeria News*, says that pluralism of media sources is available to some extent, in that citizens feel free to buy their favorite newspapers. However, this only applies to economic and social news, while pluralism is almost nonexistent in security and political news related to government affairs. Kamal Zayet noted that only some of the independent newspapers try to deliver reasonably balanced coverage but their finances do not always make this possible, even if they enjoy a greater margin of freedom. Belkadhi noted that local newspapers suffer from these same kinds of problems.

Mostafa Boushashi shared his opinion that the private media has been penetrated by a group of financial and ideological interests, causing inherent bias. Rabeh Helis, a journalist at the national radio, partly agreed with this opinion. He stated that the ownership of the press and print media is not transparent. "We don't know who owns what," he said.

According to Samia Belkadhhi, a journalist at the *Al-Khabar* weekly newspaper, the ambiguity clouding the Algerian media landscape does not impede the pluralism of news sources, especially via the Internet, which enables access to a large amount of data, studies, statistics and international news.

Fatma Rahmani, a reporter at the *Ech-chorouk El-youmi* newspaper, said that foreign magazines are now distributed

in Algeria after years of being banned. Access to the Internet and other media sources is allowed but is conditioned on the financial and social status of citizens, so those with less purchasing power have less access to these sources, especially in remote areas.

Meanwhile, state media are not permitted to report on stories in depth and mostly work to serve the existing political regime, according to Abdelaziz Boubakir. Mostafa Boushashi, a human rights activist, put it clearly when he said that all citizens have access to the national and international press, but that the state-owned media, whether broadcast or print, never accepts opinions that oppose those of the regime.

Similarly, Algeria's primary news agency, Algerian Press Service, is also government-controlled. The privately owned Algerian Information Agency concentrates on business news but this is a limited market. Media do have access to international news services.

**OBJECTIVE 4: BUSINESS MANAGEMENT**

**Algeria Objective Score: 1.57**

Panelists scores for this objective reflect a media sector that has achieved a modicum of sophistication in terms of management and business orientation. In fact, an extreme view posed by Samia Belkadhhi was that private media organizations have become so business-oriented that money controls their every action. Since Algerian media still lack the financial strength and depth of funding sources to assert independence in terms of editorial policy, her opinion may well be correct. The scores for Indicators 1 and

**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.

4, management practices and percentage of advertising amongst all revenue sources, both received scores of about three-quarters of a point higher than the average for the objective. However, Algerian media still lack important supporting elements such as reliable market research and unbiased audience or circulation measurement; Indicators 6 and 7 received scores well below the average.

Mostafa Boushashi said that the majority of independent media are well managed and the media are considered the most powerful arm of civil society with the ability to contribute to political development. However, after a decade and a half of independent media experience, the media landscape has only a few organizations that can compete and survive, with *Al-Khabar* and *Al-Watan* as the leaders. According to Nazeir Ben Saba, these two organizations are the only ones to have developed an actual management plan let alone a development strategy. Further, these have managed to create an integrated business environment to support publishing a daily newspaper, such as distribution companies and printing presses, and even a project to establish a school to train journalists in collaboration with the University of Lille in France.

Public and private sector advertising contribute to the financial stability of several private media organizations. Abdelaziz Boubakir added that some private media organizations have made large profits. But despite this, private media in general have not yet managed to produce better working relationships between editorial staff and journalists than those prevailing at public sector organizations. For example, owners tend to be journalists who did not have management experience before establishing their newspapers.

Many private media organizations still have not achieved financial stability, making them desperate to obtain advertising, the main source of income in the face of poor distribution and low circulation. In addition, they suffer the effects of being dependent on government printing presses and private distribution networks now that the public distribution agency has been disbanded.

Rabeh Helis was skeptical about media management at private newspapers. He noted the political situation prevents them from fully controlling their income and advertisements. The number of advertisers and other income sources is simply not enough to allow for complete freedom, even at the best managed private newspapers. Furthermore, he noted, market principles do not drive the placement of advertisements, causing other factors to be considered, such as the newspaper's editorial policy. The most important sources of advertising come from the public sector, but other

*Public and private sector advertising contribute to the financial stability of several private media organizations. Abdelaziz Boubakir added that some private media organizations have made large profits.*

sectors have become increasingly important, such as the communications and automobile industries.

Kamal Zayet, a journalist at *Al-Khabar* daily newspaper, said that advertising remains the key to private media's survival. Newspaper sales remain a secondary source of income. Nazeir Ben Saba notes that the advertising market has no governing laws. Although the Minister of Information suggested a draft law in 2000, the current president withdrew it. Private newspaper publishers took advantage of this to avoid following articles of the media law that prevents them from exceeding 35 percent advertising content in a 24-page newspaper.

With respect to financial support provided to media organizations, Boubakir said that the specialized press is theoretically the only sector qualified to receive government support, but in most cases this does not happen. On the other hand, state media receive multi-faceted support from the government in the form of access to government printing presses on flexible financial terms and preferential treatment for receiving advertisements from government and public institutions.

#### 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.

*Panelists leveled many criticisms at the Syndicate of Journalists. Samia Belkadhi said the journalism profession has not managed to organize itself well and its only syndicate has not attracted many members.*

Algeria lacks independent institutions that survey public opinion and verify distribution and media consumption rates. Mohamed Bouazdi, editor-in-chief of *Al-Khabar*, said that government advertisers distribute their advertising according to political priorities because they have little information upon which to base placement decisions. Hamid Ayashi, manager and owner of *Algeria News*, said the Algerian media need people with such expertise to catch up with foreign media.

#### **OBJECTIVE 5: SUPPORTING INSTITUTIONS**

#### **Algeria Objective Score: 1.66**

Discussions among the panelists covered several topics of concern in this objective. There was almost a consensus about poor qualifications of students graduating from the media institutes at the University of Algeria. They also agreed that on-the-job training is poor despite experiments performed by some major newspapers and the journalists syndicate in collaboration with some international organizations. The role of civil society organizations and unions was not a point of consensus for the panel members. Some members supported those organizations, yet were critical of them for their poor representation and activity. Other supporting organizations, including private distribution organizations and government presses, have been the target of criticism from panel members due to their unprofessional and sometimes politicized practices. Overall, all indicators scored more or less the same, and none received a score exceeding a half-point above or below the overall average.

A Publishers Association exists and focuses on commercial aspects of the industry. However, it does not delve into advocacy for press freedoms or attempt to improve professional or management standards.

Panelists leveled many criticisms at the Syndicate of Journalists. Samia Belkadhi said the journalism profession has not managed to organize itself well and its only syndicate has not attracted many members. She thought that the lack of involvement could be related to the professional instability at

present in the journalism profession. Abdelaziz Boubakir said that journalists are inefficiently represented by the syndicate and that they do not exert pressure as a professional group. Fatma Rahmani added that the syndicate does not protect the profession against different political and professional pressures. Mohamed Bouazdi said the syndicate is not active in real terms, while international NGOs do not care about Algerian journalists.

Regarding other NGOs that might support the media, Rabeh Helis said such organizations do not work for the best interests of the independent press. Organizations are generally not present, but when they are, they are pressured by the authorities and "underground" powers. Fatma Rahmani noted that political parties do not care to protect freedom of expression unless it is during their political campaigns.

Mostafa Boushashi, a human rights activist, dissented. He said that the Syndicate of Journalists protects the material and moral interests of its members. Moreover, he said, different human rights organizations (whether specialized or general) support and help journalists, especially in lawsuits.

Regarding academic training, Nazeir Ben Saba exhibited frustration and said that he does "not wish to speak about journalist training at the university, as this is an outdated practice with no relation to reality." Abdelaziz Boubakir added that the journalist training institutes provide poor and inappropriate programs. Training in the media institutes is provided free of charge as part of university education in Algeria.

On-the-job and other in-service training received a similarly poor review. Mohamed Bouazdi of *Al-Khabar* shared his opinion that the interests of private publishers are the only thing that matter. Journalists neither benefit from training during their careers, nor do they enjoy good working conditions or any other privileges. Nazeir Ben Saba said that the Syndicate of Journalists, of which he is a member, makes good efforts to improve professionalism through organized training cycles for journalists; otherwise, there is no structure for such training by other parties. Fatma Rahmani agreed that there is still a lack of high-quality professional training. Even the private training schools, she said, are managed by persons with no relationship to the media and communication sciences.

Despite the growth of private printing companies, many printing presses are still under the state's control, making them a tool to pressure private print media who do not have ready access to alternative printing facilities. Abdel Karim Hamoush, manager of a government press, thought that business organizations and employers represent their owners' interests, which, in his opinion, is seeking profits. As the

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printing industry becomes more market-oriented, printing may indeed become less politicized.

The state monopoly on broadcasting includes control over transmitters and satellite relays. The newspaper distribution sector is totally under private sector control, but panelists described it as “chaotic.”

## List of Panel Participants

**Samia Belkadhi**, journalist, *Al-Khabar*, Algiers

**Fatma Rahmani**, reporter, *Ech-chorouk El-youmi*, Tipaza

**Fatma El-Zahraa Zaruati**, editor-in-chief, TV Algeria, Algiers

**Kamal Zayet**, journalist, *Al-Khabar*, Algiers

**Mohamed Bouazdi**, editor-in-chief, *Al-Khabar*, Algiers

**Abdelaziz Boubakir**, professor of information, University of Algiers, Algiers

**Rabeh Helis**, project manager, Radio Algeria, Algiers

**Abdel Karim Hamoush**, director, Public Impremerie, Algiers

**Abdel Kader Zegham**, reporter, *Al-Watan*, Djelfa

**Mostafa Boushashi**, president, Algerian League for the Defense of Human Rights, Algiers

**Hemida Ayashi**, manager and owner, *Algeria News*, Algiers

**Nazeir Ben Saba**, representative, International Federation of Journalists and Algerian Journalists National Syndicate, Algiers

## Moderator:

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

The Algeria study was coordinated by and conducted in partnership with the Algerian Association for the Development of Social Science Research (AADRESS).

Unlike many other countries in the region, most opposition political parties have their own newspapers that vie for readership alongside state-run papers, ruling party papers, and private independent papers. However, there is still a strong proclivity by the state for control over news and information. This keeps Egypt from being a serious contender for regional news and information leader, a distinction currently held by Lebanon and a few of the Gulf countries.



EGYPT

Egypt's media are among the most established in the Middle East, and there is a tradition of media consumption, particularly of newspapers, by a large segment of society. Unlike many other countries in the region, most opposition political parties have their own newspapers that vie for readership alongside state-run papers, ruling party papers, and private independent papers. However, there is still a strong proclivity by the state for control over news and information. This keeps Egypt from being a serious contender for regional news and information leader, a distinction currently held by Lebanon and a few of the Gulf countries. Ibrahim Saleh, professor of journalism and mass communications at the American University in Cairo, explained: "The status of journalism in Egypt reflects the value of its troubled society, especially with regard to its political environment. So perhaps it is not surprising that journalism in Egypt is at very low ebb after decades of trying to find its niche since the 'Open Door Policy' that was initiated by the late President Sadat in the 1970s."

Rasha Abdulla, assistant professor of journalism and mass communication at the American University, pointed to a recent legal development that underscores ongoing government efforts to obstruct a truly free press. "The government also passed new press laws in 2006 that were deemed another blow to press freedom," explained Abdulla. "The frustration came particularly in reaction to promises by President Mubarak and the government to increase the margin of freedom of expression and abolish any and all potential prison sentences for journalists, charges that are made possible by the 1996 press laws. However, the 2006 laws failed to abolish prison sentences for journalists who 'insult' heads of states. The law initially had an article, which President Mubarak himself intervened to strike out, which stated that reporting on the financial dealings of a public figure was punishable by up to three years in prison. However, even after deleting this particular article, the law was considered by most journalists to be another blow to press freedom since it sharply increased fines for libel and defamation charges, which are loosely defined under Egyptian press laws."

Egypt's scores place it in the early stages of "near sustainability." All objectives scored within this category (ranging from 2.23 for business management to 2.38 for plurality of news sources) with the exception of Objective 1, Free Speech. Although not far behind at 1.97, this score stands out because it reflects a legal framework and a government attitude that impede better performance by the media as a whole.

# EGYPT AT A GLANCE

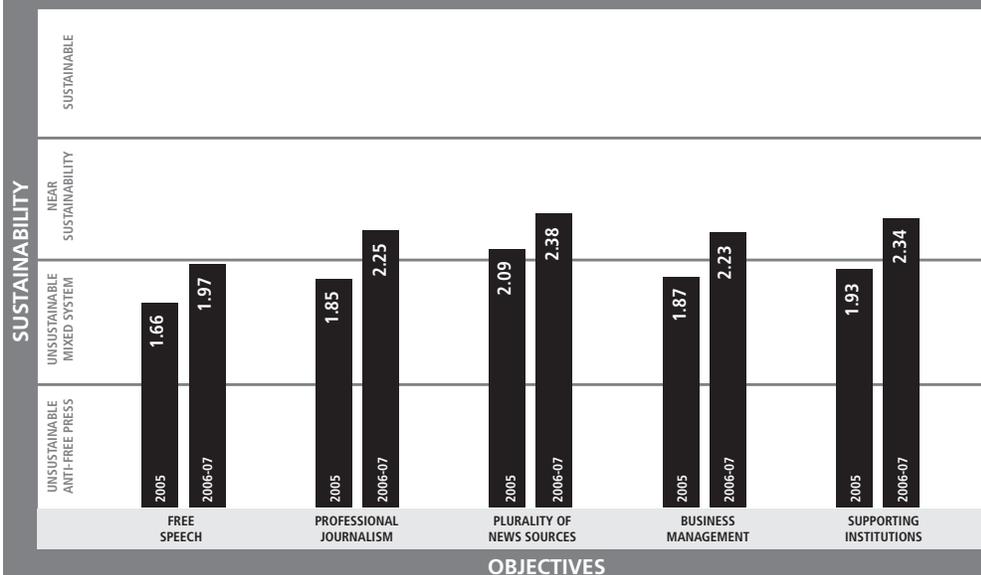
## GENERAL

- > **Population:** 81,713,517 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Cairo
- > **Ethnic groups (% of population):** Egyptian 98%, Berber, Nubian, Bedouin, and Beja 1%, Greek, Armenian, other European (primarily Italian and French) 1% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim (mostly Sunni) 90%, Coptic 9%, other Christian 1% (*CIA World Factbook*)
- > **Languages (% of population):** Arabic (official), English and French widely understood by educated classes (*CIA World Factbook*)
- > **GNI (2006-Atlas):** \$100.9 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$4,940 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 71.4% (male 83.0%, female 59.4%) (2005 est., *CIA World Factbook*)
- > **President or top authority:** President Mohamed Hosni Mubarak (since Oct. 14, 1981)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**  
Print: 544 newspapers and magazines, 21 daily, 114 weekly, and 409 monthly; Radio: 7 main stations, 2 other large private stations, 40+ others; Television Stations: 8 state owned, 6 local, 24 satellite channels
- > **Newspaper circulation statistics:** 53.9% of households subscribe (*2004 Egypt Human Development Report, UNDP 2008*)
- > **Broadcast ratings:** N/A
- > **News agencies:** Middle East News Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 6,000,000 (2006 est., *CIA World Factbook*)

### MEDIA SUSTAINABILITY INDEX: EGYPT



**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: FREE SPEECH

### Egypt Objective Score: 1.97

Panelists' scores for this objective, as well as their comments, show that the Egyptian media face a legal environment that has improved markedly in the past 20 years or so but still contains significant hurdles. The score of 1.97—although approaching “near sustainability”—places Egypt in the “unsustainable, mixed system” category as regards the legal framework and interaction with the government. Most individual indicator scores fell close to the overall objective score, although there were a handful of outliers. Indicators 5 and 7, legal guarantees of editorial independence and access to information, both scored more than a half point below. On the other hand, Indicators 8 and 9, media access to international news reports and free entry into the journalism profession, scored well above the overall objective score.

Egypt is party to international agreements that guarantee the freedoms of speech, expression, and the media. Egypt voted to adopt the Universal Declaration of Human Rights in 1948 and signed the related International Covenant on Civil and Political Rights in 1982. According to Ashraf Shehab El Din, journalist with *al-Ahaly*, “Article 19 [of the Universal Declaration, which protects freedom of expression] shall be binding as are all other law articles in Egypt.”

Many Egyptian laws are written to protect these freedoms. Shehab said: “Article 47 [of the Constitution] stipulates that ‘Every individual has the right to express his/her opinion and to publicize it verbally or in writing or by photography or by other means within the limits of the law. Self-criticism and constructive criticism are the guarantee for the safety of the national structure.’ Article 48 stipulates that ‘Freedom of the press, printing, publication, and mass media shall be guaranteed. Censorship of newspapers is forbidden as well as notifying, suspending, or canceling them by administrative methods. In a state of emergency or in time of war, a limited censorship may be imposed on the newspapers, publications, and mass media in matters related to public safety or purposes of national security in accordance with the law.’”

Freedom of speech has improved over the years. “Without a doubt, some taboos, such as those which concern the president and his family, which were untouchable before, can be criticized now,” according to Hossam Abdel Kader, a journalist with *October* magazine. “For example, in the past it was impossible to criticize the president, but now it is possible, although it is only done in independent newspapers, yet it is widely occurring. *Al-Ghad* newspaper, voice of the Al-Ghad party, which was chaired by Ayman Nour, who is currently imprisoned, attacked the president and his

sons in headlines on the first issues. Before that, the Arab Nasserite party's newspaper, *Al-Araby*, had done the same. Then *Al-Dostour* took the same approach, and then other newspapers started to criticize the president.”

However, as the last part of Article 48 implies, it and other laws appear to encroach upon relevant freedoms. Abdulla argued that “press laws in Egypt constitute an interesting legal game.” He continued: “While the Constitution includes several articles that specify that ‘freedom of expression is guaranteed,’ and that seemingly protect freedom of the mass media in general as well as the journalists' right to report and publish freely, other sections of the Constitution and alternative laws basically negate these rights.” He noted that “foremost among these laws is the Emergency Law, which has been in effect for 27 years, and which has just been extended again this year. This law deems all press laws basically useless since it gives the president and the ministers of defense and interior the right to close down any media outlet or detain any journalist (or citizen for that matter) if they deem that person dangerous to ‘national security’ in any way, shape, or form. These legal sections are often times used to ‘punish’ any individual or institution that dares to cross certain unspoken—but widely known—red lines.”

To this, Saleh added other old laws still in effect, including “oppressive laws such as the Riotous Assembly Law 15 (1914), the Meetings and Demonstrations Law 14 (1923), the Emergency Law (1958), and the Police Organization Law 109 (1971) of the Egyptian Constitution.” He explained: “Many

## 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.

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journalists and editors have since been interrogated, charged, and sometimes sentenced by lower courts.”

Schizophrenic laws muddy the protection of press freedoms. “At this point we need to conclude that a game of intelligence is being played between the president and the government on one side and the media professionals on the other side,” said journalist Abdel Kader. “Freedom is ensured and laws are wonderful, yet the intelligent side is the one that can use the laws and finish the game at the right time.” By way of example, he mentioned the current imprisonment of Ayman Nour, the possible imprisonment of Ibrahim Eissa and threatened actions against other journalists. “Yet, I think that the laws don’t include any threat to free speech as Ayman Nour is not legally in prison for his criticism of the president but for forging power of attorney documents, which is proven in the lawsuit,” he said. “I consider it a type of revenge, but at the legal procedural level. Ayman Nour was not charged with any accusation pertaining to his criticism of the president.”

According to Tarek Tohamy, a journalist for *Al Wafd* newspaper: “There is no real freedom of opinion or speech in Egypt. Taboos related to the ruling figures and sovereign institutions are still in place and enforced. Some journalists of independent or opposition press face extreme difficulties in overcoming such taboos as a result of articles of law that pursue journalists if they stand up to people favored by the regime. Journalists do not enjoy enough legal protection if they fight corruption, as the regime is coupled with corruption in all agencies through the laws and institutions.” Saleh added: “A new press law was introduced in 1996 stating that ‘journalists are independent and not under the authority of anyone.’ But this did not change the situation.”

Panelists also did not believe the judicial branch fully capable of protecting freedom of speech from government encroachment. Saleh, however, identified some positive trends. “The Egyptian presidents have always manipulated the judiciary system since judicial appointments are a presidential prerogative. Judges were considered functionaries of the Ministry of Justice, which administered and financed the court system. . . . But the rule of law, relatively, expanded in the post-Nasser era, and judges became a vigorous force defending the legal rights of citizens against the state.”

New technology’s effect on freedom of speech and public discourse drew varying opinions. “Without a doubt, the wide increase of satellites, satellite channels, Internet, and blogs in the Arab world in general—and in Egypt in particular—have promoted free speech, especially with the private ownership of satellite channels which, in my opinion, has promoted the outbreak of private newspapers, owned

by individuals or companies,” said Essam Al-Amir Ismail, head of Channel 8-Egyptian Television. “These media express their own opinions and ideas as well as peoples’ problems and concerns with more freedom [and] without the control of governmental media, which has been in control for too long. Accordingly, I think that the social norms that have emerged as a result of the media advancement protect and promote free speech. The legal norms that were in place for a long time only provided a limited space for free speech.”

Still, some panelists pointed to alarming trends that jeopardize media using new technology. “The question of whether online journalists are subject to the same protections as print journalists has yet to be tested in an Egyptian court,” Saleh pointed out. “The reluctance of the Press Syndicate to admit online journalists to its ranks reflects uncertainty on this issue.”

Abdulla went further. “Egypt also took a severe turn for the worse in terms of freedom of expression when it issued its first official jail sentence against a blogger. Abdel Kareem Nabil Suleiman, also known as Kareem Amer, was a student at Al Azhar University. He was sentenced to four years in prison for his blog entries, three for ‘inciting hatred of Islam,’ and one for defaming the president. Several other bloggers have been detained during the year without formal charges. I have written two books on the Internet in the Arab world. When my first book came out in 2005, I had placed Egypt and Jordan at the forefront of the Arab countries allowing maximum freedom of expression on the Internet. By the time the second book came out in 2007, Egypt had deteriorated severely in terms of online freedom. I expressed my deep concerns in the book about the detaining of Egyptian bloggers. Two weeks later, Egypt was listed as one of the ‘enemies of the Internet’ by Reporters Without Borders. Most recently, Egypt detained a number of Internet activists after they promoted a general boycott online that was scheduled for April 6, 2008. The group they initiated on the popular social networking site, Facebook, attracted more than 72,000 members. Shortly after, Israa Abdel Fattah, the group’s creator, was detained for 20 days. Several of those who actively promoted the strike online were also detained.”

In Egypt, print and broadcast media must be licensed. “The state has the authority to restrain newspaper licenses by virtue of the Press and Publications Law No. 96 of 1996,” Saleh said. Abdel Kader outlined in writing the process for print media licensing:

I. An Egyptian newspaper must establish an Egyptian joint stock company with capital no less than EGP 1 million. It must be submit an application to the Supreme Press Council, the officially authorized licensing body in Egypt. All state-owned and party-owned newspapers are subordinated to the

Supreme Press Council, which is affiliated with the El-Shura Assembly and chaired by the El-Shura Assembly president.

II. In order to receive a license from London or Greece to issue a newspaper, a newspaper license shall be issued but it shall be treated as a foreign newspaper that must be censored by the newspapers and publications censorship of the Ministry of Information. Moreover, it shall not be affiliated with the Supreme Press Council. Accordingly, journalists working in the newspapers cannot join the Press Syndicate.

III. A newspaper may also be issued through an association or an institution registered in the Ministry of Social Affairs [if], among the objectives of the association, are newspapers and publications. In this case, the association must receive Supreme Press Council permission to issue the newspaper and it shall be affiliated with the council.

Saleh also noted that, "In the first and third cases it takes from one to three years to receive a license...."

Mahmed Habeb, news department head at *Nahdet Misr* newspaper, said that while licensing is not required in many other countries, it is not an absolute block on an independent press. "The Supreme Press Council has licensed five new independent or private newspapers, including *Al-Youm*, *Al-Sabea*, and *Al-Shorouk*," Habeb said. But *Al Wafd's* Tohamy countered: "Journalists and common people face extreme difficulties in obtaining licensing for newspapers or media outlets due to the requirements of establishing a company as a business agency to issue a newspaper. Moreover, the law stipulates that founders must deposit EGP 1 million in the bank as an insurance deposit for a daily newspaper and EGP 250,000 for a weekly newspaper. The founders are not allowed to spend from this sum, which represents a significant obstacle in issuing newspapers. Some people manage to collect the money, yet political considerations intervene in the licensing. Opposition causes disruptions in licensing, for example in the case of the *Al-Badeel* newspaper, which is owned by leftists, and the *Al-Dostour* newspaper whose owner, Esam Ismail, was pressured to fire Ibrahim Eissa, an editor by the regime, as a requirement of licensing."

Saleh also said the role of the Supreme Press Council did not end with issuance of a license. "In case newspapers are licensed, the Supreme Press Council supervises and evaluates the journalists and press institutions and has the right to determine the paper quotas designated for the newspapers as well as newspaper prices," he said.

Broadcast licensing is overseen by the Egyptian Radio and Television Union (ERTU). "Broadcasting has always been in the hand of the patron state in Egypt, which made a political instrument [of it] from the start of the republic in 1952,

through Law 13 of 1979 and Law 223 of 1989 that give ERTU a complete monopoly over broadcasting in Egypt. ...The ERTU executive director reports to the minister of information, who a presidential appointee, not an elected member of parliament," explained Saleh.

Panelists noted differences in the ability to obtain certain kinds of licenses. According to Hossam El-Din El-Sayed of Ana TV: "Media broadcasting channels are available and widespread and have many forms. However, the ruling regime feels it can control, so sometimes it obstructs them. For example, the state does not allow any entity to broadcast through FM. [Only] one station for music is available. Media authorities within the Ministry of Information deliberately tried to control satellite channels broadcast through the introduction of the Satellite Broadcast Document, which is full of indefinite and vague language that can be used by the regime at any time to influence the activity of satellite channels. It also contains outrageous penalties—such as the confiscation of equipment without prior notice—if the channels violate broadcasting conditions."

However, Al-Amir Ismail noted that "establishing a satellite channel and licensing is simple and unrestricted in Egypt." He acknowledged that it would be impossible to license a channel that promotes freedom of sexual or homosexual activities or a channel that promotes a certain religion. Still, he added: "In most cases, independent newspapers do not face any restrictions in establishing offices in all areas and appointing reporters."

Panelists identified extralegal difficulties that can hinder licensing. El-Din El-Sayed wrote: "Media licensing goes through channels not stipulated by the law as security approval is a conclusive requirement, although it is not required by the law. Dozens of newspapers and television stations have been denied licensing although all the legal procedures are met with no clear grounds except for the security requirement. On the other hand, the Internet and Web sites are not subject to any law. This matter is subject to the preferences of the political authority and several security entities whose decisions are sometimes contradictory, which increases the confusion."

In addition to the obstacles for market entry, some panelists pointed to the tax structure. "Taxes are used to exert political pressure on opposition newspapers such as *Al-Dostour*, which is accused of tax evasion," according to El-Din El-Sayed. "On the other hand, state-owned newspapers fail to pay taxes due, estimated at \$1 billion, with no sign of government intervention to collect them." Tohamy added: "Opposition and independent newspapers are discriminated against in terms of taxes as the state forces them to pay the full taxes due and insurance fees on employees and employers, whereas

the state-owned newspapers do not pay those taxes or insurance fees and no one dares to claim them. For example, the well-established Al-Ahram Foundation is indebted to the social insurance agency for EGP 2 billion and no one dares to claim this sum."

Panelists offered different assessments on crimes committed against journalists. "Many crimes are committed against journalists, such as kidnappings and assaults, as with the incident of Abdel Halim Kandil, editor of the *Al-Karama Al-Mostakela* newspaper; Reda Helal, an *Al-Ahram* journalist who was kidnapped and never returned to date; Amr Adeeb, an Al-Qahera Al-Youm presenter; and, Moataz Al-Demerdash, a *90 Minutes* presenter whose car crashed. Unfortunately, the offenders were not identified through investigations, and to date they have not been prosecuted," Habeb wrote. El-Din El-Sayed added to this list. "Many foreign journalists and reporters were physically assaulted, such as reporters for Reuters, the BBC, and Islam Online, during the coverage of conferences, demonstrations, and events," he said. "A press photographer received an eye injury after the police attacked him while performing his duty. An *Al-Araby* editor was beaten and stripped for his articles that attacked the president. A number of female journalists have been violated and their clothes torn apart in public in front of the Press Syndicate. The incident was witnessed by press photographers who gave the prosecutor photos showing the police officers who did such actions, yet they were not interrogated."

Abdel Kader acknowledged that incidents have taken place, but wrote: "With respect to the crimes committed against journalists, there are no direct crimes against journalists except in a few cases. . . . These cases are acts of revenge for uncovering certain corruption. However, such cases cannot be generalized. On the other hand, some lawsuits are filed by officials against the journalists for their opinions, and they often end by exonerating the journalists or just paying fines which are usually paid by newspapers."

Although no specific laws favor state media outright, "opposition and independent newspapers encounter favoritism for state-owned newspapers in access to news and advertisements related to the government," according to Tohamy. "Access to information is not equally provided for all."

There is also no law guaranteeing independence for state media. In fact, Habeb wrote: "As for state-owned media, their content is subject to government censorship, direct or self-censorship, since the editors and boards of those newspapers are appointed by the state. The same applies to the state-owned television where the heads of channels are appointed by the minister of information. Accordingly, all content is censored and it is difficult to see reports or programs criticizing the state except for some programs

such as *El-Beit Beita*, which is presented by Mahmoud Saad and Tamer Amin, and *Etkalem*, which is presented by Lamees El-Hadidi. There is a general agreement between all the programs to exclude the Muslim Brotherhood, despite the fact that they are represented in the parliament by 88 members and have powerful influence as a political movement in the Egypt."

Shehab noted that "the Penal Law includes more than 30 articles that prescribe imprisonment for press crimes related to free speech." In 1993, the government amended the Journalist Syndicate Law in order, according to one panelist, to limit the ability of the syndicate to lobby for reform. Saleh wrote that the law made the employees of the Ministry of Information, who far outnumber professional journalists, members of the Journalists Syndicate. "Two years later, the Press Law was passed to impose heavy sentences on publication crimes such as printing misleading information, false rumors, or defamation, in particular if these were directed against the state, its representatives, or its economic interests, or endangering public order," Saleh said. "The penalties were increased to five years of imprisonment and payment of exceedingly high fines."

Not everyone agreed with Shehab's assessment of the role of the Press Syndicate. Abdel Kader wrote: "I recall when the Peoples' Assembly wanted to pass an article regarding contempt in the press by means of law No. 93 of 1995. When the Press Syndicate united against this law, demonstrations were organized and all writers of all affiliations united against this law. Ibrahim Nafea was the head of the Press Syndicate and *Al-Ahram* chairman and editor at this time. Although he was the government representative, he supported the journalists and managed to suspend and modify the law using his contacts and supported the journalist's consensus. 'Contempt' meant that any official, of high or low rank, could sue and imprison any journalist if there is contempt [criticism] against him/her based on true or false grounds."

Egyptian legislative changes in 2006 maintained criminal penalties for many press offenses, even as it eliminated others. Such provisions are frequently used, according to the panelists.

"This past year, several journalists have been detained or faced jail sentences in Egypt," Abdulla wrote. "Al Jazeera's Howaida Taha and her cameraman were both detained and jailed while working on a documentary on detainee torture in Egyptian prisons. Ibrahim Eissa, editor-in-chief of *Al Dostour* newspaper, faces a jail sentence for allegedly spreading rumors about the health of the president. He was charged with 'publishing false information' that might be 'liable to harm the general interest and the country's stability.' Eissa was involved in at least eight other court cases this past

year alone. Several other journalists were also involved in other court cases, some of them high profile. Wael Al Ibrashi, former editor-in-chief of *Sowt al Omma*, has said in a television interview that he was involved in 64 court cases." Abdel Kader provided additional information about the Eissa case: "The lawsuit was filed against him for publishing rumors about the president that he could not prove correct. Accordingly, he is compromising state interests. Moreover, the lawsuit was not filed by the president, but by a lawyer who is a follower of the ruling National Democratic Party."

Habeb added, "We cannot forget the cases pending prosecution, such as the prosecution of four editors of independent newspapers who are accused of disseminating rumors that compromised the stock exchange. . . . Many lawsuits have been filed against journalists, with sentences that have ranged from imprisonments, such as in the case of the journalist Ahmed Ezz El-Din, to fines."

Abdel Kader said such cases mostly impact private media. "At this point I would like to note that the law doesn't discriminate between the state-owned media and private media," he wrote. "However, 80 percent of the lawsuits are filed against private journalists because the state-owned newspapers do not publish corruption cases, except in very limited circumstances and under impossible conditions, due to the lack of information."

Panelists made several comments about the difficulty media professionals have defending themselves in court. "If the journalist then managed to substantiate his/her statements with documents then he/she shall be immediately exonerated, otherwise he/she shall be fined," wrote Abdel Kader. El-Din El-Sayed added: "However, it is not easy to get access to information from official authorities and there is no law that makes the officials bound to provide information transparently to the media. In many cases, the journalist has the burden of substantiating information and some sources even deny the information after stating it."

Mahmoud Moselm, head of parliamentary coverage for *El Masry El-Youm* newspaper, that some journalists are indeed culpable. "Another problem facing the 'press market' is the press syndicate's negligence in punishing its members in cases of violations that makes them liable in courts," he wrote.

Finally, Shehab addressed one of the unintended consequences of libel cases. He said they have "given fanatic religious scholars the opportunity to spread fanaticism among the people and fear among writers and journalists who are concerned about being pursued by those fanatics with hundreds of lawsuits against them, regardless of the outcome. Lawsuits make those fanatics famous and heroes when they become regular guests on the satellite channels."

"Freedom of access to information and transparency of the government and public agencies do not exist in Egypt and no laws oblige these agencies to provide information. Some bills have been discussed recently by civil society organizations. However, they were not officially adopted by the government as to date. The free access to news sources is met to some extent via the Internet or international news agencies," wrote Habeb. Abdel Kader added: "This problem opens windows for rumors in the absence of facts."

Shehab cited restrictive provisions in the law. "For example, Article 77 (a) of clause 7, concerning state service employees, bans any employee from giving any statements regarding his/her duties to the newspapers or other broadcasting channels without written authorization from a qualified superior. Clause 8 stipulates that all employees are forbidden from disclosing any information he/she has access to through the job. Such a ban is also enforced after retirement," he wrote.

Restrictions on the free flow of information can only be justified, according to Article 9 of Law 96 of 1996, for the protection of national security and the defense of the nation and its higher interests. Article 10 specifies that journalists have the right to receive responses to requests for information unless the information is classified as secret. But panelists cited problems. "The law enables journalists' access to information, yet the enforcement mechanism is still missing. Furthermore, the government officials' culture does not understand this issue," said Moselm. According to Mustafa Abdouh, a reporter for *El-Gomhoria*: ". . . the Ministry of Health has appointed a spokesman who has instructed the affiliated directorates not to deal with the press except through him. Some other ministries have followed the same approach in appointing spokesmen, but the journalists have managed to pass through this barrier that hinders them from obtaining news."

Actually obtaining information can also lead a journalist into trouble. "In March 2008, an Egyptian court threw out a sentence of six months in prison against the journalist Howayda Taha, an Al-Jazeera reporter, for possessing videotapes about torture in Egyptian police stations. The Heliopolis Court of Appeal rejected the new charge against the journalist of impairing state interests and canceled the fine of EGP 10,000, which was enforced by a lower court in May 2007. However, the court upheld another ruling against Taha and a fine of EGP 20,000 for 'shooting and possessing false tapes that could impair Egypt's reputation,'" Shehab wrote.

Panelists did not experience difficulties obtaining foreign news reports for use in local media. "With respect to international news, it is widely available and there are many ways that provide information for journalists," Abdel Kader wrote. However, last year's MSI report noted that there is significant

self-censorship regarding the reprinting or rebroadcast of foreign news reports, especially by state media.

Egyptian journalists require special authorization from the Ministry of Information to cover events such as terrorist acts and activities of the president or government ministers. Foreign journalists posted to Egypt must apply for permanent accreditation to work in Egypt. Visiting reporters need to apply to the Ministry of Foreign Affairs, specifying the subject to be covered, and various documents must be submitted. Most visiting journalists do not apply for an authorization unless they have to interview officials or cover major official events.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Egypt Objective Score: 2.25

Panelists scored most of the indicators close to the objective score. However, Indicator 4, journalists cover key events, scored nearly a point higher and Indicator 5, pay levels for journalists, scored nearly a point lower.

Habeb's characterization of the practice of journalism reflected many of the other panelists' comments. "Unfortunately, reporting in most newspapers is not objective and does not use different and multiple sources," he wrote. "There are two trends in reporting. One is adopted by the state-owned press, which embraces the single viewpoint of the state policy and tries to justify state decisions. The other lies with the opposition or independent press, which embraces a viewpoint totally opposed to state decisions. Each trend depends on the sources that support its viewpoint and objectivity is not applied. When you read the state-owned newspapers *Al-Gomhureya* or *Al-Ahram* and independent newspapers *Al-Dostour* and *Al-Badeel* at the same time, you will find events or decisions interpreted in totally different ways. For example, if we review coverage of the constitutional amendments that were passed by the government, the state-owned newspapers characterize them as a huge step toward reform and democracy while the opposition newspapers consider them a move toward a police state and a setback for democracy, as well as a consolidation of a dictatorship."

Abdel Kader also referred to what he called a "rumor press." Moselm added that "private newspapers are connected in one way or another with their business owners, and there are specific examples of this connection."

Not all news outlets have a one-sided editorial policy. Many panelists had comments similar to those of Abdel Kader, who wrote: "It is worth noting that *Al-Masry Al-Youm* is the best private newspaper in Egypt today. It managed to gain popularity in a few months and to gain readers' respect as it

addresses news objectively and reports all news undistorted. *Al-Masry Al-Youm* provides its editors with adequate journalism training, unlike other newspapers."

In addition to willfully biased editorial policies, Moselm said "few journalists are capable of preparing reports and programs in a professional and neutral manner." Abdulla added: "Reporting standards vary depending on the publication or media outlet although, in general, most journalists in Egypt do not receive formal training in terms of being journalism graduates. Instead, a lot of them get the job first and get their training on the go. This is a huge problem in my opinion, being a journalism educator, because the general attitude is a belief that you don't have to go to journalism school to become a journalist. You can just write."

One panelist was optimistic that the situation would improve. "I think that the numerous media faculties and institutes and the promising beginnings of free speech in Egypt will produce new graduates who can properly apply and practice professional-quality standards," wrote Al-Amir Ismail.

Panelists did not believe journalistic ethics are properly followed in Egypt. Tohamy wrote: "The Press Syndicate has failed to enforce the press code of ethics, which is specified in the syndicate law. The syndicate has attempted to make active decisions in this regard but failed for reasons pertaining to elections. The syndicate board members, elected to four-year terms, counted on the votes of some journalists and their followers who do not respect the code. Observing ethical standards in journalism has become an individual commitment by some journalists. It is a common phenomenon that journalists receive gifts during news coverage of ministries and businesses...."

Abdel Kader wrote in-depth about serious ethics abuses. "Some editors who cover news pertaining to a certain ministry become its representatives at the newspaper instead of the newspaper's representatives at the ministry. Some ministries pay editors' monthly salaries for publishing the ministry news. Editors accompany those ministers on all their journeys. Accordingly, editors receive privileges, including travel allowances. In this case, the journalist has become his or her own supervisor—contrary to the normal situation where the editor is supposed to observe the journalist—and cannot write anything critical of the ministry that pays his or her salary and travel expenses. This issue is not limited to the state-owned press editors but includes the opposition and independent press as well."

Shehab examined the legal troubles that media face by not following ethical guidelines. "Some newspapers don't respect the professional principles in news publishing as they seek to achieve a scoop without documentation or verification

of information. Newspapers that commit such violations are strongly dealt with. For example, on Nov. 27, 2007, the criminal court of Dokki sentenced Hatem Mahran, an *El-Nabaa* editor, to imprisonment with labor for one year and a fine of EGP 20,000, as well as a bail of EGP 5,000, for libeling actress Hala Sedki. He had published her picture on the front page in January of 2007 under the headline 'The Story of the Scandalous Comeback of Hala Sedki' and another headline, 'Hala Sedki's Sexy Pose in Her Latest Movie.' There are many examples on such violations and calls for the syndicate to take strong actions against offending newspapers and to punish them for violating the press code of ethics."

Abdouh said the Supreme Press Council documents ethics violations in the press and publishes statistics on a quarterly basis. Violations include publishing unattributed news, combining advertising with editorial content, incorrectly reporting on criminal cases, and unethical use of photos. Shehab reported on some recent findings, and noted that state-run and pro-government newspapers "topped the list" of violations. "In a clear violation of the information documentation principle, *Al-Ahram* on Dec. 10 published a page 22 newflash with the headline 'Arresting the Manager of a Famous Restaurant Chain for Possessing Spoiled Meat.' On Dec. 28, 2007, the same newspaper carried a page 12 story headlined 'Arresting the Youngest Drug Dealer in Egypt' and published the name of the minor girl who was arrested, in violation of publishing ethics. State-owned newspaper *El-Messa* published a Dec. 10, 2007, newflash on page 15 with the headline 'El-Mounira Haunted House,' which promotes fraud and superstition."

Shehab continued: "The report of December 2007 noted the combination of editorial and advertising content in dozens

of newspapers. Independent newspapers with Egyptian licenses and independent newspapers with overseas licenses had an estimated 286 violations in December alone. *Al-Alam Al-Youm*, an independent newspaper, topped the list with 49 violations regarding advertising content. For example, on Dec. 3, *Al-Alam Al-Youm* published a press release under the headline 'National Société Générale Bank Official Sponsor of the Banking Exhibition.'"

According to Shehab: "Some of the Press Syndicate council members and human rights organizations' personnel are skeptical as to the reports released from the Supreme Press Council since it is a governmental authority which supervises, monitors, and observes press violations. They call for establishing an independent agency to perform observation and monitoring functions."

Panelists concurred that self-censorship is widespread in the Egyptian media. Particularly in state-run media, Abdulla wrote, "journalists know that there are certain red lines beyond which their pieces won't be published or broadcast, and so, for the most part, they don't bother going there to begin with. Others are restrained from fear of possible consequences if they cross the red lines." El-Din El-Sayed said the practice is not limited to state media, but that owners of private media exert pressure on their staffs to protect advertising when deciding what issues to cover and how they are covered.

Habeb listed some of the off-limit topics. "Journalists are banned from addressing issues such as the problems of Copts in Egypt and issues related to the armed forces, under the excuse of protecting national security and inhibiting sedition."

Panelists agreed that most key events receive adequate coverage. Given the polarized nature of the media, if those favoring the government do not cover a story, the pro-opposition media will. However, Abdulla noted that some topics fall through the cracks. "There was a case of public female harassment in downtown Cairo that bloggers managed to bring to the attention of the media and the public. Once the story was broken by bloggers, the media could no longer ignore it," he wrote.

All the panelists wrote prolifically on the topic of journalists' salaries, uniformly concluding that pay levels are inadequate, pay is often delayed, and journalists often resort to unethical practices to supplement their pay. Saleh described the way pay is determined: "Salaries of journalists are very low. The scale consists of a base, which is the same for all within a rank, plus additional increments that vary depending on the number of years of experience and on the extra tasks undertaken. However, the 'experience' has to do with years on the job, not academic excellence and expertise." Tohamy noted that journalists who have better relationships with

#### 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).

their supervisor may receive a higher salary than others in their cohort. Moselm pointed out that television personnel are paid higher salaries than print journalists.

"To date, the Press Syndicate has failed to adjust the low payroll of journalists, especially in the printed press," wrote El-Din El-Sayed. "Further, the standard employment contract that binds the newspapers to a minimum wage for journalists has not been approved yet, which compromises their work and makes some journalists vulnerable to extortion and bribery."

Shehab detailed some of the abuses related to journalists' pay. "*Shabab Misr* newspaper, voice of the Shabab Misr party, is the best example," he wrote. "Fifteen journalists have worked for this newspaper for more than 12 months for free. In fact, some of them contributed with their own money to found the newspaper, hoping it would rise up to the competition and would then hire them and accordingly make them members of the Press Syndicate. However, the president of the party and newspaper editor, who is favored by the ruling National Democratic Party, did not keep promises to the journalists and they did not receive any salaries and were discharged afterward." Further, Shehab wrote, "Doctor Fathy Sorour, president of the Peoples' Assembly, said, 'I am surprised by the journalists' low salary, which should amount to EGP 3000. Those who call for freedom of the press should first look at the financial situation of journalists.'"

Abdulla explained how low salaries affect the quality of reporting. "Journalists try to compensate through a weird practice of seeking advertising from the entities they cover and receiving a commission for the ads they bring to the paper. This is a highly dangerous practice in my opinion, and constitutes an obvious conflict of interest. If you are reporting on a company that you know has questionable practices but that is giving you thousands of pounds in ad commissions—when your salary is a few hundred – how likely are you to put the public interest over your own personal interests and report on the questionable practices? The ad commission system reportedly covers the top officials of some newspapers, whose salaries can, therefore, reach incredible amounts." El-Din El-Sayed noted that the Press Syndicate bans such practices but does not enforce the ban due to its acknowledgment that salaries are low. He also pointed out that journalists may simultaneously work for more than one newspaper, another banned practice that is not enforced.

"In terms of programming, entertainment still occupies most of the air time in broadcast media outlets, although the evening talk shows are becoming popular sources of news for a broad section of the population," wrote Abdulla. Panelists agreed that domestic broadcasting fails to offer enough news content and many Egyptians turn to international or regional satellite channels for news.

There was disagreement regarding the state of technical equipment used by the media. El-Din El-Sayed said most media have modern equipment that meets international standards. However, Abdel Kader said this was only the case at "certain rich institutions, whereas other journalists depend on their own efforts to buy laptops, for example, and to learn computer programs to upgrade their professional level." Tohamy said Egypt's journalism profession "is technologically underdeveloped in most institutions. Journalists still use pens and papers to write news and look for fax machines to send news to their newspapers if they are mobile. A few institutions have managed to develop their technology. *Al-Masry Al-Youm* is the only newspaper that provides its journalists with laptops and mobile Internet connections, in addition to language training programs." Tohamy also decried the dearth of high-quality printing facilities, noting that state-run papers are the only ones with access to them.

Abdoun discussed some of the specialty reporting found in the Egyptian press. For example, he said the *Al-Gomhureya* newspaper had introduced several weekly sections. "'White and Black' presents a successful sector and failing sector and draws a comparison between them. The 'Hard Work' section addresses the labor force in various labor unions. The third section is 'Who We Are,' which presents citizens' complaints. Another section in the paper addresses major cases and criminal rulings," Abdoun noted.

### OBJECTIVE 3: PLURALITY OF NEWS SOURCES

#### Egypt Objective Score: 2.38

Most of the indicators in this objective received scores close to the overall result. However, Indicators 3 and 4, objectivity of state media and independent news agencies, both scored a point or more lower. On the other hand, panelists gave Indicator 2, citizen access to media, a score more than a point higher.

Panelists gave differing accounts of the plurality of news sources in Egypt. Some focused on the existence of a large number of available media outlets as a positive thing, while others felt that plurality suffers at the hands of state policies designed to maintain a tight rein on information.

"Multiple news sources do in fact exist in Egypt," Abdulla wrote. "There is a multitude of newspapers (national or government-controlled, party, opposition, and independent), terrestrial and satellite channels (national, private, and foreign), and Internet sources." Al-Amir Ismail pointed to the availability of "more than 460 Arabic-speaking satellite channels," saying that such a large number of unencrypted channels offers a

range of opinions and addresses a multitude of concerns. He also noted: "In Egypt some independent newspapers have become popular, such as *Al-Masry Al-Youm*, *Al-Fagr*, *Sout Al-Oma*, and *Al-Dostour*, as well as some important party-owned newspapers such as *El-Wafd* and *El-Ahali*."

Abdel Kader described trends in media development. "The news satellite channels and news Web sites have caused a shift in media, changed the activity in the traditional mass media and forced some newspapers to cover issues that were not allowed before." However, he said, Egypt has not developed a dedicated news Web site beyond posting newspaper content online.

Saleh lamented that there is no solid research on the state of journalism in Egypt. "There is a clear absence of any clear data or literature about journalism, except the press releases of the government, which are obviously more of a public relations handout, or official statements by the Ministry of Information that say nothing about journalism, only information that magnifies the achievements of the state. Otherwise, the ministry considers such information a top secret."

Shehab wrote: "The Egyptian government limits freedom of the press and the diversity of news sources that provide people with information. The *Al-Shaab* opposition newspaper is still banned for the eighth consecutive year. The government decided to shut down the *Al-Shaab* newspaper's Web site. The government has also banned the *Afaq Arabia* newspaper." Saleh added that whenever liberalization of media law results in an increase of opposition voices, the government reverses itself to protect its overall hold over the media.

"The government does not restrict people's access to local and international media except for some foreign newspapers and magazines that have been confiscated for political and mostly religious reasons," wrote Moselm. Panelists also agreed that access is not restricted for financial reasons. "Foreign media in the form of foreign newspapers or channels are available to everyone through the Internet, local markets, and satellite," Habeb wrote. According to El-Din El-Sayed: "Mass media are available, widespread, and more or less at reasonable prices. However, local media are too poor and people [in rural areas] usually resort to the state media."

Abdel Kader listed other problems with local media. Local newspapers are published irregularly and are not taken seriously by local officials. Therefore, information about local issues is poor and dialogue between local government and local residents impaired.

Abdel Kader also discussed a phenomenon that has increased access to satellite television. "Recently, a new method called 'the cable' has become widespread in Egypt to transmit all the satellite channels at cheap prices. One person buys a dish to receive the channels and a receiver device for each channel then links them and extends cables to each house at monthly fees of EGP 20. People can watch about 40 channels through this cable. The same technique is used to provide Internet access, yet it is not as widely used as the satellite cable. Although illegal, it has helped to raise access to satellite channels to an extraordinary level and has promoted the channels and opened media access to people otherwise shut out without 'the cable.'"

"Although Internet penetration is still relatively very low (about 8 percent), people with access to the Internet make good use of it in terms of finding information and alternative sources of news," wrote Abdulla. He noted that dial-up Internet service is free, except for the cost of the call, but illiteracy and language barriers (since much of Internet content is in English) continue to hinder Internet usage. Abdel Kader reported that a DSL line costs about EGP 95 per month. El-Din El-Sayed wrote that there is almost no filtering of the Internet, except for the Web site of the Muslim Brotherhood.

Panelists characterized state media as serving the interests of the government and ruling party, explaining that significant pressure is placed on staff to do so. El-Din El-Sayed wrote: "Under such conditions, the state-owned media only reflect the view of the ruling regime. Public television rarely hosts opposition figures in its programs. A long list of public figures is prohibited from appearing in the official media and the minister of information oversees this. During parliamentary and presidential elections and public occasions, the television and official newspapers present songs and official rallying that represent the ruling party without any consideration

## 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.

to other political and social movements.” Tohamy said state media attacks on the opposition and opposition press give them the appearance of being ruling-party-owned, rather than government run.

Habeb gave examples of state media purposely ignoring political opposition. “*Akhbar Al-Youm* interviewed Mohamed Mahdi Akef, a leader of the Muslim Brotherhood. When the interview was brought to the political leadership’s attention, it was canceled and the journalist who conducted it was punished. Furthermore, the *Al-Karama*, *Al-Wafd*, and *Al-Tagamo* parties rarely appear in the state-owned newspapers except in reports that support the government or attack the Muslim Brotherhood. Certain topics are not discussed on government television, otherwise the presenter, programmer, or reporter are punished.”

Abdel Kader discussed news agencies. “In Egypt there are no Egyptian news agencies except for the Middle East News Agency (MENA), which is affiliated with the government. International news agencies have offices in Egypt and their coverage is cited in news reports. Yet, reporters for the international news agencies face difficulties covering some hot events.” El-Din El-Sayed wrote that international news agency reports are widely used and affordable.

As reported last year, private broadcasters are not allowed to produce their own newscasts. However, they circumvent this limitation to a degree by offering talk shows in which they address subjects in the news, including sometimes controversial political and social issues. The discussions include guests representing a range of political and ideological positions, as well as participation of the public—via phone, Internet, or text messaging.

When it came to media ownership, panelist comments pointed to superficial transparency that belies a more complicated reality. “The ambiguity of media ownership and domination of the regime and leading businessmen cause confusion and compromise the credibility of media messages,” wrote El-Din El-Sayed. “The real media owners and financial statements of media companies are rarely declared. Deals and alliances between the media owners and between them and the regime compromise the validity and professionalism of news reports by such media.” Saleh referred to this as “crony capitalism.” Habeb pointed to the private newspapers *Al-Masry Al-Youm*, *Al-Youm Al-Sabe*, and *Al-Tareek*. He said they do not reveal their funding sources and provide only positive coverage of those sources.

“Ownership of media outlets is, by and large, public information, although few people care to investigate media-ownership patterns,” wrote Abdulla. “A study I conducted this year on the four major Egyptian talk

shows—*Al Beit Beita*, *90 Minutes*, *10 PM*, and *Al Qahira Al Youm*—showed that about 70 percent of the survey population did not know who owns the channel that broadcasts their favorite talk show. The study recommends educating the public about the importance of media ownership and its potential effect on the editorial policies of the media outlet.”

Media coverage of a wide range of social and minority affairs is thin. “The state-owned newspapers await instructions with respect to covering news of minorities,” Tohamy wrote. He said coverage of minority affairs is better among private and opposition media.

Abdel Kader wrote extensively on regional coverage. “News coverage in Egypt is centralized to a great extent. News always focuses on Cairo because it is the capital and the center of all ministries, authorities, and the president. Alexandria comes in second place, especially in the summer, because the Council of Ministers often moves there in the summer. Governorate news coverage is infrequent. For example, Upper Egyptian news is published, at most, in a quarter column in the daily or weekly newspapers. This is due to many reasons, including the lack of interest, the shortage of professional journalists in different governorates, and journalists who do not wish to travel to remote areas to cover news that is not a major crisis or accident.”

He did note one exception: “*Al-Ahram* has massive resources enabling it to put reporters in remote governorates. As a result, it managed to publish an incident of corruption that took place in El-Menya when [Ministry of Education] personnel leaked the general secondary exams to some of the governorate high-ranking officials. An *Al-Ahram* reporter in El-Menya, Haggag El-Hosseiny, uncovered this incident, which caused public outcry and the results for those students were canceled. But this example is an exception that does not occur in other newspapers.”

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Egypt Objective Score: 2.23

Indicator scores in this objective varied widely. Indicators 3 and 4, the advertising industry and balance of advertising revenue compared to other revenue sources, both scored relatively well, about a point higher. Indicators 6 and 7, which cover market research and audience measurement, both scored about a point lower. The other three indicators received scores nearly identical to the objective score.

Panelists provided a comprehensive picture of the business practices of Egyptian media. They offered differing assessments of the profitability and business practices of

private media and the motivations of private media owners. Several maintained that private media are well managed and generate profits. Al-Amir Ismail wrote that independent media “appoint qualified personnel, avoiding bureaucracy in management and employment that is adopted by the state-owned mass media.” Tohamy provided a successful example: “Independent and party-owned newspapers work on their own to continue, succeed, and make profits. *Al-Wafd*, the first daily non-governmental newspaper that was released by the Al-Wafd opposition party, started in 1984 with little capital and a few journalists. Today, it has capital assets and a bank balance estimated at EGP 100 million and makes half a million pounds as a monthly profit after deducting printing costs and salaries.”

El-Din El-Sayed had a very different view of the business side of journalism. “Due to the high cost of media as a business, compared to other investment opportunities, it is not a profitable business—except for the entertainment industry. Accordingly, this influences the media operation and credibility. For example, a daily non-governmental newspaper managed to get a three-year, \$10 million advertising contract with an agency. The deal has affected the newspaper’s performance and the type of news covered—in order to maintain the interests of its owners and the deal, in addition to other political pressures,” he wrote.

Abdel Kader suggested that influence—not profit—is the main motivation for owning a newspaper. “Today, a businessman does not launch advertising campaigns in the newspapers. Rather, he starts a private newspaper after depositing millions of pounds in the bank for the newspaper’s expenses and salaries of editors and administration staff. He usually uses the newspaper to promote some type of

viewpoint,” he said. Saleh pointed to the underdeveloped advertising market as proof that profit is not the chief reason for owning a newspaper.

Saleh also offered an alternative view of management practices and professional management. “With respect to advertising, I would like to confirm that newspapers do not often adopt systematic marketing plans. Rather, advertisements are distributed in a random manner that depends on the public relations of the advertisers or on the tactics that ‘attack is the best way to bring advertisements.’ All terminologies of marketing, strategic plans, systematic research, and others are merely theoretical terms that have not been realized except in some limited cases. *Al-Masry Al-Youm* is the only exception in this regard as it was founded on principles of marketing methodology that were conducted by Rami Boutros, a marketing expert who has discussed his experience with *Al-Masry Al-Youm* in many symposiums and meetings.”

Saleh also described systemic problems that hurt businesses in general. “The formal bureaucratic procedures are so cumbersome that most economic activity depends on political patronage, or it is simply driven underground.” He said the state ignores irregular business practices “as long as it has control over media content in its favor.”

Panelists consistently said state-run media were not managed according to sound business principles and relied on heavy financial support from the state. “In terms of business management, again the performance of the national or government-owned media outlets is very different from that of the private outlets,” Abdulla wrote. “The government-owned outlets are run mostly as a mouthpiece for the government, so their No. 1 objective is not sustainability or financial independence or profits, but rather to spread the news and opinions that the government deems necessary to influence public opinion. Still, there is no lack of advertising in these outlets, for several reasons. For the print publications, the strange system of advertising commissions that most reporters are promised for bringing in advertising money works well. Advertisers are also promised a free news spot or more coverage of their events. While in most free press systems, such coverage or news would clearly be labeled ‘advertising’ or ‘advertorial,’ this is not the case in Egypt. The advertising news spot is published in the newspaper as regular news, which is an obvious ethical conflict. Some publications are now so filled with advertising that readers have to go through the pages looking for the news items. This is particularly true of weekend or weekly editions.”

Habeb described media funding sources. “Private or independent media in Egypt are usually funded by the proceeds from advertisements and circulation, in addition to the contributions of financiers—usually businessmen with

**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.

interests in maintaining the newspapers so as to advocate their rights, as with the example of *Al-Masry Al-Youm* and *Al-Badeel*. Revenue sources of state-owned newspapers are advertisements, in addition to direct and indirect support from the state, including uncollected taxes and fees for electricity, telephone, and other utilities.”

But diverse revenue sources are not enough to secure editorial independence. According to Abdulla: “Private media outlets care about advertisers for survival reasons. However... allegations have surfaced on more than one occasion that the government pressures advertisers not to buy time on a particular channel or publication if these outlets have aggravated the government.” Shehab concurred: “Advertising in Egyptian newspapers represents an issue of reward and punishment. The company rewards with advertisements to the newspaper if it is satisfied with its editorial line. On the other hand, if the editorial line is opposed to the government, the newspaper does not receive any advertisements because companies do not want to irritate the government by supporting independent or opposition newspapers such as *Al-Dostour*, *Sout Al-Oma*, *Al-Fagr*, *Al-Arabi*, and others.”

Abdouh said *Al-Masry Al-Youm* “has followed a general orientation since its inception to provide excellent press without any pressures and has used pictures and headlines according to the best practices of journalism. However, today it has started to give in to the pressures of leading mobile companies, tourism companies, and real estate companies for the sake of advertisements.”

Panelists felt the ratio of advertising revenue compared to other revenue sources is in line with international norms. “The funding of newspapers basically relies on advertisements rather than distribution,” Tohamy wrote.

Private independent media do not receive direct government subsidies. But Moselm said there is an annual subsidy of EGP 100,000 for political parties which, in turn, often use it to support their newspapers. Abdel Kader said “private newspapers sometimes receive subsidies from the government in the form of advertisements, but only newspapers that appeal to the government.”

According to Habeb: “Market research is rarely conducted by all the state-owned and private media institutions. Some people are still not fully aware of it and others do not believe in it. Furthermore, the institutions lack marketing personnel who can conduct neutral studies to tailor the media product to the needs of the audience.” El-Din El-Sayed added: “Most mass media do not pay the research fees for [research] institutions, and media institutions do not have market research departments. Such factors increase reliance on networks of contacts, rather than the real advertising market.” Abdulla

said some government-owned media outlets have research departments but do not produce credible research. “The little research available is conducted by university professors such as myself and is mostly for academic publication purposes and rarely taken seriously by the media outlets,” he said. Unlike print media, Moselm asserted, television uses market research.

Panelists said circulation and audience information are either unreliable or guarded as proprietary information. Others agreed with Habeb’s explanation: “The real circulation figures and broadcast ratings are undisclosed and there is no neutral authority to handle them. Every newspaper claims it has the highest distribution figures and the state-owned newspapers are competing to prove this. *Al-Gomhureya* as well as *Al-Ahram* and *Al-Akhbar* claim they achieve the highest distribution figures. On the other side, independent newspapers such as *Al-Masry Al-Youm*, *Al-Badeel*, *Al-Dostour*, and *Al-Fagr* say they have the highest distribution figures because state-owned newspapers such as *Al-Ahram*, *Al-Akhbar*, and *Al-Gomhureya* lost their appeal when people learned of their misleading practices.”

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Egypt Objective Score: 2.34

Panelists provided diverse scores for the indicators. Performing strongly were Indicators 2 and 3, professional associations and the advocacy work of NGOs. However, Indicators 1 and 6, trade associations and access to printing facilities and newsprint lagged far behind. The other indicators received scores close to the overall objective average.

Saleh provided background on difficulties facing all associations and other NGOs. “In May 1999, the Egyptian parliament passed a law encroaching upon the NGOs’ freedom to organize and act. The new law banned private groups from working to influence government policy or union activity. It gave the Ministry of Social Affairs power to disband boards of directors. NGOs must seek permission from the government before accepting foreign donations. The new law set prison terms of up to two years for violations of vaguely formulated offences such as ‘threatening law, public morality, and order and national unity.’

“Following a wave of protests by both Egyptian and international NGOs, the law was found unconstitutional on procedural grounds and suspended by the Constitutional Court,” Saleh continued. “The country’s older law on NGOs (Law 32 of 1964), which is seen as equally repressive, remains in force.”

Panelists said there is no trade association to represent media outlets or the interests of owners. Given the government’s previous monopoly on broadcasting, Moselm said, there was

no need for such an organization and one has not developed in the meantime.

"The Press Syndicate is the official body serving journalists in Egypt. With very rare exceptions, the head of the syndicate is considered to be the government's man," Abdulla said. "Before the most recent elections in November 2007, journalists urged their colleague, veteran journalist and poet Farouk Goweida, to run for the office. After giving it some thought, Goweida refused to run, saying he would be not be able to serve his colleagues well in having to deal with the government's pressures."

Abdel Kader said that the syndicate protects journalists' rights, works to win them privileges, and lobbies the government for those privileges. The privileges include pensions, health insurance benefits, and a small stipend to support their work.

Saleh elaborated on the syndicate's advocacy work. "The Press Syndicate, for example, lobbied to restrain the indiscriminate expansion of professional school enrollments, which it said was producing a surplus of under-trained graduates. Besides, it long fought to expand press freedom. While [President Anwar] Sadat tried unsuccessfully to abolish the union, the Mubarak regime, however, managed to reassert its control." However, El-Din El-Sayed, wrote: "Notwithstanding its independence from the ruling regime, the Press Syndicate faces many obstacles making it incapable of maintaining the interests of its members when such interests conflict with the regime."

Several panelists cited the Press Syndicate's limited membership. Members must be appointed by a newspaper. "Obtaining press syndicate membership is very difficult and is granted only to printed press professionals," wrote El-Din El-Sayed. "There are fewer than 7,000 syndicate members,

whereas the number of different media professionals unprotected by any union is more than 70,000."

Abdel Kader recalled that broadcast journalists tried to join the Press Syndicate but were rebuffed. Members feared that admitting a large number of broadcast journalists, almost all of whom were from state broadcasting, would tip the balance of membership in favor of those representing the government.

Abdel Kader continued: "Many journalist-advocating associations have been established. There are specific associations and unions such as the Association of Economic Editors, for editors working in the economic area, and so on. Such associations do not play a significant role other than organizing seminars and conferences that might be useful for media professionals or journalists."

Panelists said a few NGOs advocate for freedom of expression issues and will support journalists when they face legal action by the state. Habeb singled out the Egyptian Organization for Human Rights, the Arab Institute for Human Rights, The Hisham Mubarak Law Center, and the Cairo Institute for Human Rights Studies. El-Din El-Sayed noted that such NGOs work in a difficult environment. "NGOs advocate journalists' rights and provide them with legal support," he said. "However, they face several government obstacles and continuous accusations of adopting a foreign agenda, which often affects their reputation and operations."

Formal journalism education got mixed reviews from the panelists. Habeb criticized the curriculum at public universities. "The faculties of information and media sections focus on the theoretical aspect and ignore practical training," he wrote. "Sometimes, students graduate and then realize that their studies are totally different from the profession's reality." Saleh blamed this on the government successfully "transforming [journalism education] into a public relations curriculum and marginalizing notions of investigative reporting and aggressive journalism." He said no media outlet is happy with the current state of journalism education at most universities and even noted that, at private universities, bribery continues to be a problem.

Abdulla singled out what he believed is an exception, the American University in Cairo (AUC), where he is a professor. "The American University in Cairo's journalism program is well established and has graduated some of Egypt's most prominent journalists, including Mustafa Amin, Louis Greiss, Laila Rostom and, more recently, Lamees el Hadidi, Mona el Shazly, Yosri Fouda, and other," he wrote. "While Egyptian university graduates are usually lacking on the practical front, AUC graduates have to do some practical training, either through an internship or through working on the student newspaper, *The Caravan*, or at the Kamal Adham Center for Journalism Training

#### 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.

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and Research. AUC students also take courses in research methods, online communication, and online journalism.”

Given the criticisms of academic journalism programs (and, as mentioned in Objective 2, that some journalists have not even studied journalism), panelists agreed on the importance of on-the-job training. Saleh wrote that “what it means to ‘do’ journalism is something that journalists attempt to learn after being hired as an editor, reporter, producer, etc.” But he was optimistic, observing that many journalists realize they need to improve their skills in order to reverse what he characterized as the “current decline” not only in Egypt, but the entire Middle East region.

Several panelists characterized short-term training opportunities as inadequate in number or pointed out other obstacles. Taken together, however, the panelists’ comments indicate that a diverse group of organizations sponsor a number of opportunities.

Saleh underscored the need to train journalists in new information technologies but said there are only a few training centers in the region, in addition to satellite stations that are increasingly able to establish training departments. El-Din El-Sayed noted that the Islam Online Foundation is unique among media associations with its training and research department. He also identified the Heikal Press Institute as “the only body in Egypt that meets some of the training deficiency in Egypt.” Habeb added: “Newspapers and the Press Syndicate rarely provide such training.” He said the work of Heikal “allows about 50 journalists from all newspapers to train in editorial and language skills.” He noted that “*Al-Masry Al-Youm* also provides training to upgrade and develop the skills of its editors.”

“The Syndicate’s resources, which are collected from member subscriptions, are not enough to provide for widespread activities to upgrade the profession or train journalists,” Shehab wrote. However, he said the Press Syndicate does organize trainings that generate revenue. Further, he added, several organizations work in cooperation to support the Press Syndicate’s efforts, including “the Egyptian Foundation for Training and Human Rights, which aims at providing professional training for journalists on editorial principles, how to comply with the press code of ethics, and how to consider human rights through reports and news writing. Many training programs have been completed ... in collaboration with the United Nations Development Program and the Ministry of Foreign Affairs of Egypt. Some governmental institutions such as the Information Technology Industry Development Agency, affiliated with the Ministry of Telecommunications and Information, cooperate to provide the journalists with training programs on languages. Every member of the Press Syndicate receives a monthly EGP 530 subsidy from the syndicate as a training and equipment allowance.”

Abdel Kader recalled when the Alexandria Today and Tomorrow Association launched a project called “Future Media Professionals” in collaboration with USAID. It aims to train 600 media professionals in journalism skills.

Abdouh acknowledged that many organizations have been active in training but questioned their focus. “The latest training programs were on non-media areas such as ‘legal protection for journalists,’ ‘human rights,’ ‘labor organizations,’ and ‘environment and environmental protection.’ It would have been better to introduce specialized programs on journalist preparation, specialized press, how to become an editorial manager, how to become an editor, and how to become a chairman.”

Finally, El-Din El-Sayed noted: “Journalists’ generally poor facility in the English language limits opportunities with overseas training programs, although they are available and unrestricted, legally and financially. For example, the Islam Online Foundation has sent more than 50 journalists to training programs in Europe and the United States without restrictions.”

Panelists disagreed on the exact nature of newsprint procurement and printing facilities, but none pointed to current politicization and difficulty accessing them. “It is worth noting that the issue of paper and printing facilities in Egypt does not represent a problem,” wrote Abdel Kader. “Most leading newspapers own high-quality printing facilities and the same newspapers procure the paper from the paper traders or import it. Other newspapers print in the printing facilities of major press institutions such as *Al-Ahram*, *Al-Akhbar*, and *Al-Gomhureya*, which bring profits while the owners of other newspapers benefit from the printing capabilities.” However, Tohamy noted that “the leading paper importing companies are state-owned.” Moselm and others pointed out that the newspapers with printing facilities listed by Abdel Kader are under state control.

Several panelists cited problems with newspaper distribution. “Most party-owned and private newspapers complain of the domination by state-owned newspapers of distribution networks, which enables them to control the newspaper and magazine delivery to the readers,” Shehab wrote. Abdel Kader noted that distribution of private newspapers “is delayed until the major press institutions distribute their own copies.” Kiosks, observed Tohamy, are privately owned, however. Shehab also indicated that overseas distribution of Egyptian newspapers and magazines is handled by the National Distribution Company and “is not efficient.”

Private newspapers have tried to get around the National Distribution Company but with limited success. Shehab said the Press Syndicate is “working to establish its own distribution network through a group of kiosks and shops.” Abdel Kader wrote that “some private newspapers use private

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printing facilities to print a minimum number of copies then distribute them manually at the kiosks.” But Tohamy concluded that “some of the independent newspapers have tried to handle their own distribution but failed due to the high costs. Accordingly, the public press institutions still control the distribution of competitive newspapers.”

Internet access, however, is not state controlled. According to Abdel Kader: “In Egypt there are two major Internet providers—TE DATA and LINK.NET, which are privately owned—in addition to the Council of Ministers, which provides this service, too.”

## List of Panel Participants

**Ibrahim Saleh**, professor of journalism and mass communications, the American University in Cairo, Cairo

**Mahmed Habeb**, news department head, *Nahdet Misr* newspaper, lecturer of mass communication, Modern Academy University, Cairo

**Ashraf Shehab El Din**, journalist, *al-Ahaly* monthly newspaper, deputy editor for *Diwan Al-Arab* electronic magazine, Cairo

**Hossam El-Din El-Sayed**, programs and production head, Islam on line.net and Ana TV Channel, Cairo

**Hossam Abdel Kader**, journalist, *October* magazine; editor-in-chief, *Waves of Alexandria* electronic magazine; management editor, *Life Beats* newspaper, Alexandria

**Essam Al-Amir Ismail**, head, Channel 8-Egyptian Television, Aswan

**Mustafa Abdouh**, journalist and correspondent, *El-Gomhoria* newspaper; editor-in-chief, *Beni-Suef* newspaper, Beni-Suef

**Tarek Tohamy**, journalist, *Al Wafd* newspaper, Cairo

**Mahmoud Moselm**, head of parliament department, *El Masry El-Youm* newspaper; anchor, “All About Politics” at El-Mehwar, Cairo

**Rasha A. Abdulla**, assistant professor of journalism and mass communication, the American University in Cairo, Cairo

## Moderator

**Maie Shawky**, local media advisor, Partnership Program for Democracy and Governance, Cairo

*Conflicting panelist schedules prevented a panel discussion from being held in Cairo. This report reflects the extensive written comments that panelists submitted in their questionnaires.*

Limited, yet positive, progress characterized developments in the Libyan media sector over the past year. Panelists were optimistic that media discourse in Libya will improve in the near future. Radical changes have taken place towards objectivity, reasonability, and independence of opinion, which has not been allowed for years.

**رقيقاً بالعاملين يا شركة الخليج العربي للنفط**

**العاملون بالمركز الصحي «سلطانة» يطالبون بفتح تحقيق فوري في الملاك الوظيفي**

رئيس التحرير  
عز الدين عبد العاطي اللواج  
مدير عام التحرير  
الصديق ابريك بو دواره

16 صفحة  
500 درهم  
ليبية متنوعة شاملة  
تصدر عن شركة الغد للخدمات الإعلامية  
الخميس 16 من المحرم - 24 يناير 2008 م - السنة الثانية - العدد 0106

الدكتور محمد المفتي يكتب:  
متي يصبح المتحف جزءاً من حياتنا؟

الرأي للجميع

عاجل... بنغازي تشهد حادثة اجتماعية بشعة

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LIBYA

Limited, yet positive, progress characterized developments in the Libyan media sector over the past year. Panelists were optimistic that media discourse in Libya will improve in the near future. Radical changes have taken place towards objectivity, reasonability, and independence of opinion, which has not been allowed for years. Media awareness is increasing among the citizens, and they have begun to demand that newspapers highlight and pay attention to their concerns. Such a movement is promising and it confirms the building up of trust in the media after many years of mistrust.

In 2006, journalist Abdul-Raziq Al-Mansouri, a writer known for his critical articles on the Akhbar Libya web site, was released from prison. Since his release, Al-Mansouri has continued publishing articles on that web site that criticize the government, and he does not seem to have been subject to persecution because of this.

In mid-August 2007, a pilot broadcast was initiated for a new satellite television station, called Al-Libiyah, supervised by the Al-Ghad Media Institution, one of the institutions controlled by the Qadhafi Foundation for Development. It also started to broadcast programs on three radio stations, one of which is FM for Youth. In September 2007, the Al-Ghad Media Institution issued two newspapers, one in Tripoli called "Oiya" (after the ancient Phoenician name of Tripoli) and the other in Benghazi called "Cyrene" (after the name of the largest city of the ancient five Greek cities). This is the beginning of the establishment of media institutions independent of the government, which has controlled all media outlets for 38 years.

Freedom of expression is still restricted and writers or artists may face imprisonment if they produce what is seen by authorities as anti-revolutionary works of literature or art. However, many intellectual and literary works have begun to be distributed in Libya. In April 2007, a number of Libyan journalists and intellectuals from inside and outside of Libya presented a petition demanding the government accelerate the pace of legal reforms in order to enhance freedom of the press and reform the Libyan media, thereby strengthening dialogue on different issues facing the nation. The signers indicated that the most serious obstacle facing the press in Libya was the nature of the media discourse, which is based on propaganda. They demanded that the government allow licensing of independent, privately-owned newspapers. The 140 signers welcomed a resolution by the government to form a committee to study the conditions of the press. The Libyan Journalists Union and the Journalists Association have also been agitating to eliminate the Revolutionary Committee's oversight authority of the media.

Panelists considered these modest developments when scoring their questionnaires this year, and returned an overall average of 0.45, up slightly from last year's 0.31. The change was driven by notable improvements in Objective 1, Freedom of Speech, and Objective 5, Supporting Institutions. Objective 1 improved from an atrocious 0.16 to a still poor—yet better—0.40. Objective 5 experienced a similar shift from 0.23 to 0.51.

# LIBYA AT A GLANCE

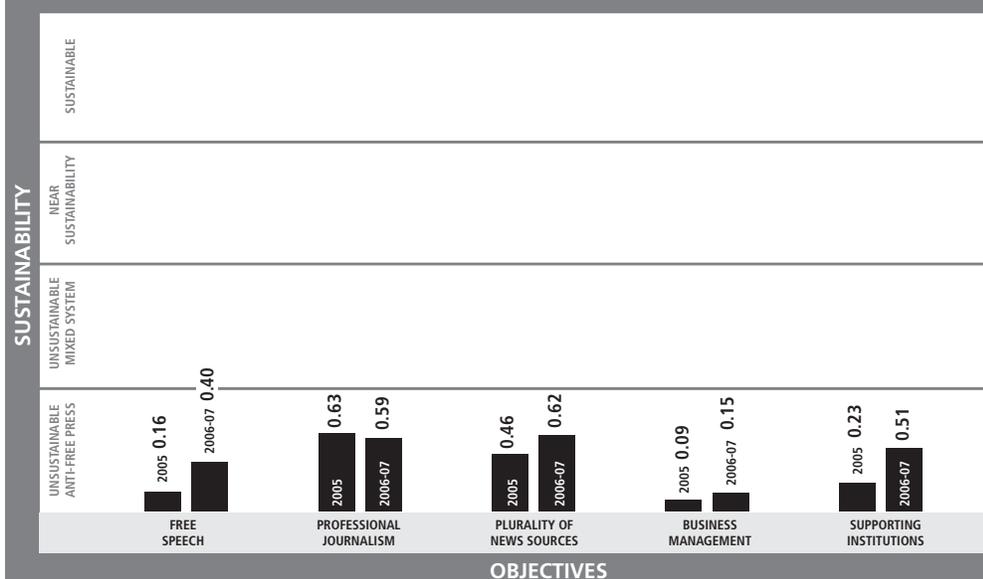
## GENERAL

- > **Population:** 6,173,579 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Tripoli
- > **Ethnic groups (% of population):** Berber and Arab 97%, other 3% (*CIA World Factbook*)
- > **Religions (% of population):** Sunni Muslim 97%, other 3% (*CIA World Factbook*)
- > **Languages (% of population):** Arabic, Italian, English, all are widely understood in the major cities (*CIA World Factbook*)
- > **GNI (2006-Atlas):** \$44.01 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$11,630 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 82.6% (male 92.4%, female 72.0%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** Revolutionary Leader Col. Muammar Abu Minyar al-Qadhafi (since September 1, 1969)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**  
Print: 8 daily newspapers and a number of weeklies and monthlies;  
Radio: 24 stations; Television Stations: 12 (*pressreference.com*)
- > **Newspaper circulation statistics:** Total daily circulation is no more than 8,000 total for all papers
- > **Broadcast ratings:** N/A
- > **News agencies:** Jamahiriya News Agency (JANA)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 232,000 (2005 est., *CIA World Factbook*)

### MEDIA SUSTAINABILITY INDEX: LIBYA



#### 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 3, Plurality of News Sources, also showed minor improvement. The other two objectives remained more or less the same.

## OBJECTIVE 1: FREE SPEECH

### Libya Objective Score: 0.40

Although there was improvement in this objective compared to last year, individual indicator scores still reveal dire problems in several areas. Scores for all but three indicators were below 0.50. Only Indicator 9, free entry into the journalism profession, scored noticeably higher than the overall objective average.

Article 13 of the 1969 Constitutional Proclamation emphasizes that, "Freedom of opinion is guaranteed within the limits of public interest and the principles of the Revolution." The Publications Act No. 76 of 1972 similarly stipulates freedom of expression to be ". . . within the limits of the public interest and the principles of the revolution." These were followed by the Declaration of the People's Authority (1977), the Green Charter for Human Rights (1988), and Law 20 on Enhancing Freedom (1991), which all similarly put freedom of expression firmly within the context of limitations for the good of the people or the revolution. For example, article 8 of Law 20 on Enhancing Freedom notes that, "Every citizen has the right to express and publicly proclaim his opinions and ideas to the people's congresses and the media of the Jamahiriya. No citizen shall be answerable for his exercise of this right unless he exploits it with a view to detracting from the people's authority or for personal ends."

Libya also signed the Universal Charter of Human Rights, which guarantees a person's freedom of thought and freedom of expression, and is a signatory to the African Charter of Human Rights, which stipulates that everyone is entitled to access information and that everyone is entitled to express and disseminate thoughts within the framework of statutes and regulations.

Despite all of these statutes and charters, the Libyan system does not accept dissenting opinions. It hinders freedom of expression and freedom of the press in the name of "the limits of the public interest and the principles of the Revolution." Some panelists expressed their opinions about freedom of the media in Libya. Ashour Al-Shames, editor of the Akhbar Libya web site said, "Freedom of opinion in Libya is programmed and under control." Writer Faraj Nejm said, "The Libyan authorities have created a tame media." Adel Sunallah, editor of the Libya Jeel web site, said, "The authorities do not have a clear perception about the free media. Under the pressures of the current conditions, they

allow only limited degrees of freedoms." Noman Benotman, a writer, described the authorities' approach to freedom of opinion by saying, "The security approach dominates their ways of thinking." Mahmoud Al-Nakoua, a writer, maintained, "The totalitarian system in Libya does not allow political or media freedoms. Under pressures from satellite channels and the Internet, the state allows a limited space of freedom of expression."

Media practitioners and others are not able to seek relief from the judicial system, according to panelists. Sunallah said, "In relation to the judicial system, it is influenced by political decisions."

Not all is negative however, and panelists did point out the positive developments. Mohamed Turneesh, a journalist with *Mal wa A'mal* newspaper, said, "Despite the Publications Act of 1972, which has not been changed or amended so far, journalism in Libya is witnessing development and growth for the first time in many years." Journalist and blogger Issa Abdul-Qaiyoum summed up the developments: "A few years ago, all newspapers were owned by the state. Their prevailing nature was ideological, and they exercised their activity within the limits of political propaganda and announcements. However, very recently, there started to appear some indications of progress in these conditions. For example, two independent newspapers have been issued for the first time in Libya in the last quarter of 2007. Web sites have started to talk about passing a new act for the press. The Internet press has been allowed a reasonable level of freedom. There are legal restrictions on media access of the local market in accordance with the law, while it is allowed to receive broadcast media and the Internet. At the same time, the press is not always available. There are contradictions between the legal procedures and reality."

All the broadcast media and print publications in Libya are owned by the state and its agencies. The semi-independent institutions are associated with the Qadhafi Foundation for Development, headed by Qadhafi's son Saif. The private sector is not allowed to own newspapers or television or radio broadcast stations, therefore there is no real licensing and market entry is severely limited.

The General Press Corporation supervises the state newspapers and magazines. Also, Libyan cities are allowed to issue their own local newspapers and broadcast their own radio programs on the local stations. Furthermore, professional trade unions are allowed to issue their publications. The Green Book Studies Center issues a number of weekly, monthly and quarterly publications in addition to many books. Its publications feature a greater degree of freedom of expression.

*Mahmoud Al-Nakoua, a writer, maintained, "The totalitarian system in Libya does not allow political or media freedoms. Under pressures from satellite channels and the Internet, the state allows a limited space of freedom of expression."*

Sunallah summed up the divide between the spirit of the law and its implementation in terms of licensing: "Although the legislation in Libya (theoretically) stipulates that the press and printing are free and that everyone has the right to freely express opinions and disseminate opinions and news by different means the Publications Act No. 76 of 1972, enacted in the name of the Revolution Command Council, stipulates that it is not allowable for anyone to initiate a newspaper or establish a press unless the individual believes in the Revolution and its goals. This prevents the issuance of any newspapers independent of the government." He added, "In the same year, this was followed by a law which stipulates the foundation of the General Press Corporation. This law limited the right to issue newspapers, periodicals, magazines, and bulletins to that institution, as well as for associations, unions, and professional syndicates, except for the *Az-Zahf Al-Akhdar* newspaper which belongs to the

#### 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.

Revolutionary Committees Authority. Since then, Libyan citizens have been prohibited from exercising their right to issue private newspapers. Some legal provisions are not enforced, such as Article 2 of the Publications Act which prohibits censorship over newspapers." "Concerning the issuance of two newspapers in 2007, there is no justice in receiving licenses. It is only allowed to initiate newspapers belonging to the Qadhafi Foundation for Development, headed by the son of the Libyan President," he added.

Al-Senousi Besekeri, a journalist for Al Hiwar TV's web site, described the security conditions of journalists by saying, "The crimes committed against journalists are limited because the security sphere dominates the media realm." Nonetheless, crimes committed against journalists include assassination, such as the case of Daif Al-Ghazal (2005) for his writings about corruption on the Libya Jeel web site. Sunallah said, "The killers of Daif Al-Ghazal were prosecuted (in 2007) without implementing the sentence, to be decided by the court, up until now." Sunallah's sentiments are echoed by international human rights and media advocacy groups, such as the Committee to Protect Journalists, who express doubts that the real perpetrators have been brought to justice. According to reports by Reporters Without Borders, a witness said Al-Ghazal's abductors identified themselves as state security officials.

The government also uses criminal libel penalties and general prohibitions on "detracting from the people's authority," as indicated above, to jail and silence critics. In 2006, for example, journalist Abdul-Raziq Al-Mansouri was imprisoned after charges were filed against him for his writings on the Akhbar Libya web site.

Otherwise, libel suits are rarely filed by private citizens and businesses. These may also result in criminal penalties and are adjudicated by the General Committee of Journalists Responsibility.

The law does not provide a right for citizen or media access to public information, and in practice it is very difficult to obtain information from the government. Generally, the government releases information to media as it sees fit. Recently the government has made provisions for requests for information, but panelists noted that requests rarely results in success. Further, panelists said that most journalists are not accustomed to requesting information and simply wait for information to be given to them.

Media's access to foreign news sources is also limited, although journalists have expanded Internet and satellite access compared to the past. However, media outlets are not able to freely carry stories originally reported by foreign media if they are critical of the government.

The government overwhelmingly controls the media, and therefore controls who may be a journalist. Prospective journalists must be willing to work within the restrictive legal environment, and the state is careful to hire journalists who will do so.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Libya Objective Score: 0.59

This year's score of 0.59 shows essentially no change from last year, when the panel rated professional journalism a 0.63. All indicators scored similarly poorly, and none achieved a score of 1.00 or greater. In general, panelists felt that the state's stranglehold on the media rules out the practice of quality journalism, even if some individual journalists may have the skills to do so in theory.

Professionalism in reporting stories and issues is almost absent. First, panelists maintained that information availability and flow encounter administrative and political obstacles, and therefore multiple sources of information are simply not available. Further, the government treats media as a communications tool for promoting their own policies and viewpoints.

Ashour Al-Shames said, "There are good Libyan journalists at all levels, but they have developed due to their own efforts." For example, media interviews range between professionalism—showcasing that some journalists do understand proper techniques—and propaganda, depending on the interviewer and the subject. Turneesh noted that there is a severe shortage in the qualifications of journalists,

#### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

##### PROFESSIONAL JOURNALISM INDICATORS:

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

*Ashour Al-Shames said, "There are good Libyan journalists at all levels, but they have developed due to their own efforts." For example, media interviews range between professionalism—showcasing that some journalists do understand proper techniques—and propaganda, depending on the interviewer and the subject.*

which means that many are unfamiliar with many modern media technologies and practices. Ezz Addin Al-Lowaj, editor-in-chief of *Qurina* newspaper, said that he had to borrow staff from the Egyptian *Al-Ahram* newspaper to make up for the shortage of Libyan journalists.

Until September 2007 all newspapers operated under the General Press Corporation, which did not establish ethical and professional standards. Nasser Al-Orfuli, an independent journalist, said, "The prevalence of corruption in the state is necessarily reflected in the personnel of the media sector, especially with the media institutions being under the control of the state."

Mohamed Turneesh said that in addition to an authority for censoring publications before printing, self-censorship is practiced by the journalists themselves. Journalists are subject to pressures by the state agencies when writing about critical issues, and political and security considerations dominate the approaches taken by reporters in their work. Therefore, journalists are forced to exercise self-censorship because of the certainty of losing their jobs or even endangering their safety if they were to step out of bounds. They do not cover many major events and issues of the nation (e.g., asking critical questions about the ideological and political philosophy of the state).

"Media workers are forced to keep away from tackling important issues, such as security, intelligence, defense, and national security," said Noman Benotman. Issa Abdul-Qaiyoum highlighted the impact editorial policy has on content by saying, "There is a distinction between the professionalism of the journalists and the professionalism and policies of their media institutions."

Most journalists are employees of the state, and their salary and benefits would not thwart corruption. However, the control over the media by the government means that corruption does not typically impact content in the media. Turneesh claimed that the low salaries for journalists results

*Citizens are able to access the media that exist. This is particularly true in large cities, however many print media sources may be absent in less populated regions and towns. The broadcast media cover almost all the country. Lack of wealth can impact consumption of media; Faraj Nejm noted, "The individuals' low income prevents them from satisfying their media needs."*

in high turnover. Another panelist said the new newspapers are trying to pay more to attract good personnel. However, panelists noted that the government does pay a lot to some of its most favored journalists who have been staunch supporters.

Most of the facilities and equipment used in news collection, production, and dissemination are outdated and ineffective. Furthermore, there is not enough of this equipment. These problems result in poor quality programming and print production and hurt the impact and reach of the media.

Although there is specialized reporting, it is well within the parameters of supporting the goals of the state. While there may be coverage of sports or art, there is no independent, in-depth investigative reporting.

**OBJECTIVE 3: PLURALITY OF NEWS SOURCES**

**Libya Objective Score: 0.62**

The indicator scores for this objective reveal a situation in Libya where citizens generally are not able to obtain a variety of viewpoints and adequate news and information. The state's general approach is to refuse any opinions and statements not completely agreeing with official policies, and the presence of opposing media institutions is not allowed. The first two indicators, which include the plurality of news sources and citizen access to media, were the only indicators to score higher than a 1.00, and even so barely did. Panelists showed some optimism in their scoring of these two indicators due to the recent development of the government allowing a few new print media outlets to open. The score for this objective therefore improved slightly compared to last year. The rest of the indicators scored poorly.

During the monarchy period (1952-1969), there were 85 newspapers and magazines issued in different languages

and representing different cultural and political viewpoints. They were all nationalized after Qadhafi assumed power in 1969. Until the issuance of Publications Act No. 76 of 1972, in the time between 1969 and 1972, about 51 newspapers, governmental and private, in Arabic, English and Italian were issued in the country. Now there are about a dozen daily and weekly newspapers, and all are issued under the supervision of state agencies or the Revolutionary Committee. As noted above, in 2007 the government allowed for the creation of two new newspapers operated by a foundation controlled by Qadhafi's son.

In 2007 many Libyan web sites were launched and they adopted critical outlooks that have not been seen in the Libyan media. They commenced campaigns against corruption and continually demanded that officials improve the service sector in general.

As a result of the oppressive conditions in Libya, many local media workers take advantage of external media dedicated to Libyan issues, which create some competition between the Libyan media outlets inside and outside the country. One positive development noted by panelists is that some expatriate writers have started to write for the local media outlets.

Citizens are able to access the media that exist. This is particularly true in large cities, however many print media sources may be absent in less populated regions and towns. The broadcast media cover almost all the country. Lack of wealth can impact consumption of media; Faraj Nejm noted, "The individuals' low income prevents them from satisfying their media needs."

**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.

The Internet is available to access information and news. Sometimes the authorities block web sites that do not agree with state policies, and consequently those running them and writing for them may be oppressed. However, foreign web sites focused on Libyan issues are an important source of alternative news, and these, recently are rarely blocked. Likewise, satellite television services provide alternative points of view on regional and international news.

The distribution of foreign publications was banned in Libya until 2007. Recently, it was announced that the distribution of foreign newspapers and publications is now allowed. This decision came as a result of intervention by the Qadhafi Foundation for Development. Still, many obstacles prevent even Libyan newspapers and magazines from being available in all towns and villages. Foreign publications are hardly available in the major cities such as Tripoli and Benghazi, and it is unlikely that they are available elsewhere. Further, censorship agencies still ban the distribution of publications and books originating outside of Libya that focus on Libyan issues, such as *Arajeen* and *Libya Forum* magazines.

As stated above, state media (nearly all media) serve the interest of the state, which controls them. There is no room left for accommodating diverse political opinions in state media. In referring to some of the wording of Indicator 3, "State or public media reflect the views of the political spectrum," Issa Abdul-Qaiyoum said, "In Libya, there is no [political] party activity, so it is difficult to approach the questions posed here." Turneesh said: "In my personal experience, I wrote a number of articles but newspapers refused to publish them. When they were published on the Internet, they received the approval of many readers. This indicates that legal conventions may prohibit publishing while social conventions promote freedom of expression and demand the dissemination of information to all people."

As for news collection and distribution by news services, it is still controlled by the official Jamahiriya News Agency. Broadcast media outlets may produce their own programs in terms of news, art, culture, and literature, but these are not independently produced.

Although media ownership is generally transparent since it is overwhelmingly controlled by the state, panelists scored this indicator poorly because of the monopoly position the state enjoys. Adel Sunallah said, "All the media institutions are officially controlled by the General Press Corporation. Recently, there have emerged other institutions that belong to the son of Qadhafi. The ownership (administration and officials) of these institutions is ambiguous, since there are no statutes or regulations governing media ownership."

*Libyan media outlets are governmental corporations whose finances depend almost completely upon governmental support. There are no considerations of financial sustainability in decisions that are made.*

However, another participant remarked that until recently there has been no private investment in the media sector in Libya, but it is expected that the state will start to give private investors permission to work in the media field, especially with the establishment of the media belonging to Qadhafi's son.

The Libyan government does not recognize minority or religious groups, so minority-language news sources do not exist. In fact, Libyans are referred to in most media simply as "citizens," thereby avoiding any acknowledgement of social diversity.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### Libya Objective Score: 0.15

"It should be taken into consideration that there has been no independent or private media in Libya since 1969. Therefore, I have given the score of 0 for all the questions relating to the private media and its particulars since the process itself does not exist. Perhaps in future years we will be able to know

#### 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.

about this, should the government keep its promises.” These sentiments, from Issa Abdul-Qaiyoum, sum up the feeling of all panelists for this objective: there is no independent commercial media in Libya. Media simply are not intended to be run as businesses and therefore have not adopted the management practices that characterize a well-run media organization. As such, this objective received the lowest score again this year, and no indicator scored above 0.50.

Libyan media outlets are governmental corporations whose finances depend almost completely upon governmental support. There are no considerations of financial sustainability in decisions that are made. Media do not answer to owners for their bottom line, rather they answer to political masters regarding their content.

There recently has been some expansion in advertising activity, but it still lacks vigor, professionalism, and a competitive spirit. Participants agreed that the revenues from advertising are not sufficient to support media operations. Therefore, since available revenue does not meet the needs of the mass media, it relies on subsidies from the government.

Additionally, media lack research and measurement tools required to evaluate the impact of their work or the people’s opinions about them. Given the near-monopoly position of the government and the low importance of advertising, the government and media managers are more interested in the message itself rather than tailoring the message or knowing demographics.

**OBJECTIVE 5: SUPPORTING INSTITUTIONS**

**Libya Objective Score: 0.51**

The government controls almost all of the civil society in Libya as well as other institutions that support the media, such as printing and distribution. Although mildly improving compared to last year’s score of 0.23, panelists rated most of the objectives poorly. Only Indicator 3, the work of NGOs, scored noticeably better, but this was a reflection mostly of the work that international NGOs do rather than local NGOs. Local NGOs have little latitude to pursue advocacy work to improve the state of media.

There are no media-related trade associations, since the media is not an independent industry. There are no trade unions for media workers. A journalists association, the Libyan Journalists Union, sanctioned by the government, exists. However, it can not provide support to members beyond rare cases that go no further than showing sympathy to the plight of a member. The role of this association is confined to administrative matters and the organization

of some activities, and they are neither entitled to discuss media legislation nor defend journalists who are subject to harassment from security agencies. For example, no media support institution in Libya has ever highlighted the assassination of journalist Daif Al-Ghazal or the case of the arrest of the writer Abdul-Raziq Al-Mansouri.

State-sanctioned associations such as the Libyan Journalists Union require their members to agree with the political philosophy of the state, and they reject those who oppose it. Because of this the Libyan Journalists Union has lost many journalists and media workers. This also precludes activities to improve the state of the media and defend journalists.

Academic journalism programs are scarce and not well regarded. The departments of journalism and media studies in Libyan universities lack any opportunity to train with modern media technologies. They focus on the strict practice of media activity in order to acquire experience. Because of the lack of political and intellectual freedom, they do not address the greater role of the media or issues of media freedom, which would help to enrich the students’ intellects. There is almost no opportunity for students to receive academic degrees specializing in journalism from abroad, or to be qualified by international organizations due to legal, administrative, and political obstacles.

Courses for current journalists sponsored by official media outlets or associations usually do not meet professional needs, and they are mostly ideological. Further, they address only one level regardless of the expertise of participants. Such efforts are not well planned and not taken seriously.

The state controls stocks of newsprint and owns all printing facilities. This is also the case with the channels of media distribution, including broadcast transmitters; the private

**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.

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sector is not allowed to own or run such facilities. Recently, newsstands have started to appear for the first time in many years.

## List of Panel Participants

Due to the difficulty of operating within Libya and obtaining candid assessments of issues such as the state of media, the MSI questionnaire was answered by eight expatriate Libyans working in media outside the country and three media professionals from within the country. A panel discussion for the expatriate Libyans was held in London.

### EXPATRIATE LIBYANS

**Ashour Al-Shames**, editor, Akhbar Libya website, London, UK

**Adel Sunallah**, editor, Libya Jeel website, London, UK

**Issa Abdul-Qaiyom**, independent journalist and blogger, I am Libyan blog, Manchester, UK

**Mahmoud Al-Nakoua**, independent journalist, London, UK

**Al-Senousi Besekeri**, online journalist, Al Hiwar TV, London, UK

**Faraj Nejm**, journalist, London, UK

**Noman Benotman**, writer and founder, Human and Political Development Forum, London, UK

**Nasser Al-Orfuli**, independent journalist, London, UK

### WITHIN LIBYA

**Ezz Addin Al-Lowaj**, editor-in-chief, *Qurina* newspaper, Benghazi

**Mohamed Turneesh**, journalist, *Mal wa A'mal* newspaper, head, Human Rights Committee, Tripoli

The remaining panelist from within Libya requested to remain anonymous.

## Moderator

**Aly Ramadan Abuzaakuk**, director, Libya Forum for Human Rights and Political Development, Washington, DC, USA

**The Libya study was coordinated by**, and conducted in partnership with, the Libya Forum for Human Rights and Political Development, Washington, DC.

Many characteristics of the Moroccan media remain unchanged from last year. The print media include outlets in Arabic and French that are party-owned, privately owned, government-critical, and state-friendly. However, total circulation is still no more than 300,000 and is centered in the major cities. Though elite-oriented, the press greatly influences public opinion, and sparks fruitful social discussions in political circles.



# MOROCCO

Many characteristics of the Moroccan media remain unchanged from last year. The print media include outlets in Arabic and French that are party-owned, privately owned, government-critical, and state-friendly. However, total circulation is still no more than 300,000 and is centered in the major cities. Though elite-oriented, the press greatly influences public opinion, and sparks fruitful social discussions in political circles. Independent newspapers appear to be heightening their impact in light of the continued regression of party-controlled media. Problems persist with political control over the judiciary in trials targeting independent newspapers' criticism of state policies.

In the broadcast sector, the public media are still subject to ever-increasing political control, and remain greatly influential. On the other hand, new conditions have emerged, such as the establishment of the High Authority of Audiovisual Communication (HACA) to regulate and monitor broadcast media, especially in the areas of political pluralism, program ethics, and public information. In 2006, for example, ten radio stations and one television station were given licenses to air live broadcasts.

The government's financial support has been used primarily to empower and promote independent newspapers, whereas previously this support was given solely to state and party newspapers. On the other hand, the past year witnessed numerous consultations between the Ministry of Communication, the Press Syndicate, and the Publishers Federation to review and improve the Press Law of 2003. Yet these consultations did not come up with anything positive by the end of the year. In October 2007, demands surfaced for a law that would secure the right to access information. This demand is no longer solely called for by the National Press Syndicate, but also by other nongovernmental organizations such as Transparency Maroc, Association ADALA, and even a political party (the Socialist Union).

In general, compared with last year, participants had more negative ratings concerning Objectives 1, 3, and 4 (Free Speech, Plurality of News, and Business Management). This is partly because of the way licenses are issued by HACA. The majority of participants maintained that editorial activity is dominated by consumer and political considerations. Also, the low ratings of some objectives are connected to what participants see as unfair governmental support of the media, in addition to fears that public television programs and program preparations are coming under more political control. As with last year, panelists felt that Objective 5, Supporting Institutions, was the strongest segment in the media sector.

# MOROCCO AT A GLANCE

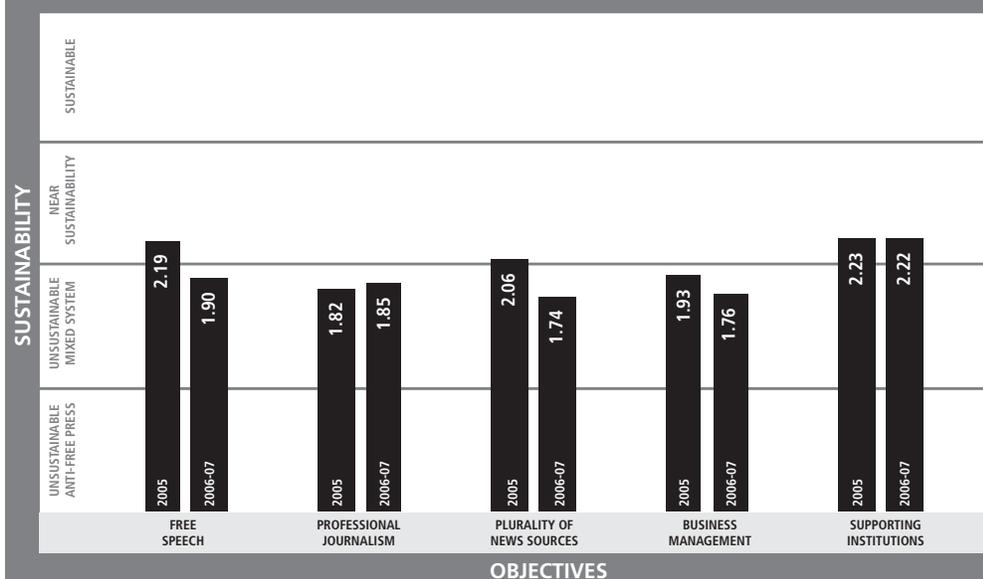
## GENERAL

- > **Population:** 34,343,219 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Rabat
- > **Ethnic groups (% of population):** Arab-Berber 99.1%, other 0.7%, Jewish 0.2% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 98.7%, Christian 1.1%, Jewish 0.2% (*CIA World Factbook*)
- > **Languages (% of population):** Arabic (official), Berber dialects, French often the language of business, government, and diplomacy (*CIA World Factbook*)
- > **GNI (2006-Atlas):** \$65.79 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$3,860 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 52.3% (male 65.7%, female 39.6%) (2004 census, *CIA World Factbook*)
- > **President or top authority:** King Mohamed VI (since July 30, 1999)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**  
Print: 398 newspapers (285 Arabic, 90 French, 9 Amazigh); Radio: 13; Television Stations: 4
- > **Newspaper circulation statistics:** 300,000 total daily
- > **Broadcast ratings:** N/A
- > **News agencies:** The Maghreb Arabe Presse
- > **Annual advertising revenue in media sector:** \$262 million (2005 estimate, Ministry of Communication web site)
- > **Internet usage:** 6,100,000 (2006 est., *CIA World Factbook*)

### MEDIA SUSTAINABILITY INDEX: MOROCCO



#### 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.

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## OBJECTIVE 1: FREEDOM OF SPEECH

### Morocco Objective Score: 1.90

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This Objective's score fell to 1.90 this year from 2.19. Freedom of expression is greater in the print media. The independent press is more frank but subject to some oppressive laws, such as some articles of the criminal law or the Press Act of 2003 broadly banning any activity "against" the monarchy, Islam, or national unity. These laws are enforced by a judicial system that lacks elements of independence, especially in cases brought by authorities against "annoying" journalists. Moreover, the public broadcast media remain under political influence and try to appeal to the broadest audience in terms of news coverage and production. Broadcast licensing and access to information retain government restrictions. As a result, panelists rated Indicators 5 and 7, preferential legal treatment for public media and access to information the lowest of the nine indicators, each slightly more than a half point below the overall objective average. On the other hand, Panelists gave much higher scores to Indicators 8 and 9, media access to, and use of, foreign news sources and entry into the journalism profession. All other indicators received scores relatively close to the overall average.

The Press Act of 2003 protects freedom of expression, but leaves the media vulnerable to government retaliation in the name of protecting the three "fundamentals": the monarchy, Islam, and national unity. The judiciary shows no independence in such cases. Morocco's "anti-terrorism" policy also allowed increased control over the media in the name of protecting the nation.

In 2007, national security provisions of the criminal law were applied to a newspaper that published two documents obtained from a soldier that related to security precautions against expected terrorist attacks. The journalists, from *Al Watan Alan* newspaper, were detained and ultimately prosecuted in an attempt to coerce them into revealing their sources. One journalist's wife was also arrested—with her baby—and detained in a room next to his for nearly 24 hours, forcing him to listen to his child's cries all night. He ended up disclosing his sources to the authorities, and the soldiers who provided the information were prosecuted before the military court of Rabat.

In another case, 50,000 copies of *Direct* weekly were confiscated and a similar number of the francophone *Tel Quel* weekly were destroyed after they published editorials critiquing a speech made by King Mohamed VI. This destruction caused the two newspapers a financial loss of more than MAD 1,000,000 (about €100,000), according to their

directors. This punishment, executed by law enforcement and judiciary, was outside the bounds of the law.

To further intimidate the press, authorities interrogated Ahmed Bin Shamsi, the director of both newspapers, for about 20 hours. Throughout this time, he was neither allowed to leave the police station nor use his phone to calm his family, even though he was not officially detained. Bin Shamsi was finally charged with "not duly respecting the King."

Mohamed Hafiz, a young pioneer in the independent press and chief editor of *Al Hayat* newspaper, raised another case of official harassment of the media. Referring to a radio station fined for a call-in show that discussed topics including rape, homosexuality, and drugs and alcohol, he said, "Hit Radio was fined MAD 100,000 by HACA because of things said by the citizens [calling in to the program] and not by media people."

Said Al-Salimy, director of the Center for Media Freedom in the Middle East and Northern Africa (CMF MENA), said that "Freedom of expression is sometimes challenged by society and no media education is given at school or in the media, especially the value of tolerance."

Gamal Muhafiz, from Maghreb Arabe Presse and a member of the National Press Syndicate, said, "Sometimes it seems that freedom is expanding just to relapse suddenly. There seems to be a state of hesitation." He added, "A 70-year-old man is in prison just because he expressed his point of view." This refers to Mohamed Bougrine from the Moroccan Association for Human Rights, nicknamed "The Three Kings' Prisoner" for having been jailed under King Mohamed VI, his father Al-Hassan II and his grandfather Mohamed V. He was most recently imprisoned for chanting slogans against the monarchy in May Day demonstrations. One of the slogans that upset the authorities was "No more taboos. We need more freedoms."

Independent journalist Bashir Al-Zanki said, "Nothing has changed. The judicial system has not changed. Some newspapers such as *Al-Ayam* were prosecuted for publishing a report on the Royal women. As for *Le Journal*, prosecution followed another path; that is, not banning but crippling them by excessive fines and damages."

Mohamed Al-Awny, journalist at the National Radio, said, "Morocco assumes a negative ranking in the region compared to other Arab states such as Tunisia, surprisingly, because there is a hesitation in enforcing legal guarantees. Several laws include provisions that enable the prosecution of freedom of expression. The criminal law, in particular, includes the crime of transgression of a Muslim's beliefs, and

the crime of hiding things obtained from a crime, as is the case with the *Al Watan Alan* newspaper [see above].”

Idris Al-Waly, director of *Sada Taounate* in Taounate, noted, “A distinction can be made between freedom of expression in major cities and small towns. If what is published by national newspapers is published by local newspapers (about the monarchy, sex, etc.), it will cause problems, even if you write only about a town governor or the so-called pasha. In 1998, we published a newsflash about the demolition of a citizen’s house. A legal judgment was issued against the governor of [the town of] Taounate, and we published the judgment with no comment. The result was great suffering: we had a large nighttime party with groups and syndicates invited, but the electricity was deliberately cut off and the party was ruined.”

In the print media, there is a generally open-minded system for permitting as organized by the Press Act of 2003. The authorities which receive licenses, however, can hinder the establishment of any newspaper by refusing to give the licensee a receipt for the license. This receipt is necessary for initiating press operations. Though rare, such unlawful practices do occur. At the writing of the present report, Hassan Ahrath, publication director of a prospective newspaper titled *Facts of the North*, and Said Al-Shawy, the paper’s editor-in-chief, posted a news report on the Internet complaining that the authorities were withholding their receipt of licensing. They accused regional authorities of trying to restrict the paper’s operations because it purported

**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.

to shed light on conditions in Morocco’s marginalized northern region.

In the broadcast media, there is not much transparency in granting licenses by the On May 10, 2006 HACA issued 11 licenses to a public satellite television called Medi 1 Sat, in addition to 10 local and regional radio stations. A number of insiders confirmed that political considerations governed the licensing process. Also, most licenses were given to radio stations more concerned with entertainment such as music and chat or economy. Additional licenses will be given in 2008 to new radio stations and perhaps television stations.

Although the law makes print media permitting easy, financing is the problem. Al-Zanki complained, “I suffered personally from the market, as I engaged in a venture. The problem of finance is strongly present in the press. It causes the rich to become richer, and it does not promote pluralism.”

Additionally, unqualified individuals can easily obtain licenses, especially in the regional press. According to Idris Al-Waly, “Licenses are initially easy to obtain, but they have become unsatisfactory at the regional level. For example, a butcher can receive a license to open a newspaper, make visitation cards for his newspaper and sell them to others, showing through his ID that he is a newspaper director while really he is butcher! These dissatisfying conditions distort the image of the press. No criteria are applied (expertise, qualification, training, etc.). In Fez alone, there are 350 licenses!”

Ahmed Al-Bouz, editor of *Al Hayat*, stated, “Behind the appearance of pluralism, there are many incidents of monopoly and predominance, especially in the broadcast sector.” He wondered, “Is HACA independent? Regarding its regulations and Articles of Association, and regardless of its structure, its regulatory statute did not pass through the Parliament but was enacted by a royal decree based on Article 19 of the Constitution!”

While licensing limits market entry in general, media are subject to extraordinary taxes. However, panelists complained that there are no tax breaks for media and that the standard taxes, such as 20 percent VAT, taxes on revenue, etc., are nonetheless burdensome.

The expression “political censorship” best describes the reality of the public broadcast media. In regards to management and programming, the broadcast media is governed by the political authorities, especially the agencies favored by the Palace. It acts to legitimize policies and approaches, and leaves no space to present opposing views.

Al-Awny said, “The serious problem with the public media is that it is governmental, not independent. The broadcast

media is internally privatized. Its finances, paid by citizens, are granted to favored persons, advertisers, and private, non-professional production companies owned by television officials' relatives. The media workers have become surrounded by valueless productions (such as Ramadan entertainment programs, which are shared by the two main channels) in addition to the absence of freedom of expression on television and radio, as well as the existence of administrative inflation."

A media worker from the production department of the public television (who preferred to remain anonymous) stated, "In the broadcast media, we talk about the editorial policy. This is a kind of restriction of the freedom of expression. The editorial policy must be declared with transparency so that there remain no ignored values."

In Morocco, libel and defamation are criminally punished, as stipulated in the Press Act and the criminal law as well. The last legal action was the case of Foreign Minister Mohamed Bin Issa against a group of newspapers in 2000, 2001 and 2002, because they accused him of fraudulently selling Moroccan visas while he was Morocco's ambassador in Washington. The newspapers were convicted, although one of them, *Le Journal*, made serious efforts of verification, even in Washington. However, no thorough investigation into the newspaper's claims concerning corruption was conducted.

In Morocco, there is no legislation securing the right to access information. Over the past year Transparency Maroc persistently called for this right. It published a study and appended a draft law, based on the guidelines and recommendations of a number of groups calling for substantiating that right, such as Article 19 and Open Society, and with reference to the French law of 1978 and the British law of 2000.

The government for its part initiated the E-Government Development Project. On April 17, 2006, the prime minister announced the launch of the national Internet portal [www.maroc.ma](http://www.maroc.ma), which includes such categories as institutions, society and culture, investment in Morocco, top stories, etc. The site links to another site, [service-public.ma](http://service-public.ma), which is operated by the Ministry of Modernization of Public Sectors. However, other ministries of the utmost importance like the Ministry of the Interior do not have a web site. In 2002, it deployed a web site to disseminate information on the elections several months before they took place as evidence of its transparency. But that web site surprisingly disappeared on the day of elections, so the detailed results have never been published. Some laws stipulate publishing public transactions on the web, but a comprehensive law regulating access to information is still absent.

Al-Waly said, "It depends on your relation with the governor. If good, it will open up all the doors to public agencies with access to information. At the regional level, however, the situation is very difficult."

Regarding use of foreign news sources by Moroccan media, media are generally free to use and cite international news reports. Al-Bouz asserted, "The state's dealing with the web has been free except for the web sites of the Polisario Front of the Sahara. With YouTube, a new era has begun."

In most cases, prospective media professionals face no problems joining the field. Panelists noted, however, that key positions at public broadcast media come under political scrutiny. Journalists are required to obtain press cards from the Ministry of Communication in order to attend and cover official events and press conferences. Likewise, foreign journalists must be accredited by the Ministry of Communication. The decision to issue a press card could be affected by the minister.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Morocco Objective Score: 1.85

Participants in the discussion agreed that a lack of professionalism still prevails and that ethical principles are poor. They suggested that reporting is of poor quality, specialization is lacking, and investigative performance is weak. They noted that self-censorship is dominant in the public television and radio stations, which fall under the full political control of the Palace and the privileged. They also noted that outside control is increasing, particularly at both public television channels: advertising revenue is the top priority, pushing factors like good journalism to the sidelines, with program producers determining program types and even times based on advertising considerations. No indicator stood out as scoring particularly below or above the overall average.

Gamal Muhafiz, a journalist with *Maghreb Arabe Presse*, stated "Professionalism in interviewing sources is still lacking. Only one point of view is usually recorded; this has to do with the level of training. As for ethics, they are not observed by the majority, as seen in disrespecting personal images and publishing photos of accused persons. Even in the public media, descriptions like 'criminals' and 'terrorists' are used even before the trial of the relevant persons begins. The issue of ethics should be observed and regulated by professionals themselves, not by the state."

Mohamed Hafiz agreed, saying, "There are no ethical principles in regards to publishing true news, corrections,

or apologies, even if what has previously been published is proven to be wrong. A system of professional ethics is absent. Journalists differ in their fields of work, and ethics are used [as an excuse] sometimes to suppress the freedom of the press. Unfortunately, it is possible that the [proposed] Council of Journalism will mainly be concerned with professional ethics and issue penalties as harsh as dismissal from the profession." He continued, "The mission of the press is to communicate information, not to tell the 'truth,' which is a philosophical concept."

Said Al-Salimy stated, "For the broadcast media, there exists a system of ethics, specifically a list of responsibilities. HACA intervened in many cases, while the Independent Authority for Journalism Ethics [which the National Press Syndicate co-established in 2002] remained hampered although the Syndicate uses them in some cases."

Ahmed Afzaran, director of *Al Khadraa Al Gadida* newspaper in Tangier, remarked, "Some newspapers play on excitement and address the reader as a consumer, not a citizen." Idris Al-Waly said, "The press does not comply with professional and quality standards. On the other hand, ethics are connected to basic training. There are not many training courses in the media field."

Mohamed Hafiz had questions about the ethics of the international press. He wondered, "Some parts of foreign newspapers are purchased and assigned for governmental propaganda. French magazines issue Morocco-specific copies such as *L'Express*, *Jeune Afrique* and *Paris Match*. Every first week of the month, *L'Express* publishes a report on Morocco. If the issues are distributed only in Morocco, who then funds them?"

#### 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).

Generally speaking, the independent print media are more daring and less likely to practice self-censorship than party newspapers and public broadcast media. A journalist from public television (who preferred to remain anonymous) stated, "In TV, professionalism is absent because the hierarchy controls officials who do what is dictated to them, and the editorial lines are called 'taboos.' Ethics are absent because of the pressing need for livelihood. Self-censorship was initiated in the years of guns [the period of repression in Morocco from 1959 to 1990]." The journalist continued, "A journalist would say, 'I just perform my job apart from any societal role,' even with cultural programs that are based on entertainment, and would avoid reporting in-depth."

Ahmed Al-Bouz discussed the reasons for current self-censorship in the context of the May 16, 2003 terrorist attacks in Casablanca: "What is new is the return of self-censorship. I have a story of a director of a weekly newspaper who gathered journalists and told them: 'There are pre-16-May and post-16-May conditions.'" But fear of trouble with the government is not the only reason for self-censorship. Al-Bouz continued, "Self-censorship is not only associated with the fear from authority, but also fear from advertisers. Now you can criticize the King but you cannot criticize Ahizoune, the Director of Maroc Telecom."

Key events are covered by the independent print media and even party-run newspapers, but public television excessively presents entertainment shows, such as music and romantic series.

The above-mentioned television journalist said, "A media worker does not choose programs based on specific criteria. What counts is no longer the program or the journalist. The program producer is the one who determines the timing depending on advertising requirements. There are producers from private companies but no journalists or professionals. The expert staff that have been trained and are experienced in television, their work is ignored, and the upper hand is now for production companies."

Developments of a couple years ago that promised to improve the working conditions of journalists have yet to reach the entire profession. On December 14, 2005, after difficult negotiations, the National Press Syndicate (the representative body of journalists) and the Moroccan Publishers Federation signed a framework agreement on professional journalists. Among the most important items of the agreement were setting the minimum net monthly pay of a professional journalist at MAD 5,800; taking seniority into consideration in personnel issues; offering a paycheck for a 13th month each year; specifying annual vacation

periods; mandating that employers pay into government insurance funds to ensure eligibility of employees; stipulating a journalist's right to training, and; defining journalistic commitments in relation to the media outlet.

However, many media outlets still have not adopted this framework agreement, and many journalists at new newspapers do not even receive employment contracts or social insurance. The government has helped in this regard to some degree, as it includes the existence of a framework agreement in the conditions required for the media outlet to receive public support.

Hafiz pointed out that paychecks "vary widely depending on the type of media and the journalist," and Al-Zanki noted, "Rich newspapers offer journalists high paychecks." Participants noted that the francophone newspapers provide higher salaries compared to Arabic newspapers. Idris Al-Waly said, "In terms of paychecks, discrimination is practiced based on language, and the situation is even worse for the regional press. In the national newspapers, correspondents' allowances are poor but they make three times more than their paychecks by putting ethics aside."

As for the broadcast media, which is financed by the government and advertising revenues, employee paychecks are better than those of the print media workers, with Channel 2 being more lucrative than Channel 1. At the latter channel, participants remarked that administrative responsibilities absorb much of the budget without any payoff. However, on April 4, 2006, a code for the employees of the Société Nationale de Radio et de Télévision (SNRT, the National Company for Radio and Television) was signed, with the goal of bringing its financial matters in line with those of Channel 2, including relative salaries.

A television journalist said, "As to the paychecks in TV, there are high paychecks earned by the administration but not the media producers. The company's hierarchy is designed to grant some persons privileged positions; some managers are useless! The apportionment of the budget causes heavy burdens; one third of the budget is taken by just seven persons [out of 500 employees]."

There was a consensus that entertainment shows receive more focus than news and information programs. One television journalist said, "Public TV is just like a daily nightclub lineup. It is full of variety shows, amusement, and dance programs. They adopt the mentality and techniques of private TV stations and ignore the real mission and practices of a public TV to serve society. Media professionals are absent because they work with private companies, and we only have a small share. The News Department lacks editors-in-chief and production is mechanized."

Al-Bouz said that "the elections [in September 2007] were not followed by any talk shows except *Trends* and *Special Interview*. For the public media, the elections finished on Election Day!"

According to Mohamed Al-Awny, after HACA complained about the low level of comedy programs distributed in Morocco, "the SNRT started to provide envelopes for the broadcast critics in the press."

Journalist Malika Malak said, "There is no accountability system applied to the public channels for spending public finances on such poor programs. Important questions arise: Have we liberated the media? Are we serving the general public?"

Afzaran concluded, "In Morocco, there is an ignored minority in the media: the Moroccan people. They do not find subjects of interest or serious and professional programs. The only exception is the independent newspapers which lack information sources, whether from the government or influential politicians. For instance, a news headline reads: 'Public Park Financed by Buildings,' without specifying the information source."

A television journalist said, "Television is being transformed from a body responsible for a list of responsibilities to a 'diffuser,' whose sole duty is to broadcast. The dominant opinions are those of promoters, who impose their choice of programs to market their production. Advertisement financing companies force TV to focus on certain programs and celebrities or they threaten that they will not pay for the production!"

However, public broadcasters do rely on up-to-date equipment. The government supports public channels to modernize equipment and produce programs in order to meet the competition of foreign channels. However, tough competition is inevitable in view of the citizens' awareness of the political censorship, and the excellence of professionalism and pluralism in rival channels such as Al-Jazeera.

The print media takes advantage of the Internet, computer-based editing, and high-tech presses, though these are concentrated in Casablanca and Rabat. Afzaran goes so far as to say that "99 percent of the Moroccan territories are deprived of printing presses."

There are good investigative reports in independent newspapers like *Al-Ayam*, *Al Watan Alan*, *Le Journal*, and *Tel Quel*, especially when dealing with issues of corruption, bribery, government decision-making, the Royal circles, security problems, the judicial system, the army, and urbanization. In public television, there are some valuable reports on Channel 2. Effective techniques are used, but such programs are few, typically one per month.

## OBJECTIVE 3: PLURALITY OF NEWS SOURCES

### Morocco Objective Score: 1.74

The score for this objective dropped somewhat compared to last year as panelists gave a harsher assessment of available local news sources. Only Indicator 2, access to news and information, scored above the overall average, and did so by a margin of more than three-quarters of a point. All other indicators scored at or below the average, considered by panelists to represent a mixed, unsustainable state of affairs.

Moroccan newspaper circulation is about 300,000, primarily in major cities. According to the Ministry of Communication, 398 newspapers were published in 2006, of which 285 newspapers were in Arabic, 90 in French, and nine in the Amazigh language. The privately owned press constitutes 85 percent of total publications, while state-owned and political party-owned newspapers represent the remaining percentage.

In 2007, the broadcast media sector included two state-owned broadcast companies: SNRT and Channel 2 (2M). Under the SNRT there is national radio, national television (the Moroccan TV), and 3 satellite channels: the Moroccan Channel (a project executed jointly with Channel 2 to serve Moroccans abroad), Channel 4 (an educational channel), and Channel 6 (a religious channel). There is one regional station in Al-Oyouin city, the Western Sahara. Channel 2 established M Radio. However, Moroccans are increasingly watching foreign satellite channels, particularly Al-Jazeera.

Internet service provision is centralized. The main service provider is Maroc Telecom, owned by the French company Vivendi Universal (53 percent) and the Moroccan state (30 percent), with the rest owned by private shareholders. In 2006, subscriptions to the Internet services of Maroc Telecom reached 391,000, most of which are ADSL users. In addition to Internet services, Maroc Telecom provides telephone and mobile services.

The second and far smaller Internet service provider is WANADOO, owned by Méditel. In 2007, a new telecommunication company entered the market called WANA, which was established by ONA, owned largely by the royal family.

Panelists said that not many people use the Internet for the purpose of gaining information or reading news. Rather, they said, it is mostly used for communication, amusement, and other services. Families use it to keep in touch with relatives abroad, and youths use it to communicate with the outside world, looking for jobs or relationships that may lead to marriage or immigration. The Internet is also used as a means

to uncover bribery or to protest by employees who do not have a syndicate, such as the police.

Most Moroccans depend on television and radio for their news and entertainment. Al-Salimy said that Morocco's broadcast media is popular "in remote territories where newspapers are not available." In cities, television enables many to watch foreign satellite channels. In this regard, Malak noted that "public TV no longer addresses the citizens' concerns, so they express their concerns by turning to satellite channels."

However, access to the media is a problem for many. The majority of Moroccans cannot afford to buy newspapers because of poverty—one newspaper equals two pieces of bread—and many, particularly in rural areas, are illiterate. Internet usage is still low due to the illiteracy and poverty of most people in the cities and the rural areas; as with newspaper purchases, Internet cafés and requisite computer equipment are expensive. Panelists did note, however, that there are no special restrictions on Internet access except for the web sites of some opposing Islamic political groups or the separatist Polisario Front.

In discussing distribution, media coverage, and printing capabilities in remote territories, Idris Al-Waly said, "Newspapers arrive too late in many areas. In the Western Sahara, for example, they arrive after 24 hours. In the middle parts of the nation, newspapers arrive just about midday. Coverage of regional activities is absent on television, even though the [remote] TV units are called and the officials are responsive. Finally, there is the absence of regional printing presses."

#### 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.

There are no restrictions on the distribution of international newspapers, but their prices are not affordable for the majority of people. It would be possible to reduce prices if they were permitted to be printed in Morocco, but for that the Press Act requires written permission from the prime minister, whose decisions are sovereign and cannot be questioned. Al-Bouz said, "There is a continual refusal to license some international newspapers to be printed in Morocco, such as *Al-Quds* and *Le Monde*, and some international magazines are banned because of the types of issues they cover, which may criticize the so-called 'taboos.'" These taboos include the royal family, Islam, and territorial issues. Al-Zanki tied international media's limited access to the Moroccan market to "administrative" issues instead of "institutional procedures that are governed by the law."

In discussing the plurality of views present at public broadcast outlets and their provision of public service, panelists echoed comments from elsewhere in the discussion. Public television plays the role of serving the ultimate decision-makers. Malak remarked, "Since 2005, the public sector has intervened in the editorial process. But control has increased and only one editorial policy has been adopted for many years. The TV covers royal activities and visits at the beginning of each newscast. Even the order of the news seems as if it is dictated by one official. There is some kind of strict censorship. Sure, there are new channels (e.g. the Qur'an, Channel 4), but multiple channels do not mean real pluralism."

The High Authority of Audiovisual Communication cannot always guarantee political and ideological pluralism, despite the complaints submitted to it. Ahmed Al-Bouz said, "Some decisions of HACA use double standards, and its Articles of Association do not give individuals the right to be heard by HACA, although it is possible to criticize it in some programs. Political pluralism is restricted to the parties represented in the Parliament and there are no opposing opinions from those that refuse to participate in the elections or the political game. In fact, TV discussions target some political movements without giving an opportunity to those groups to participate in the discussions."

Abdul-Ilah Ibn Abdul-Salam from the Moroccan Human Rights Association gave the example of his boss, Amin Abdul-Hamid, who was told that he would appear on Channel 2, "and then they called him and apologized for canceling the arrangement."

There are 18 foreign news agencies represented in Morocco. The only local news agency is the state-run Maghreb Arabe Presse in Rabat, which has 12 regional offices as well as 18

foreign bureaus. It distributes the news in Arabic, French, English, and Spanish. Moroccan newspapers enjoy a 30 percent discount for the agency's services.

Although the employees of the Maghreb Arabe Presse are professional, it is controlled by the state. It is selective in distributing certain news items, and sometimes modifies them. Gamal Muhafiz, an employee of the agency, said, "There are no independent news agencies. The Maghreb Arabe Presse was established in 1959 and nationalized by the state in 1977. But it is governed by outdated laws dating back to 1971 along with internal Articles of Association. Even the Berlin Wall was removed, but such old laws still cripple the agency and bind it to the control of the government. Despite journalists' efforts to diversify the news, open it up to the Parliament, parties, and human rights agencies, improve professionalism, and focus on the news, the political and legal obstacles remain in place. The board of directors is like a government headed by the Prime Minister. The agency needs reform to enhance professionalism."

Television and radio stations produce their own news programs, but, in the opinion of the panelists, HACA forces them to make royal activities the first priority. Terrestrial television broadcasting is controlled by the state and only Medi 1 operates a radio station and satellite television privately. Privately produced, independent broadcast news programming is severely limited.

There is no transparency of private print media ownership. Most publications do not reveal the names of their owners, although the law stipulates that the holder of the most shares shall manage the publication. Banks, insurance companies, and companies working in other sectors own shares in many newspapers, especially the francophone publications. Al-Zanki said that "as for the ownership of newspapers, we do not know the real financiers. There is no transparency."

There is no minority in the conventional sense, i.e. a community of the population with a distinctive religion, language, or lifestyle that differs from that of the rest of the population. Rather, there is a movement to recognize and promote the Amazigh language and culture, the language of the ancient inhabitants of Morocco. In response, the King established the Royal Institute of the Amazigh Culture in 2001. On October 13, 2006, after a meeting of a joint committee of the Ministry of Communication and the Royal Institute of the Amazigh Culture, the project of an Amazigh Channel was declared in cooperation between the Ministry, the Institute and SNRT. There is also an Amazigh radio channel that broadcasts 16 hours per day.

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Morocco Objective Score: 1.76

The score for this objective fell slightly from 1.93 last year because, as panelists noted, political interventions in newspaper editorial content by business partners, the wasteful financial practices by the public media, and advertisers' role in controlling programs. Most indicators received scores close to the overall average. However, Indicator 5, government subsidies for private media, finished as the high scorer, about a half point higher than the average; Indicator 6, covering the use of market research, finished a half point below.

Over the past year, new independent newspapers emerged that turned a profit from sales and advertising revenues. These included *Le Soir*, *Le Matin*, *Al Watan Alan*, and *Ahdath* newspapers, as well as *Direct* weekly, which is associated with *Tel Quel* weekly. But a level playing field is compromised by the state's selectivity in supporting some newspapers and even some recently licensed radio institutions. Malika Malik added, "There are conflicting interests: persons holding responsibilities in the Prime Ministry also have their own companies that work in TV production, and officials in the two main channels whose wives own TV production companies."

Government budget appropriations also support public broadcasters, partially in response to competition from foreign satellite channels. But television's financial allocations are largely not spent wisely, according to many participants.

Newspapers receive their income from four sources: advertising, government support, sales, and support from other private sources (this support may be from voluntary individual contributions or persons acting on government suggestions). Ahmed Al-Bouz pegged advertising as 80 percent of newspapers' income and sales as 20 percent. "Advertising involves a lot of problems: it is francophone; it faces competition from the widespread public broadcast media, and; political considerations," he said. "The institution in which I used to work no longer receives advertisements from Maroc Telecom (the biggest advertiser in Morocco) since 2000 because of its editorial policy."

In broadcast media, the revenue sources of the SNRT consist of the state's support, the license fees of television sets (taken as indirect taxes and added to the value of electricity bills paid by citizens), and the extra income of the independent agency for advertising. The state granted the station MAD 2.5 billion (€250 million) in from 2006 to 2008, divided into MAD 1.7 billion (€170 million) from the governmental budget,

and MAD 556 million (€55.6 million) from the Broadcast Production Support Fund.

While finance is an obstacle facing many newspapers, the Press Syndicate refused all forms of US support to newspapers because of US foreign policy in the Middle East. Mohamed Hafiz said, "In the independent press, there are experiences of newspapers that have become substantially profit-seeking projects (such as *Ahdath*, *Le Matin*, *Le Soir*, *Direct* and *Tel Quel*). This explains why particular subjects are keenly tackled. When proposed that US and foreign funds may be provided to assist some newspapers, the Press Syndicate and many others refused, though they depend on European support. The point is that foreign finance invokes many problems." As for ownership stakes, the law prohibits foreign financing of newspapers.

Most Moroccan companies do not advertise their own products. Foreign companies and 10 major national companies represent about 60 percent of the advertisement market on the two public channels. Régie 3 Company represents 76 percent of television commercials and more than 95 percent of radio commercials. The Independent Advertisement Agency monopolizes advertisements on Channel 1. In the print media, some participants noted that advertising agencies are governed by consumer demographics and that agencies take advertisements from companies and distribute them to newspapers that in turn target their consumers.

A higher percentage of print advertising goes to the francophone newspapers, given the relatively higher purchasing power of the few who read French newspapers as compared to Arabic ones. Al-Salimy said, "Advertisers focus on French readers because they have significant purchasing capabilities (advertisements for cars, houses, etc.). As for TV [in Arabic], advertising is focused on products like Tide and soap. Executives of advertising agencies are French-speaking, too." Echoing Al-Salimy's comments, panelists noted in particular the tough advertising market facing Arabic print media, which face competition in the Arabic-language advertising market from public broadcast media.

In its 2006 report on the media, the Ministry of Communication published a table of the advertisements placed in different media outlets, especially the print media. It suggested that old newspapers such as *Science* and its counterpart *L'Opinion* (both owned by the Independence Party) enjoyed the largest share: 2,298 for the former and 3,012 for the latter. Other party newspapers also received a significant number of advertisements.

An observer noticed that the distribution of some advertisements involved corruption. "Judicial advertisements are given for bribery," said Ahmed Afzaran. "The publication of an advertisement is compensated with MAD 200, of which MAD 50 is usually given as a bribe in courts for those who distribute judicial advertisements [thus the newspaper earns MAD 150]."

Finally, political considerations favor or work against some newspapers depending on their stances on politics or the major advertising institutions. In this respect, Malika Malak maintained, "Money has the upper hand over the press. For example, the large housing institutions (i.e., Al-Shaby Housing and Al-Doha) have provided some newspapers with advertisements for years. Some newspapers were punished for their political positions, so the large companies were affected by the state's position and stopped their advertisements in those newspapers."

As for government support of the media, an agreement was concluded in 2005 between the Ministry of Communication, the Press Syndicate, and the Moroccan Federation of Newspaper Publishers to provide print media with government grants. The program aims to enhance the professional qualifications of media workers, modernize and support media outlets, and cover necessary expenses such as paper, telecommunications, and international distribution. In 2006, the state granted subsidies to 50 newspapers for the total sum of MAD 43,000,000 (€3 million).

To receive a subsidy, a media outlet needs to be in good standing with the law; promotions or advertisements must not exceed half the space of the newspaper; it must hire a minimum number of journalists and employees depending on its type; it must open its bank records, and; the newspaper or press agency should sign a framework agreement with journalists securing for them a minimum level of rights.

But support is far from impartial when it involves official or privileged newspapers such as the *Almaghribia*, *Le Matin*, and *Maroc Soir* whose editorial policies resemble those of public television and radio, especially in the coverage of royal activities and news. Idris Al-Waly called government support "a big problem" that "lacks transparency." Al-Waly continued, "There is no respect to standards as regards distribution, especially the condition of having a framework agreement [for employees]. In the regional newspapers, support is inadequate, and the most support goes to the state newspapers, i.e. *Maroc Soir* and *Le Matin*, though they exceed the permissible 50 percent advertising space. The support should be reconsidered."

Ahmed Al-Bouz noted that "governmental support to newspapers is not based on the sales rate. There are newspapers that announce selling 20,000 copies to get more support. Also, standards are applied to private newspapers as if they were party-related. Official support should be reconsidered if there is to be an advertising market that is governed by business factors rather than politics."

Regarding audience statistics, on July 25, 2006 an agreement for compiling broadcast statistics was signed between the Marocmétric Company and a trade association comprising the SNRT, Channel 2, Régie 3 Advertising Agency, the Morocco Advertisers Association, and the Communication Consulting Agencies Union. But some journalists doubt the credibility of the ratings for public television. A television journalist said, "For television ratings, superficial consultancies are made to confirm that viewing rates are high enough to prevent certain programs from being canceled."

In the print field, the Advertisers Society, Consulting Agencies Union, and the Editors Union established the Moroccan Audit Bureau of Circulation (OJD) in 2004, aimed at collecting distribution data. In 2005, with the help of the French OJD, the officials at the Moroccan OJD audited the distribution numbers for nine daily newspapers, 12 weeklies, and nine monthly or bimonthly newspapers. Advertisers now recognize the OJD as a trusted source for distribution statistics. Statistics of the two distribution companies, Sapress and Shospress, can now be verified.

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

##### BUSINESS MANAGEMENT INDICATORS:

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

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Morocco Objective Score: 2.22

Despite some problems described below, this objective received a score of 2.22, again this year the highest score of the five objectives and nearly identical to last year's score. This is largely due to the mobilization of the civil society against transgressions of freedom of the press, reflected in the fact that panelists rated Indicator 3, supporting NGOs, nearly a point above the overall average. While almost all other indicators scored close to the average, Indicator 5, short-term training opportunities, was the laggard with a score a little more than a half point lower than the average.

There is constant support from the Press Syndicate in support media freedom and members' rights. The Press Syndicate remains the only union organization that includes all Moroccan journalists. Many panelists praised the work of the Press Syndicate. A television journalist said, "The Syndicate helped mobilize the media in 1993 around the issue of ethics and was the main representative with the government. The Syndicate includes 1,200 members from all channels and newspapers, and contributed to trainings with IFJ."

However, there are criticisms from some journalists as to the performance of the Press Syndicate. Mohamed Hafiz said that, despite criticisms of the Syndicate, "Journalists do not want to establish another body. This Syndicate, though independent, was established initially by two parties. But so far, it has not put an end to the interchange of its presidency between the Independence Party and the Socialist Party." Malika Malak added, "The National Press Syndicate has often supported the journalists, though it can be said that there is some change in its treatment; it has become somewhat politicized. The Syndicate was interested in improving journalists' awareness, defending them, and protecting their interests within the institutions. But there has been a regression from this trend."

Thanks to the interventions of the Publishers Federation, according to Mohamed Hafiz, "the state's support to the non-party newspapers' has increased. In the last months, there has appeared a new federation for the owners of media agencies: newspapers, advertisers, and some radio stations. Initially, the Publishers Federation was nervous, but many joined this Federation and we now have pluralism even in the owners of media agencies. The new Federation participated in the General Confederation of Moroccan Enterprises."

Said Al-Salimy confirmed an active civil society working on behalf of the media. "The civil society advocates the freedom of journalists. Demands to access information come from professionals and other groups such as ADALA, Human

Rights, and Transparency Maroc," he said. "Great support was given to some newspapers, including *Al-Watan Alan*, *Direct*, *Le Journal*, and *Tel Quel*. Foreign support is also offered by organizations interested in the freedom of the press, such as the Center for Training Journalists in Paris, Reporters Without Borders, and Human Rights Watch. In 2007, the government began a dialogue between with Reporters Without Borders. But the government does not dialogue with all organizations. For example, in the reports of the Center for the Media Freedom, the government did not answer the demands for access to the officials of the Ministry of Communication or the prime minister's office concerning the right to access information."

The Higher Institute for Information and Communication, a public institute, provides training for journalists and enrolls students on a competitive basis. A student spends four years learning journalism both theoretically and practically, and fourth-year students train two days a week in a media institution. There are three private journalism institutes in Casablanca, but participants pointed to the poor linguistic abilities and practical skills of those graduates.

Idris Al-Waly called available training in Morocco "poor," and said that it negatively affected "ethics and the profession." Ahmed Afaziran said, "The training issue should receive much attention. Some newspapers hire as many as 60 journalists, but they do not properly train them. There are newspapers that were large and then became small; they did not sufficiently prepare even correspondents. The training costs should be shared by all those benefiting from the media activity: distribution companies, printing companies, etc. Training should be high quality and professional."

#### 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.

However, some politically related obstacles still affect supporting institutions in Morocco. In 2007, the *Al Sahifa* daily was forced to cease activity after one printing company refused to print it at the last moment despite a signed contract, which caused a huge financial loss. The incident resulted from the newspaper's speculation of what the king might have earned for delaying the use of recently discovered oil fields. The newspaper apologized for the publication of the news because of the pressures exerted, while the king proceeded, unusually, to announce that he did not intend to stop the issuance of the newspaper. The newspaper's director, Mohamed Hafiz, said, "We negotiated for 10 days with *Maroc Soir* printing company and signed a contract. But after the first issue, we received a fax of an apology. We incurred losses, so we stopped."

Hafiz detailed other problems: "Printing is an obstacle to the distribution of the press. We specify the categories of the budget including paychecks, miscellaneous expenses (the headquarters, electricity, etc.), paper, and then the printing, which may take more than two-thirds of the budget." Also, printing presses are concentrated in Casablanca and Rabat.

There are two distribution companies, Shospress and Sapress. The latter distributes 21 daily newspapers, 72 weeklies and 320 Moroccan private magazines. These newspapers are available in all distribution outlets nationwide. Shospress distributes imported newspapers, magazines, and books. Ahmed Afzaran noted: "With regard to distribution, two companies monopolize the market, and thus they control distribution." Distribution focuses on Rabat and Casablanca.

## List of Panel Participants

**Shakib Ibn Omar**, producer, Moroccan Public TV, Rabat

**Bashir Al-Zanki**, member, National Committee of the National Press Syndicate, Casablanca

**Ahmed Afzaran**, director, *Al Khadraa Al Gadida* newspaper, Tangier

**Idris Al-Waly**, director, *Sada Taounate* weekly newspaper, Taounate

**Malika Malak**, independent journalist, Casablanca

**Ali Anozola**, journalist, *Le Soir* newspaper, Casablanca and Rabat

**Mohamed Hafiz**, chief editor, *Al Hayat* newspaper, Casablanca

**Ahmed Al-Bouz**, editor, *Al Hayat* newspaper, Casablanca

**Mohamed Al-Awny**, national radio programmer, Moroccan TV and Radio, Rabat

**Gamal Muhafiz**, journalist, Maghreb Arabe Presse, Rabat

**Said Al-Salimy**, member, Center for Media Freedom, Casablanca

**Ghafour Dahshour**, journalist, *Al Hayat Al Gadida* newspaper, Rabat

**Abdul-Ilah Ibn Abdul-Salam**, human rights activist, Moroccan Human Rights Association, Rabat

## Moderator

**Abdelaziz Nouaydi**

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*There has been little improvement in the development of independent media since the publication of the last edition. Freedom of speech laws that exist are not enforced and dissenting opinions critical of the government are often violently suppressed. Advertising is controlled by the government and spending clearly favors government-friendly outlets, stymieing the growth of independent media.*



TUNISIA

On July 25, 2007, Tunisia celebrated the 50th anniversary of the proclamation of the Republic. During a speech celebrating the occasion, President Zine El Abidine Ben Ali boasted that the government had “enriched the information and communication landscape and offered opportunity for the expression of different opinions,” according to the Committee to Protect Journalists. Much like the speech, the laws claiming protecting freedom of speech and “different opinions” exist in name only. In reality, the year 2007 marked a further deterioration in press freedoms and access to information as independent journalists continued to be harassed by government authorities and news from foreign press continued to be blocked in any way possible.

There has been little improvement in the development of independent media since the publication of the last edition. Freedom of speech laws that exist are not enforced and dissenting opinions critical of the government are often violently suppressed. Advertising is controlled by the government and spending clearly favors government-friendly outlets, stymieing the growth of independent media. NGOs and other organizations advocating free speech are either closely monitored or denied the right to form.

There have been a few positive developments. In January 2006, Ben Ali eliminated a process known as *dépôt legal*, which forced all printed material to receive government approval before publication. Access to the Internet has become easier and cheaper, and the number of people using the Internet has also grown. However, this development is tempered by the fact that Tunisia has one of the most aggressive Internet filtering programs in the world.

The continued weak environment for independent media and increased crackdown by the government on dissenting voices resulted in a drop of 0.27 in Objective 1, free speech. Other objective scores remained essentially the same as last year, and the overall MSI score dropped slightly. Tunisian media still operate in an “unsustainable, anti-free press” environment and journalists and media outlets that cover stories putting the government in an unfavorable light face severe challenges doing their job and reaching a wide audience.

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

# TUNISIA AT A GLANCE

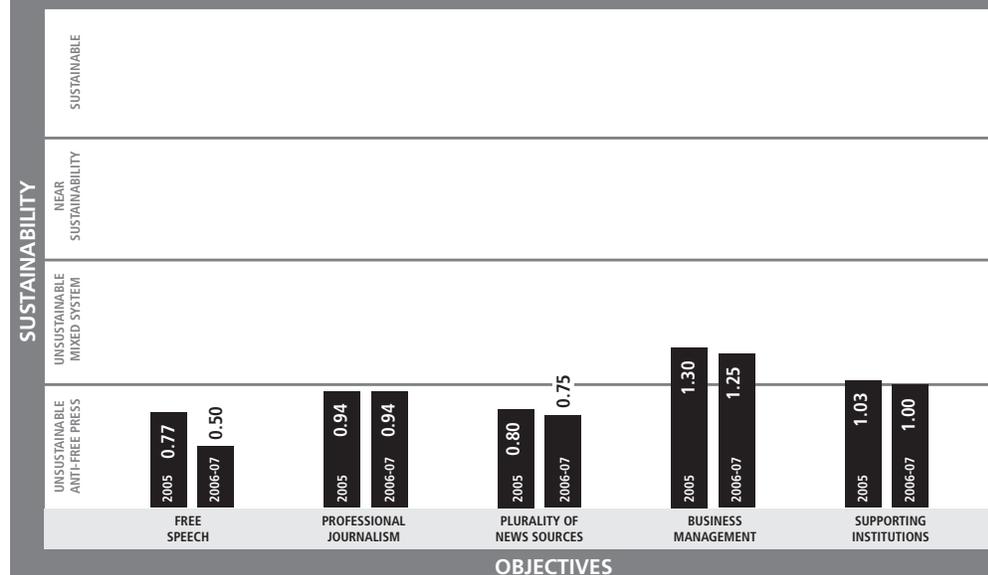
## GENERAL

- > **Population:** 10,383,577 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Tunis
- > **Ethnic groups (% of population):** Arab 98%, European 1%, Jewish and other 1% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 98%, Christian 1%, Jewish and other 1% (*CIA World Factbook*)
- > **Languages (% of population):** Arabic (official and one of the languages of commerce), French (commerce) (*CIA World Factbook*)
- > **GNI (2006-Atlas):** \$30.09 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$6,490 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 74.3% (male 83.4%, female 65.3%) (2004 census, *CIA World Factbook*)
- > **President or top authority:** President Zine el Abidine Ben Ali (since November 7, 1987)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**  
Print: 5 daily papers; Radio: 4 main stations; Television Stations: 2 main stations (1 public, 1 private)
- > **Newspaper circulation statistics:** *Al-Chourouk* (private) and *La Presse* (ruling party affiliated) are the two most popular newspapers in Tunisia (SIGMA 2006)
- > **Broadcast ratings:** Top 3 television channels: Tunis7 (52.2 percent), Hannibal (21.5 percent), and LBC channel (14.9 percent) (SIGMA 2006)
- > **News agencies:** Agence Tunis Afrique Presse (state-owned)
- > **Annual advertising revenue in media sector:** \$63.2 (SIGMA 2006)
- > **Internet usage:** 1,295,000 (2006 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: TUNISIA



**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: FREE SPEECH

### Tunisia Objective Score: 0.50

Freedom of expression is guaranteed through Article 8 of the Tunisian Constitution, stating that, "The liberties of opinion, expression, the press, publication, assembly, and association are guaranteed and exercised within the conditions defined by the law." Tunisia has also ratified numerous international human-rights treaties guaranteeing freedom of speech such as the 1966 International Covenant on Civil and Political Rights and the African Charter on Human and Peoples Rights. In reality, the freedoms of speech and the press are extremely limited. The press freedoms are among the most restricted in the Arab world. Countless reports by human rights organizations have been produced over the past 20 years observing the government's record of violations of civil liberties, freedom of speech, and due process.

Government policy and the judiciary are often identified as the main obstacles to the proper enforcement of Article 8 of the Tunisian Constitution. Although Article 65 of the constitution states that, "The judiciary is independent; the magistrates in the exercise of their functions are not subjected to any authority other than the law," in reality judges are heavily influenced when it comes to freedom of speech cases. Lawyers who defend journalists are also influenced through intimidation, harassment, and, sometimes, physical assault. According to the Committee to Protect Journalists, on August 31, 2007, the office of Ayachi Hammami, a human rights lawyer defending journalist Omar Mestiri, was set alight by arsonists.

Article 1 of the constitution states that Islam is the national religion, yet the state has focused on suppressing "militant Islam." The government often politicizes this issue and uses it as an excuse to curtail political freedoms and civil liberties. The 1993 "anti-terrorism" law has been interpreted quite liberally and used to criminalize peaceful opposition activities. In September 2006, the International Press Institute reported that an edition of the French daily *Le Figaro* was banned in Tunisia because it contained an "opinion piece addressing the response to remarks made about Islam in the 12 September address of Pope Benedict XVI and containing commentary on the Prophet Mohammad."

The government uses the Press Code of 1975 to stifle critical reporting, as the law gives significant leeway to prosecutors to fine or imprison those guilty of "subversion" and defamation. Article 13 of the Press Code requires authorization from the Ministry of the Interior for issuing publications. Investors in the press are still denied the right

to own publications. The government tightly controls the circulation of both domestic and foreign publications.

The one positive development was the end of *dépôt legal*, what amounted to a system of prior restraint. This was welcome news for the opposition press because they were the most affected by this procedure, which delayed or banned distribution or required that articles be removed and the publications reprinted.

The January 2004 Telecommunication Code regulates the licensing of radio and television. The government tightly controls domestic press and broadcasting. The Agence National des Frequences (National Agency for Frequencies) has the legal authority to issue licenses for public and private broadcasts and is under the control of the Ministry of Telecommunications. According to the BBC Tunisian country profile page, "until late 2003 the state had a monopoly on radio broadcasting. The state-run Tunisian Radio and Television Establishment (ERTT) operates two national TV channels and several radio networks." The licensing system is heavily politicized. Those granted licenses are typically close to the family of the president. There are many cases of individuals who have applied for radio licenses but are still waiting for responses from the relevant authorities. Filing complaints against the Higher Communications Council is rarely effective.

Print media do not need to be licensed, but they are required by law to obtain from the Ministry of Information a copyright registration, which is valid for one year. In practice,

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

##### FREE-SPEECH INDICATORS:

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

*The government uses the Press Code of 1975 to stifle critical reporting, as the law gives significant leeway to prosecutors to fine or imprison those guilty of "subversion" and defamation.*

authorities have consistently blocked the registration of new, independent print outlets. Registration is often denied to people deemed a threat by the government. A few examples of this are Sihem Ben Sedrine of *Kalima*, Mohamed Talbi for his review *Maqassed*, Nadia Omrane for *Alternative Citoyenne*, Noura Boursali for *Maghrebine*, and Abdellatif Fourati for *Al-Adib*.

According to Article 14 of the press code, the Ministry of the Interior also has the power to decide which licensed publications can be authorized to print and distribute. Printing houses are prohibited from printing publications that are not licensed, as well as those with a license that cannot show the authorization to print and distribute. This is typically only applied to the opposition press.

The government intimidates those it considers to be dissidents, and this can include journalists, human rights activists, or members of the opposition political parties. Pressure comes in many forms, such as stifling police surveillance, arbitrary searches and arrest, travel bans, and loss of jobs. Family members may be subject to similar harassment. The government also will restrict access to press conferences of those it finds inconvenient.

There were countless incidents of harassment of journalists. A partial list includes Hamadi Jebali and Adballah Zouari, members of the now-defunct Islamist weekly newspaper *Al-Fajr*, Lotfi Hajji, president of the independent Tunisian Journalists Syndicate, Neziha Rejiba and Omar Mestiri, editors of the blocked online magazine *Kalima*, and Mohamed Fourati, former contributor to *Al-Mawkif*.

The violations of free speech do not receive any coverage in the media controlled by the government, public or private. Only the few existing opposition outlets and the communiqués of human-rights groups highlight these violations. Persecuted journalists have real no support within Tunisia except in very limited circles. There is no real desire to advocate for these types of rights within Tunisian society. As a result, journalists often feel unsafe in their work and this leads to self-censorship.

The press law does not discriminate between state-owned media and private or partisan media. In practice, all the privileges are afforded to both the state media and the private outlets that support government policies. These privileges include higher salaries for journalists and editors, higher volume of advertising, facilities of distribution, and better access to government news and information.

No laws protect the editorial independence of state media. In fact, the ruling party and businesses close to the president interfere in the editorial content of both state and private media. The government appoints editors, managers, and journalists at public media organizations. This alliance results in the protection of public figures from criticism and accountability.

Defamation of a public official is a criminal offense, according to the Press Law most recently updated in 2006. The penalties include a minimum of one year in prison and a fine of TND 120. Prison sentences are stipulated in the Press Law under Articles 49, 51, and 52, among others according to OpenNet Initiative. Criticism of the president or his family is especially taboo. In July 2007, human rights lawyer Mohammed Abbou was released after two-and-a-half years in prison. He was originally jailed for writing opinion pieces on the domestically blocked website Tunisnews criticizing President Ben Ali's autocratic rule, according to the Committee to Protect Journalists. He is still closely monitored and harassed by authorities however. In December 2007, well known Tunisian blogger Slim Boukhdhir was sentenced to eight months in prison for criticizing the president and the first family.

There is no law guaranteeing citizens and journalists the right to access public information that would allow for scrutiny of the performance of the government and the administration. Public officials are rarely accessible to journalists. The news about the activities of the president circulates through a special broadcast unit and the national news agency, the Tunis Afrique Press (TAP). Ministers hold a monthly press conference with selected journalists to show their programs, which are rarely challenged. Information given to journalists through the official channels is disseminated without any questions asked. The international news is filtered on the Internet, and what is well matched with the government guidelines is published.

Journalists who work for foreign media may be denied press accreditations by the government sponsored Tunisian External Communication Agency (ATCE). A commission within the Ministry of Communication determines accreditation of Tunisian journalists. The commission consists of representatives of the Association of Tunisian Journalists and the editors' association. Some journalists have been denied press cards on the grounds of their political opinions.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Tunisia Objective Score: 0.94

The Association of Tunisian Journalists (ATJ) adopted a code of ethics in 1975. The code requires journalists to, among other things, defend the freedom of the press, refuse any assignment contrary to the honor of the profession, and refrain from writing advertising articles in the form of news information. Most importantly, they should respect the views of their colleagues and refrain from disparaging them. This code, however, has no practical use because it is not enforced and the association itself disregarded it when it ceased defending journalists and instead supported the president and the government.

Journalism in Tunisia generally is not well sourced because it is dependent on the government view transmitted by the state news agency and the presidential broadcast unit. The media is therefore biased in their treatment of the opposition and certain civil-society groups. It is also unbalanced in its coverage. According to the Tunisia Monitoring Group's April 2006 fact-finding mission, "While in some small-circulation newspapers there is now an unprecedented amount of balanced reporting on local issues, the larger circulation official press continues to lack balance." There are many suspect practices among journalists in Tunisia, including the mixing of advertising and news, the accepting of gifts from officials and private business, and the launching of slander campaigns against opposition journalists and human-rights activists.

Salaries of journalists are low compared with those of other professions, and the turnover rate within the media sector

is high. For journalists working at private print media, the average salary is less than working at the ruling party-owned press. At the partisan opposition press, the average monthly salary is even less for the few permanent staff, as these kinds of outlets rely mainly on volunteers. At the public and private broadcasters, the average salary is a bit higher for journalists. For professionals in other sectors, such as banking and insurance, the average salary is comparatively higher.

Self-censorship is widespread because editors and journalists are fearful of losing their jobs. Daily media content is largely limited to the activities of the president and the government and some international, cultural, and sports news. Discussion of corruption and human rights is taboo. Other important topics that are not covered include demonstrations and strikes by workers, civil-society activism, and political Islam. National security, including anti-terrorism activities, and the work of the secret services, are not discussed.

Because of these restrictions, entertainment tends to eclipse news content. Approximately 70 percent of television and radio programming is entertainment, with an overabundance of music, games, and sport programs. These are safe to report on and get high ratings since they are not political.

## OBJECTIVE 3: PLURALITY OF NEWS SOURCES

### Tunisia Objective Score: 0.75

Because of their need to be near the center of power, the national media are concentrated in the capital and the major cities. The concerns of outlying areas may be limited to broadcasts about rural issues for a few hours a week. However, 99 percent of the population is covered by the state broadcasters, while the newly established private broadcasters each cover different parts of the country. Radio Mosaïque, an FM station owned by MED TELECOM and launched in November 2003, covers greater Tunis and the North of the Cap Bon for 18 hours per day. Al-Jawhara FM radio began broadcasting in July 2005 and covers the region of the Sahel. Private television station Hannibal, which started in February 2005, can be watched through Arabsat and Nilesat. A new private FM station dubbed, "Ezzeitouna for the Holy Koran," was launched in September 2007. According to the BBC Tunisia Country Profile, "Egyptian and pan-Arab satellite TV stations also command large audiences. Two London-based opposition TV channels can be received via satellite; Al Mustaqillah TV and Zeitouna TV."

Domestic radio and television stations are entirely state-controlled, as are several of the largest daily newspapers. Access to foreign press sources is heavily

### 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).

*Self-censorship is widespread because editors and journalists are fearful of losing their jobs. Daily media content is largely limited to the activities of the president and the government and some international, cultural, and sports news.*

regulated. Foreign newspapers that are critical of the Tunisian government are available, but only a few can afford to buy them. The Minister of the Interior regulates entry of the foreign press to the Tunisian market. His authorization can be denied under the press code for publications that contain articles critical of the government.

Internet usage within Tunisia is on the rise. Internet access is relatively cheap and costs are continually dropping, however computers remain expensive for the average citizen. Therefore, "The primary means of going on-line for Tunisians are the 'Publinets,'" according to OpenNet Initiative.

All forms of media, both domestic and international, are heavily restricted. The domestic outlets that are most often targeted are those of the political opposition. According to the Committee to Protect Journalists, *The Muwatinoon Weekly*, the publication launched by the Democratic Forum for Labor and Liberties in January 2007, was harassed by authorities. Article 19 reported that the Tunisian Progressive Democratic Party, and their official newspaper, *Al-Mawkef*,

was evicted from their offices in Tunis in October 2007, an office they had occupied for 15 years.

Foreign publications are heavily censored and the Ministry of Information frequently bans editions critical of the president or ruling party. Foreign editions are also regularly seized. According to the International Press Institute, in 2006 both *Al Mara'a Al Youm* magazine from Dubai and the French daily *Le Monde* had some of their issues confiscated for being critical of the government. In October 2006, the Tunisian government actually suspended diplomatic relations with Qatar because of an interview Al-Jazeera conducted with Moncef Al Marzouki, a leading human rights activist in Tunisia. According to IFEX, issues of *Le Monde* and fellow French publication *Le Nouvel Observateur* were seized because they published articles by Tunisian journalist Taoufik Ben Brik that were critical of Tunisian government.

Despite these efforts to stymie access to international news sources, Tunisians get international radio broadcasts and satellite television in cities as well as rural areas, and this access compensates for the lack of international news in the national media. Private tabloid newspapers such as *Al-Bayane*, which puts out 140,000 copies per week, are popular because of their sensational news and sports coverage. Partisan opposition newspapers such as *Al-Mawkef*, which provide alternative news, can only reach the small urban elite.

Tunisia has one of the most determined Internet filtering regimes in the world. The government invests heavily in telecommunications infrastructure and has passed modern telecommunications legislation. In 1996, the Tunisian Ministry of Communication formed the Tunisian Internet Agency, giving the government complete control over Internet filtering. A May 2007 survey by OpenNet Initiative placed Tunisia alongside Burma, China, Iran, Syria, and Vietnam as the worst politically-motivated filtering offenders. Websites containing political issues or reports of human rights abuse are the most susceptible to filtering. Discussion forums are also heavily monitored. According to the International Press Institute, "Authorities use sophisticated methods to limit access to Web sites, launched inside and outside the country, and often act with great speed, blocking sites just hours or days after they have been launched." Websites of the opposition parties are often blocked as well.

The Publinets, as Internet cafés are known, are heavily regulated. Owners of the Publinets are required by the state to monitor their customers. In 2004, a group known as the "Zarzis seven" was sentenced to 19 years in prison for allegedly viewing terrorist websites, according to the International Press Institute. They were seized during a police raid on one of the Publinets in Zarzis. They were later released in 2006.

#### 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.

State media are certainly biased toward government news, and the opinions of opposition figures are not broadcast, even during election campaigns. Private broadcasters are limited under Article 62 of Law No. 2003-58 of August 2003, which amended the electoral code. It says that during elections, it is forbidden “for any person to use a private radio or television (national or foreign) or broadcast from abroad with the aim of inciting to vote for a candidate or for a list of candidates.” Editors and journalists at state media help perpetuate this problem because they do not perceive their role as serving the public interest.

TAP distributes news to all print and broadcast media that subscribe to its services. Only a few international news agencies are present in Tunisia; AFP has a bureau in Tunis, and Reuters and AP have correspondents, but the news reports from these agencies are disseminated by TAP.

The newly established radio and satellite television broadcasters produce their own programs, but are mainly restricted to the area of entertainment, including music and talk shows with artists. The private television station Hannibal often uses the archives of the national channel TV7. It does not broadcast news bulletins. State television produces a variety of programs in the domain of culture, art, nature, economy, and tourism as well as children and youth entertainment. Controversial social issues are either avoided or covered in a way to show that the government is working to solve them.

Media concentration is not an issue in Tunisia. This is mainly because of Article 15 of the press code, which limits ownership to two publications of the same frequency that should not exceed 30 percent of the overall newspaper distribution in the country. However, since the government or those close to the president operate a preponderance of the media, effectively ownership is concentrated.

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Tunisia Objective Score: 1.25

Advertising continues to flourish, although ATCE, a powerful state organ responsible for external communications, controls it. The government uses the agency as a means of pressure against opposition media. Government-friendly public and private media receive most of the advertising while the opposition press receives little, stunting its growth.

According to available data by the media market research group SIGMA, the advertising revenue for 2006 amounted to \$82.2 million, a 12 percent increase over 2005. Of that total, \$34.7 million went for television, \$21 million for the press, and

\$7.5 million for radio. Ten of the top companies operating in Tunisia spent approximately \$18 million advertising.

The absence of published annual accounts by newspapers makes it impossible to evaluate the proportion of advertising in their revenues. However, with an average 70 percent of the space of most newspapers dedicated to advertising messages, it is believed that the revenue could be substantial. Some of the tabloid press received a significant portion of their revenue from circulation as well.

In addition to public advertising, the state grants subsidies to private media to cover some of the cost of the purchase of newsprint and journalism training. Newspapers of the political parties represented in the parliament receive 60 percent of the cost of their newsprint from the government.

Four private firms, SIGMA Conseil, MediaScan, MedNews, and Tunisimétrie, the last being owned by the French firm Metric Line and its Tunisian partner Prodata, produce audience surveys and market research. According to SIGMA, Tunisian television channels have 46 percent of the audience, Pan-Arab satellite television has 45 percent, and French television channels have 4 percent. The top 10 television channels most watched by Tunisians in 2006 as recorded by SIGMA were Tunis7 (52.2 percent), Hannibal (21.5 percent), LBC channel (14.9 percent), Rotana Cinema, which is owned and chaired by Saudi Prince Alwaleed bin Talal (10.3 percent), Al-Jazeera (9.0 percent), MBC2 cinema channel (5.3 percent), Rotana music channel (4.1 percent), Abu Dhabi TV, (3.7 percent), and finally the French TV channels, M6 and TF1, with 3 percent each. The private newspaper *Al-Chourouk* and the newspaper of the ruling party, *La Presse*, are the two most popular newspapers in Tunisia.

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

### BUSINESS MANAGEMENT INDICATORS:

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

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Tunisia Objective Score: 1.00

The Tunisian government is actively hostile to professional organizations and NGOs supporting independent media. It is very difficult to form an association within Tunisia. There is an association of newspaper editors called the Association Tunisienne des Directeurs des Journaux (Tunisian Association of Newspapers Editors). It purports to defend the interests of newspaper owners and editors, but it is under government control. As a result of its ties to the Tunisian government, it was expelled from the World Association of Newspapers in 1997.

There are two associations of journalists. The Association of Tunisian Journalists (AJT) is legal and the oldest. The Syndicate of Tunisian Journalists was created in April 2004, but the authorities have refused to recognize it. It was meant to be an alternative to the state manipulated AJT, but is still being repressed by the government.

Four Tunisian NGOs exist to defend freedom of expression and the media. The only legal one is the Tunisian League for the Defense of Human Rights (LTDH), and its activities are regularly banned. The LTDH publishes statements denouncing violations of freedom of expression and produces an annual report on freedom of the press in Tunisia. There non-legal ones include the National Council for Liberties in Tunisia (CNLT), the Union of the Free Writers, and the Observatoire Pour la Presse, l'Édition et la Création. All are active in advocacy despite various methods of repression that targets their leadership.

#### 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.

According to the International Press Institute, CNLT and LTDH, in particular, have faced relentless police and judicial interference. In November 2006, police blocked the entrances to the CNLT offices in Tunis, not allowing families of political prisoners to enter the premises.

International NGOs are also often denied access. In January 2006, the IFEX website was officially banned. In March 2007, "Members of the IFEX Tunisia Monitoring Group delegation visiting Tunisia were physically prevented from visiting imprisoned human rights lawyer and writer Mohammed Abbou." Article 19 reported in May 2006 that Yves Steiner, board member of International Amnesty Switzerland, who was visiting Tunisia, was expelled to France.

Journalism training is carried out by the Institute of Press and the Information Sciences in Tunis. It is a public institution supported by the Ministry of Education. It provides students with four years of theoretical and practical training with specialization in journalism or communications. Most graduates get their first jobs in the public media. However, this trend is changing due to various challenges faced by journalism education within Tunisia. Enrollment within journalism degree programs is increasing, but the amount of jobs available is decreasing. The refusal of the government to authorize the establishment of new publications and broadcast media reduce job opportunities for the journalism graduates. The amount of practical training is also limited in the degree program. Also, the political environment comes into play and the fact that freedom of speech is stymied discourages young would-be journalists.

There is a public institute for further training as well, called the Centre Africain pour le Perfectionnement des Journalistes et des Communicateurs (African Center for the Improvement of Journalists and Communicators). It was established in 1986 and operates under the guidance of the prime minister. It is financed by the state, European and foreign donors, and by a tax collected from the private media. The Center organizes short-term training with a focus on the technical aspects of media activities. However, the media do not often use the services of the Center because it is very difficult in the current political environment to incorporate the new training into their work.

There is also some limited training supported by international institutions like UNESCO and the Friedrich Naumann Foundation, but their impact is widely regarded as minimal. Some students continue their higher journalism education abroad, mainly in France. However, when they return to Tunisia, they tend to take jobs in public relations or teaching rather than journalism.

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Private companies operate the supply of newsprint, printing facilities, and distribution activities and are generally well-managed and profitable. Some of these companies receive subsidies from the state. The most important distribution company is the Société Tunisienne de Presse, partially owned by the French group Hachette and managed by people close to the government. This creates an environment where censorship of foreign publications is commonplace and opposition newspapers critical of the government are repressed.

Further, they are subject to the rules of the press code, which prohibits the printing or distribution of unauthorized publications. State-owned media and private media that support the government are always first to be serviced and partisan opposition newspapers are sometimes faced with delays in their printing or distribution. Kiosks are also privately owned and run by the same distribution companies. Their policy is that government newspapers should be better exposed to the public.

Broadcasting transmitters are under state control and managed by the Office National de la Telediffusion (National Broadcasting Corporation of Tunisia), which has the responsibility for broadcasting programs of all state and private broadcasters in addition to parts of the programs of the Italian public channel RAI-UNO.

## **List of Panel Participants**

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





**LEVANT**

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*Several changes to laws governing the media were made in 2007, with mixed results. Although authorities finally passed an access to information law, it contained crippling articles that hamper the right to publish the information. Journalists scored victories with the new Press and Publication Law that abolished pre-censorship on newspapers and effectively lowered minimum capital requirements for newspapers.*



JORDAN

The press landscape in Jordan changed little in 2007. The same ambiguous language dominated the scene as journalists found themselves squeezed between restrictive legislation and religious edicts, tribal and street taboos. While the authorities maintained their pledges to safeguard the freedom of press, practice and legislation proved otherwise.

Since the introduction of the Press and Publication Law in 1953, only two journalists received prison sentences. But many journalists fear the “detention” sword wielded by the State Security Court, a tribunal formed by the prime minister consisting of two military judges and one civilian judge. Since April 2007, when the former Parliament amended the Press and Publication Law by barring the detention of journalists, the judiciary has refrained from detaining journalists in press-related cases.

A ray of hope came from King Abdullah II. In his speech from the Throne in early December 2007 he said “It is not acceptable to send a journalist to prison for a difference in opinion on a public issue, as long as this opinion does not entail abusing the rights of others, their freedoms, honor or dignity.” He has also cautioned time and again, “The safety of journalists is a red line.” After columnist Jamil Nimri was attacked by three assailants the king stepped in immediately: police rounded up three suspects and one of them was charged with the attack. However, another assault on a journalist occurred in early 2007, when a reporter from *Al-Rai* daily newspaper was beaten up by a policeman and an angry citizen while covering a public event.

Amman’s court of justice recently sounded a positive note on journalist safety. In acquitting Fahad Rimawi, editor-in-chief of the opposition *Al-Majd* weekly, of slander charges leveled against him by the former government, it ruled that “the press has the right to criticize the executive power as part of the democratic process.”

Several changes to laws governing the media were made in 2007, with mixed results. Although authorities finally passed an access to information law, it contained crippling articles that hamper the right to publish the information. Journalists scored victories with the new Press and Publication Law that abolished pre-censorship on newspapers and effectively lowered minimum capital requirements for newspapers. The law also included an article that preserved the confidentiality of news sources, and fines for penalties were reduced. Journalists, however, underscored the necessity of free press legislation as key to expanding an international media zone, free from government intervention and attractive to foreign investors.

# JORDAN AT A GLANCE

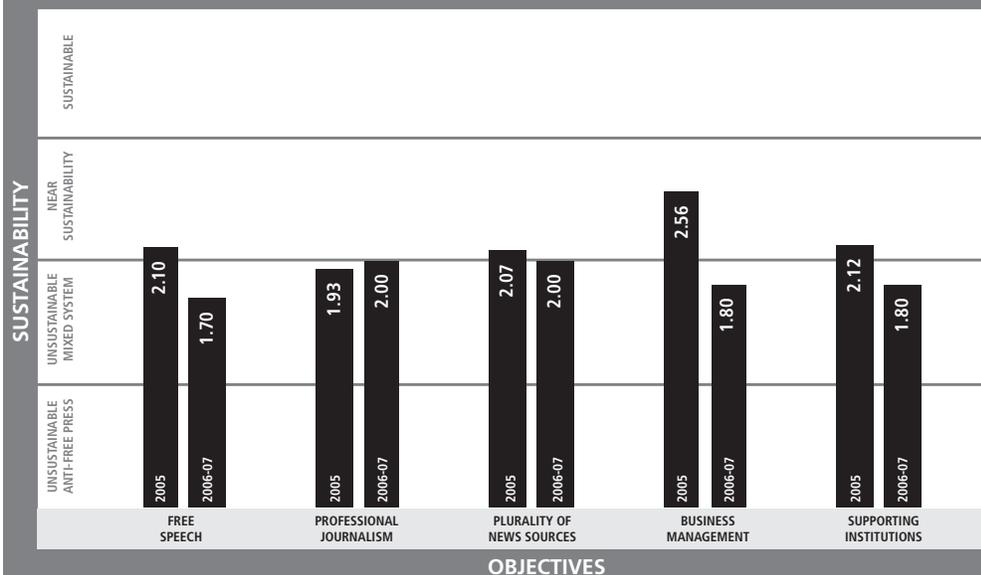
## GENERAL

- > **Population:** 6,198,677 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Amman
- > **Ethnic groups (% of population):** Arab 98%, Circassian 1%, Armenian 1% (*CIA World Factbook*)
- > **Religions (% of population):** Sunni Muslim 92%, Christian 6%, other 2% (2001 est., *CIA World Factbook*)
- > **Languages (% of population):** Arabic (official), English widely understood among upper and middle classes (*CIA World Factbook*)
- > **GNI (2006-Atlas):** \$14.65 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$4,820 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 89.9% (male 95.1%, female 94.7%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** King Abdallah II (since February 7, 1999)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**  
Print: 7 daily newspapers, 25 weekly, 10 magazines; Radio: 19; Television Stations: 1 public and 3 private
- > **Newspaper circulation statistics:** Top 3 by circulation: *Al Madina* (circulation 200,000), *Al Rai* (circulation 100,000), *Amlak* (circulation 90,000)
- > **Broadcast ratings:** N/A
- > **News agencies:** Quds Press News Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 796,900 (2006 est., *CIA World Factbook*)

### MEDIA SUSTAINABILITY INDEX: JORDAN



#### 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.

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## OBJECTIVE 1: FREE SPEECH

### Jordan Objective Score: 1.70

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The Jordanian constitution guarantees freedom of speech and the press, but in practice those principles are not honored by authorities, according to Aktham Tel, an editor at Jordan Television and an independent writer. Osama Sherif, former editor-in-chief at the semi-independent *Ad-Dustour* daily newspaper, echoed Tel's remarks: "Implementation of the press law is subject to the moods of the Department of Press and Publications, especially when it comes to the weeklies." He also noted that "journalists still have difficulties in accessing information, and official bodies attempt to influence their respective writings."

Twenty-four statutes regulate the media in Jordan, chief among them the Press and Publication Law and the Penal Code. March 2007 amendments to the Press and Publications Law eliminated imprisonment as a punishment for violations. However, the amendments replace imprisonment with fines up to \$40,000. The king's declaration late last year that "no journalist should be imprisoned" contributed to improved immunity for journalists, but they still face the risk of detention under the Penal Code. Provisions in the Penal Code allow authorities to detain, prosecute, and imprison journalists for endangering the state's internal or external security, which includes publishing material that damages national unity, harms Jordan's relations with other states, instigates sectarianism or racism, insults religions or lowers confidence in the national currency. Revealing information classified as a state secret is similarly punishable.

During the discussions, panelists agreed that the Penal Code still restricts the freedom of speech, albeit indirectly. They argued that the authorities can always use any of Jordan's 24 media laws to detain any journalist. Instead of referring press-related cases to civil or military courts, panelists suggested the creation of an independent specialized commission.

According to Jawad Al Omari, senior editor at *Al-Ghad* daily newspaper, referring press and publications cases to the state security court is one of the shortcomings in the law. But Omari also blamed some journalists for failing to properly practice the profession. He called on journalists to know where to draw the line between the "right of publication and slander." "We should define the limits of freedom of speech and publication since we are not allowed to talk about everything, and even journalists should know their limits," he explained.

Tribal influence in this patriarchal society also affects the freedom of expression. For example, a recent feud between

columnist Jamil Nimri and a deputy with a key tribal affiliation precipitated an attack on Nimri.

The Audio-Visual Commission, established in 2002 as a governmental arm, is the body responsible for issuing broadcast licenses. According to its Web site, this body has licensed 19 local FM radio stations in different governorates across the Kingdom.

But most of those stations, barring two, have an all-entertainment format, according to the panelists. They complained that it is "easy to obtain a broadcasting license, but the problem lies in keeping it." And according to Haitham Shibly, former editor-in-chief and co-founder of Watan radio station, competition in the market is not fair. Many of the stations, he explained, are exempted from license fees and attempt to control the media and advertisement markets with reduced prices.

Panelists complained that these stations are in reality controlled by influential personalities operating behind the stations' nominal owners. "Two radio stations dominate this industry in Jordan, Fann and Amn FM, because they are supported by the government and exempted from any other fees, while we pay fees upon registration in addition to the yearly fees to the tune of JD 50,000 (\$70,000)," Shibly argued.

The Jordan Media City was set up in 2001 to encourage growth of broadcast and satellite media companies in Jordan. It is a private company set up under the free zones law, and media owners can negotiate to locate their media there; in addition to modern facilities, there are several tax advantages to operating there. However, to date this has not particularly helped the formation of new media outlets, particularly broadcast outlets.

Panelists criticized high licensing fees and taxes as the main hindrance to the birth of hard news stations, as opposed to the light music and entertainment radio such as Fann FM and Rotana. Shibly said: "Fees for licensing entertainment radio cost around \$21,000, while the audiovisual commission asks for an additional 50 percent for licensing news production. This led to having such a great number of entertainment radios as opposed to only one radio that focuses on news, which is Amman-Net radio, funded by international organizations."

As for licensing of new newspapers, although the law was changed to reduce minimum capital requirements to be inline with other industries, the current level of JD 70,000 (\$100,000) for a daily or weekly still keeps out new entrants. But Rasmi Hamzeh, a columnist at *Ad-Dustour*, believes that the high capital requirement is a good thing. "Such a minimum capital—especially for weeklies—should make them

think twice before they slander or publish rumors against any part of the society.”

Panelists categorize attacks on journalists as rare in Jordan, the early 2008 incident involving Jamil Nimri notwithstanding. In that case the government acted swiftly to investigate the case.

Public media do not receive preferential treatment under the law, according to panelists. On the contrary, they noted, the budget of Jordan Radio & Television was recently cut in half. In practice, editorial independence at media owned by the government is compromised.

The Press and Publications Law, according to Omari, still does not bar imprisonment of a journalist found guilty of certain violations. They include any form of degradation, defamation, vilification, or abuse of any religion protected under the constitution. (Islam is the state religion, and around four percent of the country’s 5.8 million Jordanians are Christians with full religious rights.) The second article includes any “defamation of prophets, whether in writings, illustrations, pictures, symbolism, or any other means.” Any action that represents an insult to people’s religious sentiment or beliefs, or instigates sectarianism or racism is the third violation, and the fourth covers slander or libel against individuals or their personal freedoms, as well as spreading false information or rumors about them. Needless to say, these articles are ambiguous and any magistrate could interpret its contents the way he or she wants.

#### 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.

Panelists felt that not all journalists or media outlets have the same access to public information. A 1970 law on state secrets is still in effect in Jordan, which, according to panelists, hampers access to information. Further, panelists noted, media close to or owned by the government receive preferential access to breaking stories and information. To try and improve their ability to access information, reporters launched a campaign under the title “Faze’tko” (“Support Us”), which received the backing of civil society institutions across the country. However, the situation has not improved.

Media are not specifically restricted from quoting and using foreign news sources in preparing their news reports. Media in Jordan have relatively good access to various regional and international news sources.

Entry into the journalism profession is unhindered in most cases, except that joining the Jordanian Press Association (JPA) can be restrictive despite some recent efforts to open up membership. Under the Press Association Law, media may not hire journalists who are not members of JPA, and people may not refer to themselves as journalists unless a JPA member.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Jordan Objective Score: 2.00

MSI panelists agreed that reporting in Jordan lacks professionalism and is mostly biased, especially when it comes to sourcing and accuracy. Low pay, unskilled editors and lack of proper training were all named as shortcomings in the Jordanian media sector. Panelists mentioned some exceptions: they said that *Al-Ghad* has more comprehensive reporting and *Al-Arab Al-Yawm* a higher level of professionalism.

“Sometimes journalists write reports that highlight the opinion of a specific institution or person without taking other views into consideration,” commented Hassan Haidar, manager of Al-Quds Press Agency in Jordan. “This attitude will absolutely affect the professionalism of Jordanian media.” In addition, reporters commonly cross the line between opinion and news writing.

Unqualified editors are a particular obstacle to quality reporting. At almost all newspapers, unprofessional editors publish reporters’ pieces without proper editing. The lack of qualified editors hampers the development of high-caliber reporters.

Other participants believe that “lack of professionalism is related to the lack of specialized training that should be offered to newcomers.” Sharif added, “Journalists lack training and this is one of the main obstacles that editors-in-chief encounter in the daily papers.” Lack

of training also affects ethical practices, and panelists characterized journalists as understanding and following ethics only to a limited extent.

Panelists agreed, however, that private media reports are produced more professionally than state-run media because they are free from government intervention.

Generally speaking, self-censorship dominates the lives of many Jordanian journalists, especially when the topic is politics. Panelists like Hassan Haidar agreed that even without state pre-censorship, which was abolished in 2005, "many journalists still restrict themselves with self-censorship." "Editors and journalists still practice self-censorship because they are afraid of losing their jobs or upsetting some officials," Haidar said.

Key events relating to the state and the king are covered by all public and private media, according to panelists. But issues such as prisoner abuse and human rights remain absent in pro-government media outlets.

"Conferences pertaining to human rights reports are not covered by *Al-Rai*," said Omar Assaf, senior editor at *Al-Rai*, the widest circulation daily in the Kingdom. "In addition, we refrain from covering topics related to strikes in some governorates or at prisons." For example, Jawad Al Omari cited the 2007 poisoning of a village near Zarqa, 25 kilometers northeast of Amman. "When many students were poisoned as a result of food given to them at schools, JTV covered only the visit of the prime minister to the poisoned students, without mentioning the reasons or the party responsible for this mistake," he recalled.

#### 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).

Unofficial estimates put the average payroll in the print media sector at \$550 per month, though the figure soars by 20 percent at the most profitable newspaper, the pro-government *Al-Rai*. According to Haytham Etoum, former editor-in-chief of *Al-Watan*, the average monthly income at state-run radio and television is \$400, while it stands at \$700 in the private sector.

Low wages work as a drain on talent, encouraging top journalists to seek better opportunities at regional satellite channels such as Al Jazeera and Al Arabiyya. At the same time, said panelist Omari, "it renders journalists prone to corruption." According to panelist Osama El Sherif, "Most professional and top journalists move to work in other Arab countries or regional satellite channels in pursuit of higher wages."

Panelists noted that low wages encourage journalists to violate the JPA code of ethics. The JPA introduced a code of ethics in 2003, prohibiting journalists from accepting presents, financial or material donations, or any aid of any kind without previous approval of its council. "But that does not prevent journalists from receiving gifts from different parties, including the authorities," said Assaf.

All participants agreed that entertainment programs eclipse news and information at almost all broadcasters. Government-run JTV airs between eight and 10 newscasts from 7 a.m. to midnight. Private radio stations have a different perspective. "Private radio stations have concerns about including more news and information programs because they are afraid of losing advertisers who seek entertainment," explained Haitham Shibly.

According to Muhannad Mubaideen, a columnist at *Al-Ghad* daily newspaper, the problem lies in human resources. "We don't have newscasters able to attract viewers and listeners, and that's why the JTV loses most of its viewers," he said.

Daily newspapers are equipped with state-of-the-art computers and offer computer training courses. Although JTV purchases the most sophisticated technology, its staff remains technically and professionally under-qualified, the panelists said.

Quality niche reporting and programming exists in some places. For example, most newspapers include stories on cultural, business, economics, and finance. There are a number of English language publications in Jordan. However, in-depth investigative reporting is uncommon.

### OBJECTIVE 3: PLURALITY OF NEWS SOURCES

#### Jordan Objective Score: 2.00

Almost all the panelists agreed that Jordanian citizens have access to international, regional and local news resources. Regional Arab news stations like Al Jazeera and Al Arabiyya, Western news outlets, and the Internet guarantee Jordanians a plurality of public and private news.

There are six daily Arabic newspapers and one English daily newspaper in Jordan. Twenty-one weeklies and two bi-weeklies are also published, including an English weekly and two political party newspapers: the Islamic *Al-Sabil* and the pro-Syrian *Al-Majd*.

According to a survey conducted by Ipsos-Stat between October and November 2007, 43.7 percent of those sampled watch the sole local television station, especially the 8 p.m. local news. But panelists questioned the results; in fact, many believed that local television has lost its appeal, especially given that regional satellite television stations attract the majority of Jordanian viewers. "I believe such surveys are carried out to please the party that asked for the survey," said Assaf. "And most of the results are not trusted."

Panelists noted that Jordanians do not trust local media, especially the pro-government outlets. "There is a shared feeling among journalists that the government manipulates the news to its favor," said Suha Ma'ayeh, a freelance journalist. "That's why Jordanians tend to watch other

#### 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.

TV outlets." "Citizens lost faith in local media owned by the government. They shifted their interest to regional and international outlets," added Osama Sharif. "In the meantime, private sector broadcast, radio, and news web sites mushroomed. And they are considered a threat to traditional Jordanian media."

Jawad Al Omari backed this opinion. "The Internet has become one of the main news sources for the younger generation, as long as they can afford an Internet connection," he said.

Over the past year, private websites and blogs ballooned in Amman. Independent news web sites like Ammonnews.net, Sarraynews.com, Marayanews, and Rum Online have attracted a large number of Jordanians. Many people post comments on these sites, which often turn into debate platforms on, for example, the parliamentary elections in November 2007. These sites are not subject to direct censorship, but site editors complain that government officials sometimes ask them to remove "sensitive" news.

The reliance on regional news sources, such as satellite, and the Internet are a result of the lack of depth in local broadcast news. One reason for this is the difficulties in licensing, discussed in Objective 1, above. However, the recent events surrounding ATV, slated to be Jordan's first private terrestrial and satellite television broadcaster, are also telling.

A day before its first scheduled transmission on August 1, 2007, the Audio-Visual Commission prevented ATV from going live, saying it had failed to officially inform the commission of its plan to start transmission at least one week in advance, and needed to meet "other technical requirements in order to obtain clearance from the Telecommunications Regulatory Commission (TRC), prior to transmission, as per the TRC Law."

"ATV was supposed to provide the AVC with its uplink and downlink frequencies, in addition to the contract signed with the Jordan Media City," said Sufian Nabulsi, from AVC. Moreover, the RF link established between the station and the Jordan Media City had not been licensed per the TRC law.

Former ATV Chairman Mohammad Alayyan, however, had announced on July 31 that ATV had completed all necessary preparations and had supplied AVC with all the documents it requested. According to ATV, it was ready to go on air after completing a three-month test transmission period.

Officials have remained tight-lipped, but insiders claim that ATV had amassed financial losses in the run-up to its initial broadcast due to overspending on furnishing the "six-star" headquarters and on administrative mismanagement, including offering unprecedentedly high salaries at the

expense of money allocated for programming. Overspending had made it impossible to sustain running costs after it started broadcasting.

Two months later, a previously unknown company, Al Ajayeb (Arabic for "miracles"), set up with JD 30,000 operating capital, announced it had become the new owner of the ATV after buying the all of the shares owned by Alayyan. The new company is still looking for local partners, as most foreign investors refuse to inject funds into a satellite station without the right to control news content, insiders say.

Most ATV employees have been retained, and are getting their salaries but often days late. The Al Ajayeb company remains a puzzle, with many media officials and insiders saying it is a front for the state, which felt embarrassed by the fact that Alayyan, once a trusted confidante of the government, had spent most of at least \$36.5 million on unnecessary technical items and salaries to top media professionals he handpicked from media operating in the Gulf. The situation with ATV remains unresolved.

Accessing media is not an obstacle for most Jordanians. Newspapers are distributed across Jordan, including rural areas. They are sold at slightly more than \$.35 each. Pan-Arab papers such as *Al-Hayat*, *Al-Sharq Al-Awsat*, and *Al-Quds Al-Arabi* are also sold in Jordan at nearly \$.50 per issue. Other foreign publications also exist, but their audience is limited to English-speaking Jordanians and their prices remain a barrier. According to a 2007 report by the Center for Defending the Freedom of Journalists, about 80 percent of Jordanians have satellite dishes at a per-unit cost of JD 70 (\$100).

As Omari noted above, the main obstacles to Internet use are high connection fees and taxes. The government levies a 16 percent tax on Internet service. "High Internet connection fees decrease the percentage of people who can access the web, especially those living in rural areas," commented Samir Barhoum, editor-in-chief of the English daily *The Jordan Times*.

A survey conducted by the Department of Statistics in July 2007 found that only 16 percent of families have Internet access at home. To alleviate this shortfall, the government has set up 140 "Knowledge Stations" that provide Internet access, especially in villages and remote or rural areas. Citizens may access nearly any web site in Jordan or around the world. Despite Jordan's liberal attitude toward the Internet, however, authorities still do erect firewalls and censor sites considered linked to terrorism or extreme fundamentalism, and Internet service providers access to the Internet is through a state company. For example, the web site ArabTimes is blocked. "This web site publishes rumors and many false stories; I believe the government has the right to block it," says Omar Assaf of *Al-Rai*.

Panelists said that the state media reflect government views, and that alternative perspectives are marginalized. There are no independent local news agencies, only state-run Petra. However, international news agencies operate freely in Jordan since they are covering regional and international affairs, according to Hassan Haidar, director of Al-Quds Press News Agency in Amman.

Media ownership information can be obtained through the Ministry of Trade and Industry. However, in general consumers are not able to easily judge the objectivity or potential bias of news that may be related to ownership. Media ownership is not necessarily concentrated in a few conglomerates, however, there is significant state control. In addition to Jordan Radio and Television, the government owns shares in two dailies: 55 percent in *Al-Rai* and 30 percent in *Ad-Dustour*. "The public stakes affect the level of freedom in these two dailies," asserted Osama Sharif, adding that *Al-Arab Al-Yawm* and *Al-Ghad* deal with sensitive issues in a better way because the government owns no shares in either of them.

Regarding coverage of a broad spectrum of social issues, there has been some progress in recent years. For example, taboo issues such as honor killings or domestic violence do receive coverage now. However, minority issues remain mostly uncovered; panelists did note that there have been no applications to start media focused on minority issues and any one minority group.

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Jordan Objective Score: 1.80

Overall media operate as relatively efficient, profit making businesses in Jordan, but they still face a number of challenges. Panelists pointed out that a 20 percent tax and customs fee imposed on newsprint continues to burden the industry and squeezing profits. There is also a 16 percent tax on advertising sales in addition to the 1 percent paid to the Jordan Press Association out of advertising revenues.

Advertising remains the primary source of income for newspapers. Between January and September 2007, the advertisement industry recorded substantial growth of around 30 percent, according to the Jordan chapter of the International Advertising Association (IAA). The chapter president, Mustapha Tabba, expects expenditures on advertising in Jordan to hit JD 200 million (\$280 million) in 2007, four times the figure from 2000.

Newspapers were rated as the number one choice of media for advertisers, controlling nearly 77 percent of the total

advertising market. Daily and weekly publications represented the lion's share, with television, outdoor, radio, and monthly magazines coming in second with close to a 5.5 percent share for each. Web sites also carved out a bigger slice of the advertising pie.

During the past few years, radio experienced huge levels of growth as an advertising medium, growing from \$403,000 in 2000 to \$11.7 million in 2006. The IAA attributed the growth to new radio stations entering the market and the fierce competition arising between them.

On the flip side, the flourishing advertising industry in Jordan still lacks the depth to insulate media from pressure. Osama Sharif questioned "the independence of the news." Sharif explained that advertising companies impose their conditions on publishers. "This affected the independence of editors and their ability to prioritize between news and ads," he said.

Advertising revenue as a percentage of total revenue in line with accepted standards at commercial outlets. Advertising is the main source of income for private broadcasters, although media outlets like Amman-Net radio are mainly funded by international organizations.

The cover price of newspapers does not provide all the revenue needed to sustain operations. Other sources of income for the print media come from sales, subscriptions and printing. Advertisements in *Ad-Dustour*, one of the three main papers, constitute 35 percent of its revenues. The main source of revenue in *Ad-Dustour* comes from leasing its printing press to print other papers, weeklies, school curricula, and other customers. Jordan has no laws specifying the ratio of advertising to other content, and many papers

#### 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.

do not heed the international ratio of 60 percent news to 40 percent advertising.

Panelists agreed that the government does not support independent media outlets with subsidies. Further, media outlets cannot depend on the government for advertising because it sometimes pressures its ministries not to advertise in media outlets it dislikes. For example, one panelist said that "*Al-Arab Al-Yawm* was deprived of government ads because it tends to push the envelope more than other papers."

Some media hire firms such as Ipsos-Stat to conduct audience measurements or market research. Such information is used in strategic planning, marketing toolkits, etc. However, this is not conducted in a systematic manner, and there are no measurements of circulation or audience that all media and advertisers can agree upon. Often, as indicated in Objective 3, above, results are viewed skeptically by third parties.

#### OBJECTIVE 5: SUPPORTING INSTITUTIONS

#### Jordan Objective Score: 1.80

Panelists noted that there are no trade associations actively supporting the media industry in Jordan.

However, the JPA represents media professionals, including journalists, editors, and employees at the state-run news agency and newspapers owners. It was established in 1953 and has 750 members from the private and state media, according to JPA vice president Nabil Gheishan. The 1998 Jordan Press Association Law provides for mandatory membership for those who want to practice journalism. Journalists who practice journalism without joining the JPA are subject to penalties. There are, however, dozens of journalists who are not members of the JPA. According to Gheishan, the JPA plans to amend its law to allow all journalists at international news agencies and private broadcasters to join the association. To this end, it has amended its bylaws to incorporate newcomers to the profession. Chief amongst the proposed amendments is to introduce classifications such as full membership and supporting membership in the syndicate. The JPA was also updating its bylaws to reflect the digital revolution and the birth of private television and radio stations.

Panelists believe the JPA does not defend press freedoms often, especially if a given issue brings it into conflict with the government. Its role is restricted to providing loans, discounts, and scholarships. "The only effective action the JPA has taken was in August 2007 when it tried to defend two journalists at *Al-Ghad* after they were arbitrarily sacked by the editor-in-chief," said JPA board member Majed Tobeh.

Accumulated pressure prodded the editor to rescind his decision.

Several NGOs in Jordan work in support of freedom of speech and media. They also provide short-term training programs for journalists. These include the Higher Council for Media, the Center for Defending the Freedom of Journalists, the Arab Women Media Center and Amman-Net. They are independent of the government and their activities are funded in part by international donors and NGOs. The Center for Defending the Freedom of Journalists acts as a media watchdog; issues an annual report on media freedoms; lobbies for media law reform; conducts workshops for members of Parliament, legal experts, and journalists, and; provides volunteer lawyers to represent journalists.

During the discussions, panelists said that graduates of university media programs were not up to the standards of the profession, and lacked proper training and qualifications. Omar Assaf referred to the two universities with faculties of media in Jordan: the public Yarmouk University and the private Petra University. "Neither university offers practical training for [students]. At best, training programs lack the minimum required standards," he said.

The pro-government paper *Al-Rai* "has also started to provide in-house training to empower its staff," said *Al-Rai's* senior editor Assaf, noting that in February 2007 a group of graduates completed a refresher course on basic reporting.

The government does not control the printing industry. In fact, newspapers view presses that they own as a profit-generating asset; four out of six Arabic dailies own their own printing press. There is also one commercial printing press in the country. The weeklies and other papers

without their own printing facilities are printed by one of these other presses.

The government does not interfere in the distribution of newspapers. The private company Aramex is the country's only distributor of newspapers and magazines. In addition, a few papers like *Ad-Dustour* and *Al-Arab Al-Yawm* have their own in-house distribution systems.

## List of Panel Participants

**Osama Mahmoud Sharif**, editor, *Ad Dustour* Newspaper, Amman

**Omar Assaf**, editor, *Al Rai* Newspaper, Amman

**Jawad Al Omari**, editor, *Al Ghad* Newspaper, Amman

**Samir Barhoum**, chief editor, *The Jordan Times* Newspaper, Amman

**Haitham Shibly**, owner, Watan Radio Station, Amman

**Hassan Haidar**, director, Quds Press News Agency, Amman

**Muhannad Mubaideen**, columnist, *Al Ghad* Newspaper, Amman

**Aktham Al Tel**, editor, JTV, Amman

**Suha Ma'ayeh**, freelance reporter, Amman

**Rasmi Hamzeh**, columnist, *Ad Dustour* Newspaper, Amman

## Moderator

**Saad Hattar**, correspondent, BBC, Amman

## Assistant

**Khetam Malkawi**, freelance reporter, Amman

### 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.

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*Often cited as the region's closest example to an established democracy, Lebanon's relatively free and business savvy media continues to be a source of pride to the country. However, deeply entrenched political divisions and the persistence of political money in the media continue to produce biased reporting and unsustainable management practices.*



LEBANON

Lebanon, a tiny sliver of land on the eastern Mediterranean coastline, once again found itself caught in a tug of war between foreign powers competing for influence in the Middle East. The July War between the Syrian- and Iranian-backed Hezbollah and a U.S.-backed Israel severely damaged infrastructure and homes, resulting in \$15 billion of losses, according to the United Nations Development Programme. The vital tourism sector, which accounts for a quarter of GDP, was decimated, and growth previously forecast at six percent for 2006 slumped to almost zero. At the same time, Lebanon's public debt burden, one of the highest in the world, swelled to around \$40 billion, or 209 percent of GDP.

The war exacerbated political divisions opened up after the February 2005 assassination of former prime minister and billionaire tycoon Rafik Hariri, which swept a Western-backed anti-Syrian government into power. The Sunni-dominated government coalition including Druze and Christians, known as March 14, garnered significant public support by blaming Hariri's murder on Damascus, once the power broker in Lebanese affairs.

Shia movements Amal and Hezbollah, longstanding allies of the Syrian regime, forged an unlikely opposition alliance with the Christians under former army commander Michel Aoun, once a stalwart opponent of Syria. In November 2006, Hezbollah and its allies withdrew their ministers from the cabinet and began an ongoing protest in central Beirut demanding the collapse of a government it said was unconstitutional.

The government's majority shrank to just three when two March 14 MPs were assassinated prior to elections replacing the Syrian-supported president Emile Lahoud. With Lahoud stepping down in November 2007 and the opposition boycotting elections until a candidate acceptable to them could be agreed upon, Lebanon once again stood on the verge of constitutional collapse.

Amid this upheaval the media played a key role in Lebanese life, seen by most as the fourth pillar of society. With Lebanon often cited as the region's closest example to an established democracy, the country's relatively free and business savvy media continues to be a source of pride. However, deeply entrenched political divisions and the persistence of political money in the media continue to produce biased reporting and unsustainable management practices.

The MSI panel scored Lebanon's media sector at 2.45, putting it squarely in the "near sustainability" bracket. All five objectives scored similarly, with Objective 3, plurality of news sources, scoring highest at 2.88. Objective 1, free speech, and Objective 4, business management, trailed the other objectives by a small margin.

# LEBANON AT A GLANCE

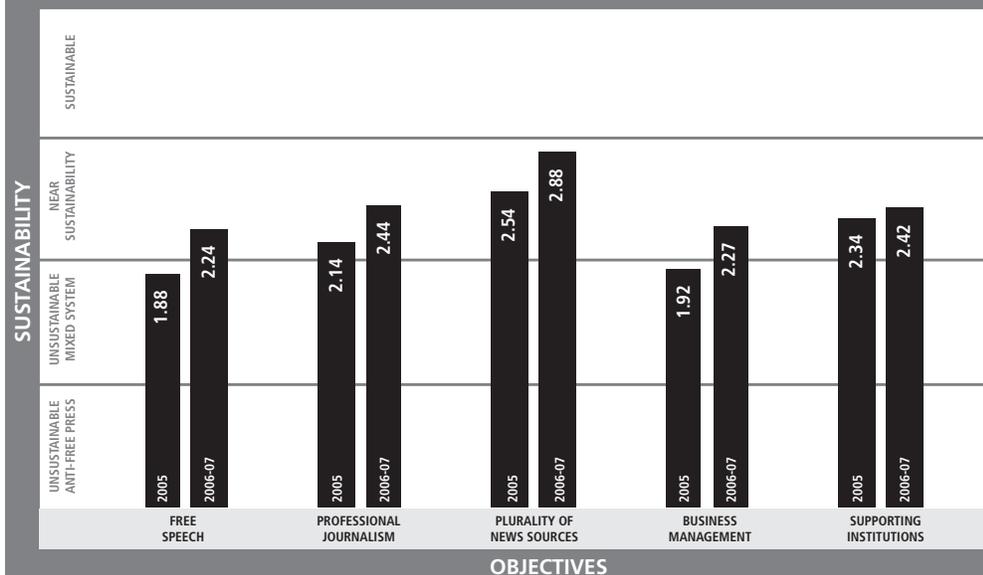
## GENERAL

- > **Population:** 3,971,941 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Beirut
- > **Ethnic groups (% of population):** Arab 95%, Armenian 4%, other 1% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 59.7%, Christian 39%, other 1.3% (*CIA World Factbook*)
- > **Languages (% of population):** Arabic (official), French, English, Armenian (*CIA World Factbook*)
- > **GNI (2006-Atlas):** \$22.64 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$9,600 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 97.4% (male 93.1%, female 82.2%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** Vacant as of November 24, 2007

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 13 dailies (9 Arabic, 2 Armenian, 1 English, 1 French); Radio: 33 (1 public, 32 private); Television Stations: 9 (1 public, 8 private)
- > **Newspaper circulation statistics:** Top three by circulation: *An-Nahar* (daily circulation approx. 45,000), *As-Safir* (daily circulation approx. 45,000), *Al-Balad*
- > **Broadcast ratings:** N/A
- > **News agencies:** National News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 950,000 (2006 est., *CIA World Factbook*)

### MEDIA SUSTAINABILITY INDEX: LEBANON



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

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

#### Unsustainable Mixed System (1-2):

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

#### Near Sustainability (2-3):

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

#### Sustainable (3-4):

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

## OBJECTIVE 1: FREE SPEECH

### Lebanon Objective Score: 2.24

While 2007 saw no repeat of the assassinations of journalists that followed the Hariri murder, MSI panelists agreed that the political fissures emerging after the Israel-Hezbollah war have damaged press freedom and solidified political biases in reporting. Journalists continue to work in a climate of fear, with several senior editors at pro-government media traveling in convoys protected by armed guards. One of them, Fares Khashan, a talk show host on Hariri-owned Future TV, travels into work escorted by half a dozen state security officers.

The overall average was pulled up by solid marks in several indicators, including a score more than a point higher for Indicator 8, media access to foreign news sources. However, a few key indicators received much lower scores, including Indicator 2, broadcast licensing; Indicator 4, attacks on journalists; and Indicator 7, freedom of information. Such factors remain key obstacles to strengthening press freedom in Lebanon.

The constitution protects free speech and a free media remains, in the public's mind, a pillar of Lebanese society. However, panelists agreed freedom of speech could be narrowed according to the government, which most panelists believed exercised unhealthy control over the judiciary.

"We cannot judge now if freedom of speech exists or is protected," said panelist Shirine Abdallah, a longtime employee at *An-Nahar* newspaper who assisted former editor Gebran Tuani until his death by a car bomb in December 2005. He now heads the paper's public relations office. *An-Nahar* is the largest newspaper in Lebanon and has firmly opposed Syrian control of Lebanon following Hariri's assassination. "The status of the country changed two years ago and it is still too early to judge. Now our internal problems are very acute. It's almost impossible to have a civilized conversation about politics," said Abdallah.

Lebanese media law, amended in 1994, limits the types of materials that can be censored to pornography, political opinion, religion and threats to national security. Panelist Moussa Assi, a producer for opposition-leaning New TV, noted that media laws were written to cover only print journalism yet are also being applied to broadcasters, raising some difficulties.

The government retained the right to censor foreign newspapers and magazines before they enter the country, and to approve all plays and films. In practice, however, there was little or no such censorship.

The law prohibits attacks on the dignity of the head of state or foreign leaders—although in these tumultuous times it is not always applied—while a still-functioning 1991 security agreement with Syria prohibits the publication of any information deemed harmful to the security of either state. With the withdrawal of the Syrian military, the climate of intimidation was eased and many Lebanese journalists openly criticized Syrian and Lebanese authorities alike.

Prosecution of crimes against journalists remains lax, panelists agreed. No one has yet been arrested for the assassination of Gibran Tuani or columnist Samir Kassir, or in the failed assassination of May Chidiac, a popular presenter on the Christian-owned, pro-government LBC channel.

Lesser crimes regularly go unpunished as well. Panelists reported journalists from *An-Nahar* were beaten at a rally held by Hezbollah. And after a bombing in the predominantly Druze town of Aley, whose sectarian leader Waleed Jumblatt is a fierce critic of Damascus, journalists from New TV were beaten by angry crowds who blamed Syria for the bombing. Journalists from Hezbollah's Al Manar TV regularly do not report from Druze or Christian areas for fear of attack, and several reported being beaten after reporting from Sunni-dominated areas of Beirut. No reported arrests were made following any of the incidents.

The state media does not receive preferential legal treatment, but panelists noted that its pro-government, quietist editorial policy means it hardly ever challenges the ruling authority.

#### 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.

Though the media enjoys unhindered access to international news outlets, political and sectarian divisions can sometimes impinge on access to local sources. New TV's Assi said his station does not receive media statements from the press office of government majority leader Saad Hariri, a fact he attributed squarely to politics.

May Elian, a media consultant at the Forum for Dialogue, Culture and Development (FDCD) noted that Lebanon has no freedom of information act. "It is hard for journalists to access some areas so they must rely on leaks," she said.

It was just such a leak that led to perhaps the year's biggest story on corruption, prompting a case of libel, which remains a civil law issue. On May 29, New TV aired documents on its weekly show *Corruption* that appeared to show Justice Minister Charles Rizk had been embezzling state funds. A furious Rizk was shown on television vowing to "crush" the station and later opened a legal case, accusing New TV of libel and slander and of publishing false information.

Lebanese media law states that broadcast media should not be majority-owned and run by any single religious group, sect or individual. However, panelists agreed that licensing of broadcast media is not fair, and is steeped in political and sectarian cronyism. The 1994 law mandates that broadcasting licenses be controlled by the government-appointed National Council for Audiovisual Media (NCA).

However, noted veteran journalist Wadih Haddad, assistant general manager at the popular radio station Voice of Lebanon, "With the situation currently prevailing in Lebanon, the NCA has rather become inexistent. Licenses to audiovisual media are delivered on a political basis." New TV's Moussa recalled the five-year process it took his station to receive a license to broadcast "because we had no political backup." Kamal Zeibyan, editor of the opposition-leaning daily *Ad-Diyyar* noted that "former Prime Minister Hariri abused his own laws when he awarded Future TV a license when he was prime minister. The majority of the station is owned by his family."

Prior to the 1994 law, anyone could begin broadcasting without a license, and the number of television stations in Lebanon exceeded 54. The imposition of a license fee and the requirement of broadcast media to cover all Lebanese territory—though not fully implemented—put dozens of stations out of business.

Most panelists found media taxes to be too high, threatening the viability of even the largest of television stations. "The burden is getting very heavy," said Haddad.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Lebanon Objective Score: 2.44

Most journalists are capable of producing objective, well-sourced journalism, but almost all practice self-censorship and most are poorly paid and susceptible to political money, the MSI panel concluded. Low payment rates and the politics of media owners were cited as primary factors threatening media professionalism in Lebanon. Panelists refused to label accepting political money a "bribe," with some calling it instead "assistance."

While half of the indicators scored relatively close to the objective average score, the other half split between keeping the score down and lifting it. Indicators 2 and 5, journalism ethics and pay levels for journalists, scored well below the average. Indicators 6 and 8, news-entertainment balance and niche reporting, scored significantly above, however.

*An-Nahar's* Shirine Abdallah suggested that, "80 percent of journalists are fair and objective, presenting both sides of the story." While New TV's Firas Hatoum agreed that most journalists sought to present a balanced view, he noted, "In the end they submit to the editorial policy of their media stations. It's almost impossible to find reports criticizing the opposition in the opposition media stations, and vice versa." For *Ad-Diyyar's* Kamal Zeibyan, Lebanon has no truly objective journalists. "All journalists are being influenced by politics and sectarianism," he said. May Elian of the FDCD argued that newspapers are more balanced than television.

Self-censorship remained a widespread practice, the panel agreed, citing security concerns arising from the string of

### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

#### PROFESSIONAL JOURNALISM INDICATORS:

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

assassinations over the past three years of journalists and politicians who opposed Syria's role in Lebanon. Internal Lebanese politics also encourages self-censorship. "Three quarters of journalists censor themselves out of fear," said Zeibyan. "There are certain issues they would not even dare to touch. Because each media station belongs to a political party, reporters never report on corruption in their own party."

Highly charged security issues, such as allegations that the Sunni-led government coalition was sponsoring the emergence of radical Sunni militia groups, were cited as an example of when most journalists would rather keep quiet.

Younger journalists are less susceptible to self-censorship than older generations who worked through the Civil War, said Elian, citing the Syrian withdrawal from Lebanon as a watershed moment for greater media freedom.

In terms of coverage, the panel agreed that all major events and issues are covered reasonably well and with very few restrictions, even when related to security affairs. New TV's Moussa Assi noted wryly that while all media cover all events, "If they have an interest with a politician, they will cover his activities more."

The ratio of news programming to entertainment remained healthy, with panelists noting that Lebanese channels were required by law to broadcast locally produced content over half the time, which meant, overwhelmingly, political talk shows. Despite laws restricting political shows to three a week, most television stations broadcast eight or more such shows per week.

Panelists agreed that Lebanon remained a regional leader when it came to use of up-to-date technical facilities for producing and distributing media. The launch in July of OTV, owned by Christian opposition leader Michel Aoun, has been much discussed in Lebanon both for its politics and high production values.

The panel unanimously agreed that low pay for journalists is a leading contributor to the continuing political corruption in Lebanon's media. "Journalism ethics, self-censorship and objectivity are all linked to the income of the journalist and the income of the media company," said Assi. "If the media and its journalists depend on the support of political money, they will lose a lot of their objectivity."

*Al-Balad* newspaper's Tripoli correspondent, Abdel Salam Turkmani, has worked for the paper for four years and gets a monthly salary of \$600, three times Lebanon's official minimum wage. "I'm not satisfied," he said. "I am always looking for ways to supplement my income and if I can find a job outside Lebanon I would not hesitate to leave." Panelists

noted that even at the best newspapers in Lebanon a reporter with eight years experience may be paid only around \$600. "A decent independent reporter may need to have two or three incomes to live at a good standard," said Elian. "But young journalists are so obsessed with their careers they tend to be silent about money."

Panelists were split over what constitutes investigative journalism in Lebanon and on the risks involved. Panel member Firas Hatoum focused international attention on press freedom in Lebanon after he was detained for 45 days in 2006 for breaking into the flat of a key witness in the Rafik Hariri murder investigation.

Citing his attempt to collect witness documents in the course of his investigative reporting, Hatoum said the major hindrance to such work was the lack of accreditation for most journalists. "We don't have any proof we are journalists because we cannot register with the press syndicate, so the authorities insisted I was only working for the TV station, but not as a journalist. Therefore I was not treated as a journalist when it came to the law."

For May Elian, it remained questionable whether Lebanon really has investigative reporters. "I don't think we even know what it means," she said. "On television you see no investigative reporting. There have been some reports into issues like Hezbollah's weapons, or the Palestinian situation, but they are too superficial to be called investigations."

### OBJECTIVE 3: PLURALITY OF NEWS SOURCES

#### Lebanon Objective Score: 2.88

Many indicators received strong scores in this objective, with Indicators 2 and 5, citizen access to media and private broadcasters producing their own news, receiving scores more than a half-point higher than the average. However, two indicators scored almost a point lower than the average: Indicator 3, state media reflect the political spectrum, and Indicator 6, transparency of media ownership.

Lebanese citizens have almost entirely unrestricted access to all sources of news, from home and abroad. Even with the single official restriction on the sale of Israeli newspapers or broadcast of Israeli television channels into Lebanon, citizens can access Israeli websites online.

Dozens of newspapers and hundreds of periodicals are published throughout the country and are financed by and reflect the views of various local, sectarian and foreign interest groups. In addition to nine leading Arabic daily newspapers, there are two Armenian-language dailies and

one each in English and French. Total circulation of all the top dailies is estimated at a maximum of 150,000, with *An-Nahar* and *As-Safir* leading at around 45,000 copies distributed daily within Lebanon. *Al-Balad* and *Ad-Diyyar* are considered the next largest papers. However, two panelists argued that those figures were inflated, saying the total circulation of all newspapers in Lebanon did not top 40,000.

Newspapers cost between LBP 2,000 (\$1.33) for *An-Nahar* down to LBP 400 (\$0.26) for *Al-Balad*, which is sold to subscribers only. Most international newspapers and news magazines are sold, usually a day or two after their publication date, and largely available only in Beirut.

There are 33 radio stations throughout the country and eight television stations: Future TV, Al Manar, NBN, Orange TV, New TV, LBC, ANB and TeleLiban. The government owns one television station (TeleLiban), one radio station (Radio Lebanon) and a national news service. All remaining stations are owned privately.

Private television stations continue to produce an ever increasing number of news programs, with panelist Abdel Salam Turkmani noting that Future TV and NBN have plans to launch dedicated news channels in the near future.

Major international news agencies such as Reuters, AP and AFP have bureaus in Lebanon, and their material is widely circulated.

Panelists agreed that access to international satellite television was inexpensive at \$10 to \$20 per month, as was Internet access at between \$20 and \$30 for basic service.

Private radio and television are by law compelled to cover all Lebanese territory and should therefore be accessible to even remote areas, noted Voice of Lebanon's Wadih Haddad. However, in practice, a number of radio stations only broadcast regionally.

In terms of regional news coverage, though most media companies have a correspondent in each governorate of this small country, at least one panelist found the media too city-centric. "The media in the cities do not talk about the villages unless there is a security breakdown or something like a forest fire. In a whole newspaper, news not about Beirut is probably no more than one page," said Turkmani.

Panelists criticized the public media, both for its political bias and lack of audience. "Public radio and TV are practically non-existent," said Haddad. "They have almost no audience because they re-broadcast old programs and their news coverage is of poor quality and always follows the government."

Opinions on media ownership transparency were divided, interestingly. For FDCD's May Elian, there was no officially required transparency for media ownership, she said, giving the examples of *Al-Balad* and *Al-Akhbar*, both of whose funding and ownership are unknown to the general public. Even Abdel Salam Turkmani did not know who owned the paper he worked for.

But, as noted previously, the owners of the major television stations and newspapers are well known to the public, as many of them are the heads of political parties or powerful business figures. "The country is too small to keep media ownership hidden," noted Haddad. "Almost every Lebanese knows to whom belongs each radio or TV or newspaper."

The fact that media ownership is so well known was a serious problem, in the opinion of *An-Nahar's* Shirine Abdallah. "Because there is such transparency there is no judgment on the part of the audience, who become plain, stupid followers," she said.

The media cover a wide range of social issues, including minority rights, sexuality, women's rights, labor issues and so on. Sensitivities in a country of 17 religious confessions, however, remain a barrier to reporting on religion.

There is at least one Armenian-language radio station, while Future TV broadcasts a news hour in Armenian, English and French. Kurds can freely associate and publish their own newsletters in Kurdish, but as yet no stations broadcast in Kurdish.

Yet, as May Elias noted, in this time of political upheaval "social issues are not top of the agenda." "We are a racist people by education," was Shirine Abdallah's frank

#### 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.

assessment of Lebanese multiculturalism. "We do write about how foreigners are treated but we don't let them write for themselves."

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Lebanon Objective Score: 2.27

Most indicators scored within a half-point of the overall objective average. Scoring slightly better was Indicator 3, advertising agencies. However, Indicator 7, broadcast and circulation figures, scored about three-quarters of a point lower than the average.

Lebanese media struggle to make ends meet through advertising and sales revenue alone, and while they are well managed compared to most media across the region, political money remains the backbone of the business model. Advertising, once a strong market driver, has witnessed a downturn since Hariri's assassination. "The advertising cake has shrunk unbelievably since the July 2006 war," said Voice of Lebanon's Wadih Haddad. "The economic situation started deteriorating from the assassination of Hariri and became worse in 2007 with the political divisions. Many media are experiencing financial difficulties because of lack of advertising."

Panelists cited LBC television as the most successful profit-generating Lebanese media, noting its reliance on advertising and the sale of its entertainment programs to networks across the region.

However, LBC's performance is not indicative of every other media outlet. *Ad-Diyyar* editor Kamal Zeibyan gave a clear example of the role advertising and political money plays in his newspaper's finances. "We are now facing a money crisis. In the 1990s the business would generate around \$200,000 profit per month. We were paid for by Hariri. Now, with no advertising market, our profit is down to \$75,000 per month, even with political money still trickling in."

There was consensus on the fact that the owners of the big broadcast stations and newspapers put substantial amounts of their own money into their media business. Charles Ayoub, owner of *Ad-Diyyar*, is also facing a financial crisis, having taken on large loans and been sued on a number of occasions, leaving his newspaper threatened with closure, Zeibyan added.

*Al-Balad's* Abdel Salam Turkmani noted that his newspaper had formulated a new business model, being sold only through subscriptions, thereby minimizing the waste of excess print runs. The company also publishes an advertising

supplement whose profits are channeled directly into *Al-Balad*, and conducts regular market research on readers' opinions. Its relative sustainability without political money has enhanced *Al-Balad's* reputation in Lebanon, being seen generally as more objective.

Beirut was once the heart of the advertising industry in the Middle East, but has lost much of its talent to Dubai. Saudi-owned Rotana has pulled out of the Lebanese market. Nonetheless, the industry remains a strong support to the media.

However, several panelists noted that most sources of advertising are held by the Shwayri family, a powerful Christian clan that could potentially exercise an unhealthy control over the media. Media observers often link the success of LBC, a Christian-owned channel, to its ties to the Shwayri family.

*An-Nahar's* Shirine Abdallah gave the example of an intellectual magazine, *The Prize*, begun by assassinated journalist Samir Kassir. "The advertisers found it too elitist, so would not advertise with it," she said. "They do call the shots." New TV's Moussa Assi remembers feeling as if he was "in a fight with a cartel" when he worked at Sult as-Shab, a Communist radio station. The Shwayri family, according to Moussa, had attempted to interfere in the editorial direction of the station and refused to sell advertisements when rebuffed, bringing the station to the brink of closure.

The question of whether independent media receive government subsidies raised a wry smile among several panelists who pointed out that when serving as prime minister, Rafik Hariri also owned Future TV and that the current speaker of Parliament and opposition leader, Nabih Berri, owns NBN. While panelists did not accuse government

## 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.

figures of directly using state wealth to fund their own media organizations, none doubted that political money formed the backbone of private media financing.

The panel agreed that little, if any, objective market research on public opinion takes place. Advertisers were considered more likely to conduct market research than media organizations, which, if they did conduct a survey, would do so only among audiences already favorably disposed to a given issue. For example, said Shirine Abdallah, Future TV might conduct research, but only in Beirut's Tarik al-Jdeide, a predominantly Sunni area loyal to the Sunni Hariri family that owns Future TV.

There remains no central source for newspaper circulation, with some newspapers releasing figures, in the opinion of Abdel Salam Turkmani, "if the statistics are on their side." *Ad-Diyyar* occasionally makes its own estimate of sales by noting returns from newsagents and kiosks. Total circulation of all the top dailies is estimated at a maximum of 150,000, but some media observers argue the figure is inflated, estimating total circulation as low as 40,000.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Lebanon Objective Score: 2.42

This objective's indicator scores varied widely by category. Indicators 1 through 3, which cover supporting organizations and NGOs, all scored between 1 and 2. The next two indicators, covering education and training, scored between 2 and 3. The last two indicators, covering printing and media distribution, scored well above 3.

Both a publishers' syndicate and a journalists' syndicate exist in Lebanon, but panelists criticized the heads of both for being more interested in preserving their decades-old grip on power than in looking after the interests of a free media. Panelists pointed unanimously to one factor preventing journalists receiving proper support in Lebanon: the current head of the Press Syndicate, who has been in place for three decades and effectively limited official media accreditation to the organization's own membership. Though there are more than 10,000 journalists in Lebanon, the Press Syndicate currently has around 1,100 members, with panelists noting the last time a new member was allowed to join was three years ago.

Broadcast journalist Firas Hatoum echoed the sentiments of several panelists: "There are some undeclared conditions to be a member in the Press Syndicate: mainly, loyalty to the head of the Press Syndicate."

*Al-Balad's* Abdel Salam Turkmani said that since the outbreak of the Civil War in 1975 the two syndicates have done little

but become divided over political and sectarian differences. In the absence of a functioning support mechanism, leading daily *As-Safir* has established its own internal syndicate that advocates for staff members.

Panelists also noted the continued absence of an organization to protect the rights of broadcast journalists. Media law covers only print journalists, not broadcast.

The author has witnessed firsthand the difficulty several Lebanese journalists continue to encounter trying to obtain an official press card, the absence of which puts them in unnecessary danger with both governmental and non-governmental organizations, particularly when working on security and conflict stories.

Foreign media, ironically, can obtain accreditation in a relatively easy process through the Ministry of Information. There is also an unofficial foreign press syndicate being established through the social networking site Facebook, aiming to give members some lobbying power.

While many NGOs in Lebanon, such as the fledgling Media Association for Democracy Awareness, which aims to offer journalists legal defense and health insurance, count the protection of a free media among their advocacy aims, few panelists saw them making a significant impact. Voice of Lebanon's Wadih Haddad said local NGOs would only step in to defend freedom of expression "when the violation of human rights was striking and then those NGOs were fought by the government and even threatened." FDCC's May Elian noted, "Some NGOs work on reviewing legislation governing the media, but they don't currently offer legal support to journalists." Panelists noted that when Firas Hatoum was detained while investigating evidence in the Hariri inquiry

### 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.

for New TV (see Objective 2), some of the most vocal support came from foreign NGOs such as Reporters Sans Frontiers.

Lebanon leads the region in journalism education, with a number of quality theoretical courses taught at universities supplemented by an expanding program of internships offered by both broadcast and print media outlets. The state-run Lebanese University (LU) continues to fill places on its journalism program, as does the Lebanese-American University, but several panelists noted the courses remained more theoretical than practical, due largely to an absence of equipment. LU has recently acquired some new equipment and has partnerships with local media to place students in work experience programs.

*An-Nahar's* Shirine Abdallah noted the introduction in 2004 of a civic education program into Lebanon's standard high school curriculum, which includes a three-month course on journalism and the media. However, the course is relatively expensive and has not run training since February.

Practical journalism training appears to be going from strength to strength. Having begun running in-house training course in 2004, *An-Nahar* now runs twice-annual internships open to journalists from Lebanon and across the region. The American University of Beirut in 2007 launched a Journalism Training Program as part of its Regional External Program, holding a workshop in July on investigative journalism.

New TV's Moussa Assi, himself a graduate of the LU media course, said his station now receives between 15-20 graduates every three months for two weeks of training. Voice of Lebanon is also working on establishing a post-graduate training scheme.

Foreign organizations offer training to Lebanese journalists, including the Thompson Foundation, ICFJ, BBC, and OSI, part of the Soros Foundation, which ran two, week-long photography and feature writing sessions for students of LU in February. However, noted Turkmani, there are few such courses for correspondents in the regions, and expenses for travel and accommodation in Beirut are rarely paid.

Lebanon's printing presses remain a commercial success, drawing business from across the region, and suffer little government restriction. Distribution networks are efficient, reaching even the remote corners of the country, and are little politicized.

## List of Panel Participants

**Shirine Abdallah**, public relations manager, *An-Nahar* newspaper, Beirut

**Moussa Assi**, producer, New TV, Beirut

**Kamal Zeibyan**, managing editor, *Ad-Diyyar* newspaper, Beirut

**Abdel Salam Turkmani**, Tripoli correspondent, *Al-Balad* newspaper, Tripoli

**May Elian**, media consultant, The Forum for Dialogue, Culture and Development, Beirut

**Firas Hatoum**, broadcast journalist, Beirut

Did not attend panel discussion, but completed survey:

**Wadiah Haddad**, assistant general manager, Voice of Lebanon Radio, Beirut

**Iyad Obeid**, director, Mass Communications and Journalism Department, Lebanese University, Beirut

## Moderator

**Hugh Macleod**, foreign correspondent, *The Sunday Times* and *The San Francisco Chronicle* newspapers, Beirut

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*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

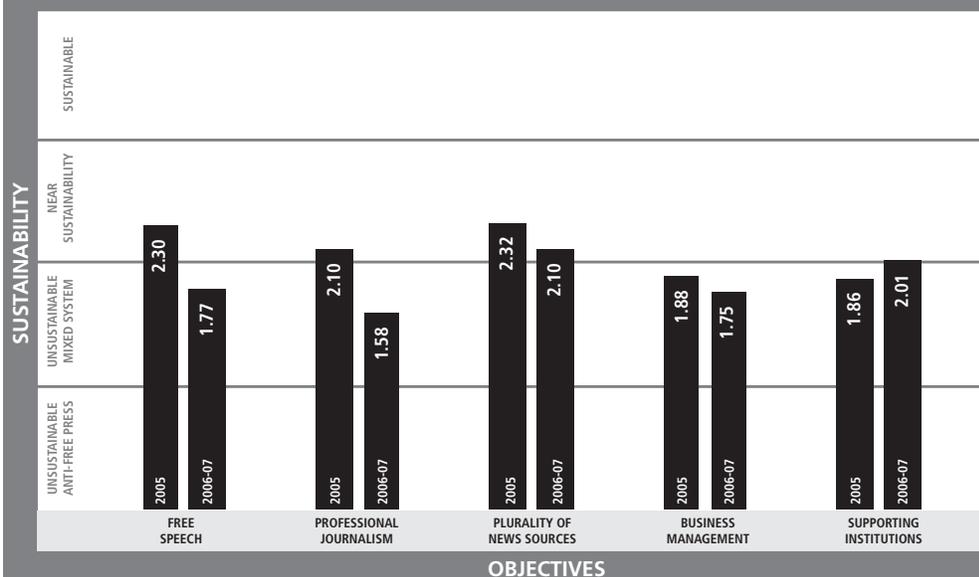
## GENERAL

- > **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](http://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: FREE 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 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.

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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

**Iyad Krunch**, director, Palestine Commission for Human Development, Gaza

## Moderator

**Wafa' Abdel Rahman**, director, Filastiniyat, Ramallah

The Palestinian Territories study was coordinated by, and conducted in partnership with, Filastiniyat, Ramallah.

The media were a key tool in mobilizing popular support behind the regime, and journalists seen as criticizing the regime were accused of treason. Nonetheless, following the trend established since Bashar Al-Assad took power following the death of his father, Hafez, in 2000, journalists pointed to a continued slow opening.



The past year was a period of continued unrest for Syria after the turmoil resulting from the 2005 assassination of Lebanese Prime Minister Rafiq Hariri, which the international community swiftly blamed on Syria. The international community continued to point a finger of condemnation at Syria, and, in February 2007, the United Nations and the Lebanese government took the first steps toward establishing a Special Tribunal for Lebanon, a step Syria strongly opposed. The United States continued to impose economic sanctions.

At the same time, instability in neighboring Iraq and Lebanon prompted a regime tightening and increased security measures aimed at preventing an over-spill of sectarian violence. The year saw the most drastic effect of the Iraq war on Syria as Iraqi refugees starting pouring into the country. By the end of 2007, it was estimated that up to one million Iraqis had taken refuge in Syria, imposing a huge social, political, and economic burden on the country.

Journalists say that the consequence of these instabilities was an increased siege mentality, as the country found itself internationally isolated and regionally threatened. The media were a key tool in mobilizing popular support behind the regime, and journalists seen as criticizing the regime were accused of treason. Nonetheless, following the trend established since Bashar Al-Assad took power following the death of his father, Hafez, in 2000, journalists pointed to a continued slow opening.

The MSI panel scored Syria's media sector at 1.31 overall, leaving it unchanged from last year in the lower half of the "unsustainable, mixed system" scoring as defined by the MSI methodology. All objectives received similar scores, pointing to a legal and governmental system opposed to a free-media system. The role of supporting organizations was seen as being particularly weak, scoring 1.08 as a result of a very weak structure of support, lack of protection for the media, and little available training for journalists. Panelists gave the highest score to the indicator of professionalism, which scored 1.58, still a weak and unsustainable mark. Professionalism was widely seen to be undermined by a government system determined to maintain the official line.

# SYRIA AT A GLANCE

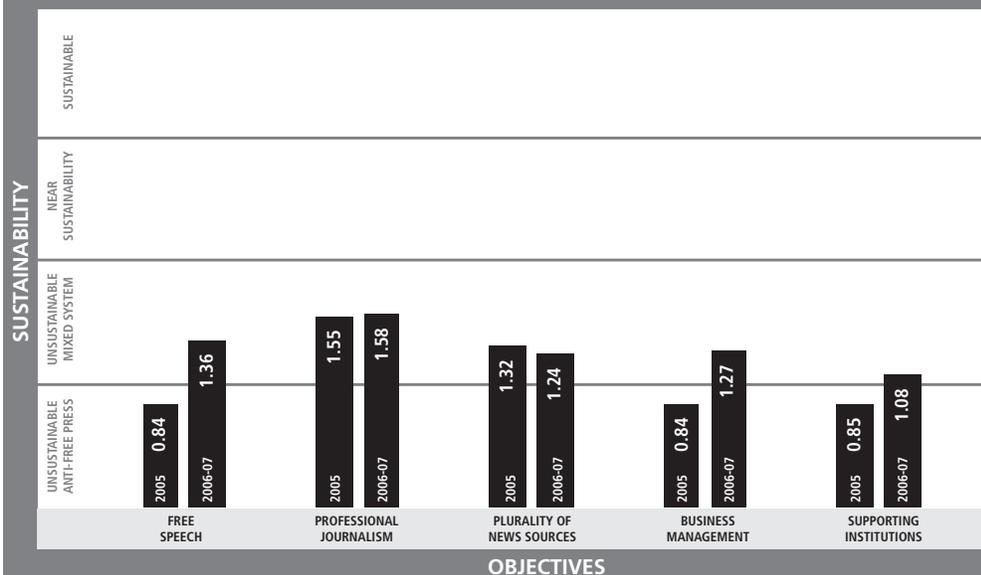
## GENERAL

- > **Population:** 19,747,586 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Damascus
- > **Ethnic groups (% of population):** Arab 90.3%, Kurds, Armenians, and other 9.7% (*CIA World Factbook*)
- > **Religions (% of population):** Sunni Muslim 74%, other Muslim 16%, Christian 10%, Jewish (tiny communities in Damascus, Al Qamishli, and Aleppo) (*CIA World Factbook*)
- > **Languages (% of population):** Arabic (official); Kurdish, Armenian, Aramaic, Circassian widely understood; French, English somewhat understood (*CIA World Factbook*)
- > **GNI (2006-Atlas):** \$30.33 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$4,110 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 79.6% (male 86.0%, female 73.6%) (2004 census, *CIA World Factbook*)
- > **President or top authority:** President Bashar al-Asad (since July 17, 2000)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 146 private magazines are licensed to publish; Radio: N/A; Television Stations: 3 (1 private, 2 public) (Reuters Foundation's IRIN news service)
- > **Newspaper circulation statistics:** Top paper: *al-Thawra* (circulation 60,000)
- > (Reuters Foundation's IRIN news service).
- > **Broadcast ratings:** N/A
- > **News agencies:** Syrian Arab News Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 1,500,000 (2006 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: SYRIA



### 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.

Note: MSI panelists in Syria agreed to participate only if they were not named publicly. Rather than hold a group discussion that might call attention to panelists' participation in the study, the chapter is based on responses to individual questionnaires and the moderator's individual interviews with the panelists.

## OBJECTIVE 1: FREE SPEECH

### Syria Objective Score: 1.36

Freedom of speech remains highly restricted in Syria, according to MSI panelists. Journalists report that the government maintains a stranglehold over what can be said and that red lines are ever-present. Although the constitution guarantees "the freedom of the press" and states that "every citizen has the right to freely and openly express his views," censorship is endemic, with those crossing red lines subject to investigation and even prison. Journalists, however, do report that because of the Internet and increasing ease of access, more topics are open to public discussion. Panelists scored most indicators relatively close to the overall average, with Indicator 1, legal protections for free speech and the press, the lowest and Indicator 8, media access to foreign news sources, the highest.

Although there are laws guaranteeing the right of free speech, they are widely regarded as nonexistent. "We have media laws to ensure free speech, but in fact they lack any real standard," said a journalist from a government newspaper. "There are laws, but in practice they do not exist."

Journalists say that the government and security agencies strictly enforce the limits of free speech to ensure that the government line is maintained at all times. "Nothing is open; they are always watching you," said a television producer. However, the exact parameters of what is and is not allowed are not always clear. Journalists talk of "red lines," but they remain ill-defined. Among the clearer red lines are the president, the army, and issues related to security or minorities.

As an example, the September 2007 Israeli air strike on Syrian facilities went relatively unreported. Journalists were neither allowed to talk about the subject in detail, nor investigate the matter.

Accordingly, it is felt that journalists, and particularly editors, practice a high level of censorship. "Censorship comes from the editors-in-chief. They apply the red lines given to them by the government, but they overemphasize them to give themselves greater margins," said one reporter, echoing a widely expressed belief.

Major media outlets are mostly government owned. New licensing laws have permitted the establishment of a few independent publications; however, licensing permission remains strict, and ownership is restricted to regime associates. "The government knows about the power of information, so it knows it can't give control to anyone. Private media are controlled by former officials and businessmen with connections to the regime," commented a writer for an independent paper.

Outlets and journalists who cross the red lines face censure from the security agencies who maintain a vigil over public discourse. In May 2007, *Baladna*, an independent newsmagazine, was banned for one week after it printed political cartoons mocking parliamentary elections. Journalists are invited into security service offices where they are questioned and warned not to repeat perceived offenses. Where the crime is deemed more severe, journalists can be imprisoned, as was the case with eight students who were given jail sentences of between five and seven years in June 2007 for Internet articles advocating political reform.

Nonetheless, journalists say the presidency of Al-Assad has seen an opening. "I know many cases where security agencies called journalists in to question them, and where they used to harass us and use violence, now they are very polite with us," said one panelist who writes for opposition news sites. Subjects previously deemed as off-limits can now be broached. "The circle of what you can't talk about is getting smaller. Now we can talk about the prime minister, whereas before we couldn't."

## 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.

Many cite the role of the Internet, banned until 2000, and satellite channels for the opening. "Al-Jazeera and the Internet have pushed the lines because the information gets out so quickly now, which means that we can also cover the stories as well," observed one panelist. However, often it is merely a reactive response, allowing the government to publicize the official lines on matters in the public domain.

While international news is more available because of new technology, domestic news remains tightly controlled. "In law we should be able to access information, but in reality anyone can say no and the government will not give you information," said one panelist. Accordingly, the gathering of information is conducted mostly through informal sources and channels.

There are no barriers to entry into the journalism trade, but employment possibilities remain slim.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Syria Objective Score: 1.58

Professional standards in the media sector are very weak, according to MSI panelists. The government view dictates the editorial line, which impairs objectivity and prevents thorough practices and fair sourcing from being implemented. Journalists censor themselves to meet the government line, predominantly out of fear. Corruption is said to be widespread, with journalists selling favorable articles or coverage because pay rates are so low. Overall, panelists did not rate any indicators noticeably higher or lower than the objective average. Indicator 3, self-censorship, received the lowest score of all indicators, while Indicator 6, news and entertainment balance, received the highest.

"If you want to be a good and independent journalist here in Syria, it is a very bumpy road," commented a writer for an independent newsmagazine.

Practices of objective investigation and analysis are discouraged by a system that demands editorial conformity and punishes those who do not comply. "On government papers, it is very difficult to find objectivity because they represent the government line. There are objective journalists within the system, but the machine kills their objectivity," said one panelist. Another panelist labeled most government-owned media-outlet employees "civil servants who are just there to collect their salaries."

Reporters talk of having their stories altered or dropped because the editorial line did not meet the official position or challenged a person or institution with connections to

the regime. "I was working on an investigative report on a hospital, but the manager had very strong connections with the presidential palace and he called my editor, who dropped the article," said one investigative journalist.

Panelists say fear-induced self-censorship is widely practiced across the profession. "It is well known that every one of us has a police officer inside him," said one panelist, explaining that "there is self-censorship because we don't want to be sacked or questioned by security." Journalists report being pressured by their editors to approach a story in a certain preconceived manner. "Normally, our editor-in-chief pushes us to use certain sources, but we know he has an agenda."

While the media outlets cover most major events, interpretation and analysis are confined to the set official agenda.

Low pay is a further problem that impedes ethical journalistic practices. Journalists do not make much more than \$300 per month, and, according to one observer, "every journalist has more than one job because of bad pay." The result is fear and corruption. "All Syrian journalists are warned about being sacked at any moment and therefore write on the safe side," commented a panelist, while another noted that "some journalists don't write stories unless they receive money. They don't go to conferences unless they are paid."

According to a number of panelists, there is only marginally greater objectivity and ethical practices in some of the newly established independent outlets. They, too, are forced to toe the government editorial line, and, as one panelist commented, "owners of companies massage private media owners and journalists, who become like beggars."

## 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).

Newsgathering and production facilities remain poor and dated in most media outlets, but they are improving as investment is being poured into some of the new private outlets. However, several panelists noted that practical facilities in universities and training centers were particularly weak, meaning that graduates enter the sector ill-equipped. Most journalists do now have access to the Internet.

Quality niche and investigative reporting remains undeveloped. "Investigative journalism is new in Syria. We have some eager reporters, but we are in a difficult situation," said one investigative journalist, pointing to the political pressures that work against serious investigation of political and economic matters. Across the board, panelists did agree that niche reporting on cultural, religious, and historical matters was far more advanced because they are not sensitive topics.

### OBJECTIVE 3: PLURALITY OF NEWS SOURCES

#### Syria Objective Score: 1.24

A wide variety of news sources and views are now available to most Syrians, thanks to satellite television and the Internet. However, domestically, the spectrum remains extremely limited, with the government maintaining a firm grip over the sector and its output. All but two of the indicators scored close to the overall average. The exceptions were Indicator 2, citizen access to the media, which scored nearly a point higher than the average, and Indicator 3, state media reflect the views of the political spectrum, which scored nearly a point lower.

Through satellite television channels such as Al-Jazeera and Al-Arabiya, as well as the Internet, information is now freely disseminated. Although the government tries to block oppositional websites, it is unable to keep up with the flow of new sites and savvy young Syrians increasingly find a way to circumvent technological obstacles. The result is that Syrians have an increasingly well-informed perspective on international events.

According to official figures, nearly 65 percent of Syrian homes have a satellite dish, compared with 18 percent in 2000, and the Internet is becoming increasingly accessible and popular. In the past year, it became possible for private homes to gain Internet access, and Internet cafés have blossomed across the major cities. There are an estimated 1.1 million Internet users across the country.

One of the key elements emerging from the growth of Internet access has been foreign-based opposition sites that critique the regime. "You can now access all information, including oppositional material via the Internet, even if you cannot republish it," said a human-rights activist.

However, while providing a large amount of international news, these news sources do not provide in-depth domestic reporting. Here, Syrians continue to rely on Syrian newspapers and television, which, particularly on political and economic issues, provide only the government line and ignore other views. "It's enough for you to read one paper, as all the others will say the same thing," said one panelist.

There are three government daily newspapers—*Al Bath*, *Tishreen*, and *Al-Thawra*—an independent daily, *al-Watan*, as well as a small number of independent newsmagazines, such as *Abyad wa Aswad*, *Al Iqtissad*, and *Baladna*. Up until recently, state-run Syrian TV was the only television channel that operated; however, it has now been joined by Dunya TV. Syria's first private channel, Sham TV, was shut down in 2006 after being accused of financial irregularities.

Domestic news outlets rely on the Syrian Arab News Agency (SANA) for much of their news, particularly political developments. "In the public arena, the only source of political information is SANA, and if they don't publish it, no one can," said one panelist. However, according to panelists, SANA lacks journalistic objectivity and does not represent a wide spectrum of ideas, restricting itself to the government line. "SANA takes articles directly from the foreign ministry. All the ministries have offices that write the news directly for SANA," commented one panelist.

Panelists reported that Syrian news outlets do not provide a comprehensive picture of domestic events, avoiding debate, controversial political and economic issues, and subjects that might shine a poor light on the authorities. For the most part, headlines and news bulletins focus on the daily

#### 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.

itinerary of the president and leading officials, as opposed to any considered analysis. "Syrian news is not enough to know what's really happening," said one television producer. "When we have news on TV, it's never about Syria: less than 10 percent covers Syrian news."

There is some variety, and opposing views are represented on non-sensitive and localized issues. "For politics and sensitive issues, the newspapers give the same line, but for other issues and local stories, there are differences," said a journalist who contributes to oppositional news sites.

In smaller cities and the countryside, only government publications can be found. Limited selections of international publications are available in the two major cities of Damascus and Aleppo. However, they are censored: pages containing a negative article on Syria are sometimes missing.

Minority issues are a firm no-go area. The Syrian regime, ever fearful of upsetting the delicate balance among different religious and ethnic groups, especially as violent sectarianism has raged in neighboring Iraq and Lebanon, neither tolerates the discussion of minorities nor allows them room for community publications. "We do not write about minority issues, like the Kurds, because these are red-line stories," said one panelist.

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Syria Objective Score: 1.27

MSI panelists gave the Syrian media sector a weak 1.27 for business management, reflecting the fact that revenues, even for independent publications, are largely channeled through the government or regime associates and that business practices and advertising remain hugely inefficient. Most indicators received scores close to the objective score. Slightly ahead of the others was Indicator 4, the ratio of advertising revenue to other income. Trailing the others a bit was Indicator 7, circulation and audience measurement.

All official media outlets—print, television, and radio—receive 100 percent government funding. Other than ensuring editorial complicity with the government line, this has prevented the emergence of efficient and self-sustaining business models. Advertising, normally the main revenue source within the media sector, is almost non-existent within government outlets because the revenue is not needed. "Public media are already sponsored by the government, and so they don't need to look for advertising," commented a panelist, reflecting the view that no one worries about costs or efficiencies because the government covers all losses.

New independent media have much better business practices, with the search for profit and advertising revenues playing

a significant role. The past year has seen even more colorful and glitzy ads seeping into small-scale social magazines in Damascus. Although there are only a small group of advertising agencies in Syria, the number of consumer advertisements is increasing rapidly, even if agreements are mostly struck directly between business and media outlets and leave advertising agencies out of the loop.

Nonetheless, because independent outlets are allowed to be owned and funded only by those close to the regime, private outlets remain quasi-official. Critics complain that independent outlets are merely alternate voices for the government line and that private owners use the outlets as means to gain favor rather than to inform and contribute to the public debate. According to one panelist, "most private media are owned by corrupt people who want to launder money," reflecting the widely held belief that successful businessmen make their fortunes from regime contacts. "If they are not getting money from the government, they are getting it from big businesses that are close to the government through sponsorship or advertising. So if you say the wrong things, you will not get money," judged one panelist who writes for an independent newspaper.

Because advertising remains relatively limited, advertisers maintain huge power over media outlets to the extent that editorial lines will be accommodated to match their interest. "Syriatel advertises in most publications, so it's impossible to do any investigation on the telecommunications industry," said one panelist, an investigative journalist. "So now it's not the power of security forces but the power of money."

According to journalists with independent outlets, the turn toward advertising also has affected the type of stories being produced. "It is difficult to present cultural stories because

## 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.

it's difficult to find sponsors. It's easy for music or religious programs, but there is no support for cultural programs," said a radio producer.

Calculated research, from consumer trends to reliable circulation figures, is not available.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Syria Objective Score: 1.08

According to panelists, institutions that support and train journalists are few in number and lacking in substance. While there is a government-run journalists' union, it is essentially a regime mouthpiece that does not stand up for journalists' rights. Both Indicators 1 and 2, trade and professional associations, scored equally low, more than a half-point lower than the overall objective score. University degree programs and shorter training courses are widely viewed as ineffective; despite this, Indicator 5, short-term and in-service training, was the leading indicator by a noticeable margin.

All the panelists dismissed the state-run journalists' union. "The journalists' union does nothing. It doesn't represent or protect journalists," said a journalist for a government paper. "The union represents the government line; it is just a structure, but it does nothing meaningful."

According to panelists, membership in the union is restricted to those who follow the official line, and even then, the union will not interfere on behalf of its members if they are arrested or face other legal difficulties. "If you are in court, the union rarely interferes. They provide journalists with medical aid and assistance with other economic issues, but not political issues."

#### 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.

"There was a debate discussing imprisoning journalists, and the head of the union supported keeping the law to imprison journalists, asking what would happen if journalists wrote articles destroying the country," commented one panelist.

Domestic organizations and NGOs representing journalists are all banned. Some groups, like the banned National Organization of Human Rights, do advocate for journalists when they face difficulties. For the most part, however, journalists are forced to find their own means of legal representation and support if they encounter problems. "Help only comes through one's own contacts and friends," said one panelist.

Some support, however ineffective, may be provided by foreign organizations. "Journalists depend on foreign organizations, like Amnesty and Reporters without Borders; but even with international pressure no one here is listening," commented a human-rights activist.

Journalistic training in Syria is not advanced. Undergraduate degrees in journalism are available from universities; however, courses are based on Soviet-era textbooks, and practical training and facilities are very limited. According to one panelist, "at the college of journalism you can buy your degree, so it's not about quality."

Short-term training courses in Syria are rare. Newspapers and official organizations do provide some courses, especially within the developing economic field; however, selection for participation is based on contacts. According to one participant, "the training courses are done by old journalists, so there is no dynamism."

Foreign organizations and embassies do occasionally arrange training courses, both in Syria and across the region, but journalists are pressured not to participate in foreign-funded events. "I did a training course in Jordan and was warned not to do it, as it was partly funded by the US, and that's a red line," commented a young journalist on the panel. He was, however, allowed to go, showing that pressure does not mean a complete ban on attending these events.

The government controls all channels of media distribution.

*Note: MSI panelists in Syria agreed to participate only if they were not named publicly. Rather than hold a group discussion that might call attention to panelists' participation in the study, the chapter is based on responses to individual questionnaires and individual interviews with the panelists.*





**GULF**

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*Amid the political controversies that shook the country, the media were visibly affected. According to the MSI panel, Bahrain's overall score declined to 1.63 from the previous year's score of 1.84. Arguably, the main cause of this decline was the volatility the country went through because of the Bandargate report, particularly as press freedom suffered when the Supreme Court banned the press from mentioning the scandal altogether.*



BAHRAIN

# D

Despite being the smallest Arab country in terms of geographical area, Bahrain is one of the most politically active countries in the Middle East. In 2006, the country reached its political climax when competitive elections took place to elect members of the 40-seat Lower House of Parliament, the Chamber of Deputies, and municipalities.

The elections were marred, however, by “Bandargate,” which arose with documents depicting a secret organization of government officials allegedly planning to manipulate the voting process in an attempt to marginalize the Shia opposition. Despite the scandal, the opposition won 18 seats in the parliament, signaling a remarkable turning point after an absence of four years since its boycott of the 2002 elections. The 2006 ballot vote was also historic in electing Bahrain’s first woman to parliament.

Amid the political controversies that shook the country, the media were visibly affected. According to the MSI panel, Bahrain’s overall score declined to 1.63 from the previous year’s score of 1.84. Arguably, the main cause of this decline was the volatility the country went through because of the Bandargate report, particularly as press freedom suffered when the Supreme Court banned the press from mentioning the scandal altogether.

Regional newspapers and magazines that dealt with the Bandargate report were also prevented from entering the country, allowing rumors and speculations to spread frantically. Reporters sans Frontières reported that some journalists who covered the event were blackmailed, and another source revealed that two others were summoned for questioning. The government also filtered some websites that investigated or exposed Bandargate. The inability to access information about the report accounted partly for the decline in the plurality of news objective from 1.73 in 2005 to 1.35, which was the sharpest fall among all objectives.

Another factor behind the decline may have been emergence of cases of corruption in the media during the election campaign. An independent report comprised of hundreds of pages of material that included canceled checks, hotel bills, accounting, financial, and other types of documents sparked a massive controversy in the country. Written by Salah Al-Bandar, 52, a Briton, who used to work as a consultant to the Cabinet Affairs Ministry, the report pointed to unusual business deals among government officials to potentially put the country on the course of ethnic clashes. The report detailed media’s use during the election campaign of reported concerns over payments to journalists and newspapers for the promotion of specific candidates through interviews and news reports. The report also said the regime directly and indirectly used state-owned media to promote pro-government candidates.

Some panelists were more optimistic, hoping that things would be better off if and when a more relaxed press law, which is currently with the new parliament, is passed.

# BAHRAIN AT A GLANCE

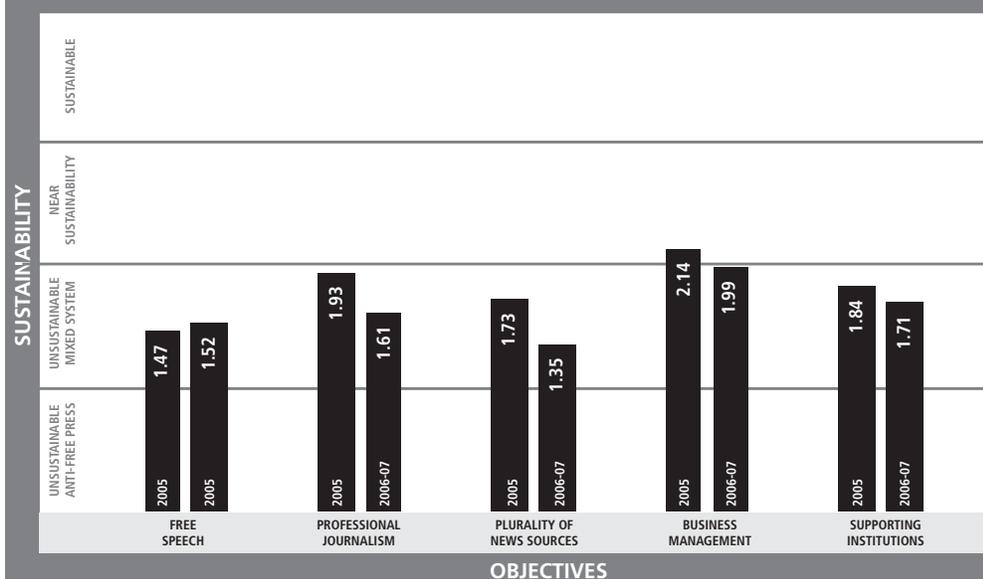
## GENERAL

- > **Population:** 708,573 (includes 235,108 non-nationals) (July 2007 est., *CIA World Factbook*)
- > **Capital city:** Manama
- > **Ethnic groups (% of population):** Bahraini 62.4%, non-Bahraini 37.6% (2001 census, *CIA World Factbook*)
- > **Religions (% of population):** Muslim (Shi'a and Sunni) 81.2%, Christian 9%, other 9.8% (2001 census, *CIA World Factbook*)
- > **Languages (% of population):** Arabic, English, Farsi, Urdu
- > **GNI (2006-Atlas):** \$18.77 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$10,288 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 86.5% (male 88.6%, female 83.6%) (2001 census, *CIA World Factbook*)
- > **President or top authority:** King Hamad bin Isa al-Khalifa (since March 6, 1999)
- > **Next scheduled elections:** Council of Representatives in 2010

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 6 major independent newspapers, 1 radio station beaming six channels with different programming, one TV station with five different channels along with the main satellite channel Bahrain TV (Sources: Arab Press Network [arabpressnetwork.org](http://arabpressnetwork.org), BRTC)
- > **Newspaper circulation statistics:** top three by circulation: *Al-Ayam* daily 36,000 (independent), *Al-Meethaq* 35,000 daily (independent), *Akhbar Al-Khaleej* daily 32,000 (independent)
- > **Broadcast ratings:** N/A
- > **News agencies:** Bahrain News Agency (BNA) (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Significant foreign investment in the media:** None
- > **Internet usage:** 157,300 (2006 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: BAHRAIN



### Unustainable, 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.

### Unustainable Mixed System (1-2):

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

### Near Sustainability (2-3):

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

### Sustainable (3-4):

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

## OBJECTIVE 1: FREEDOM OF SPEECH

### Bahrain Objective Score: 1.52

Along with Kuwait, Bahrain is a country that allows a wide spectrum of political entities and viewpoints. Panelists therefore acknowledged that it was natural for this political spectrum to reflect itself to some extent on the level of freedom of expression, which is relatively high compared with some other countries in the region. Bahrain scored a 1.52 for this objective, little changed from the previous MSI.

The constitution acknowledges the right of freedom of expression, but the laws regulating the press are old and restrictive and require reforms to meet generally accepted international standards. The society also places its own limitations on press freedom because of the population's sectarian and ethnic diversity. Independent broadcast media are nonexistent, but permits have been provided to six independent dailies that must meet stringent requirements, including upfront capital of 1 million Bahraini dinars (US\$3.6 million) for a daily newspaper. Panelists agreed that crimes against journalists are rare but that when reported, authorities do take action.

The legal system equally deals with different media regardless of affiliation, but libel is a criminal offense that could result in a journalist's facing huge fines and imprisonment. Public information is widely available, though a few political websites are censored. Panelists agreed that access to international and local news is easy and entry into the profession of journalism is open to all except for correspondents who work for non-Bahraini media, who require a license that is renewed annually.

Article 23 of Bahrain's constitution clearly affirms the right to information; hence, legal protection does exist, panelists agreed. Furthermore, given that it enjoys a vibrant and politically active opposition, panelists said that Bahrain is comparable to Kuwait, which is far ahead of other Gulf Cooperation Council (GCC) countries in terms of democratic practices. Bahrain's King Hamad bin Isa al-Khalifa has on several occasions pledged to apply reforms that could bring more democracy and freedom to the country. In a speech he made on May 6, 2005, the king presented his vision to allow greater levels of press freedom. Nancy Jamal of Foreign Media Affairs at Bahrain's Ministry of Information said the king meets periodically with editors-in-chief of privately owned newspapers, demonstrating a political will to allow a greater level of liberty. "His Majesty the King said that no journalist, from now on, will be held for his political opinions," Jamal said.

Despite the apparent political will in allowing freedoms, MSI panelists noted that the conditions set by the country's relevant laws confine press freedoms. Law 47 of 2002, which concerns the press, printing, and publishing, contained articles that severely limit freedom of expression. According to this law, journalists can be criminally prosecuted and jailed. They may also be forced to pay huge fines that may be impossible given their limited incomes. Article 68 is one of the most restrictive articles of the press law and states clearly that journalists can be imprisoned or fined for the following: criticizing the religion of the state; inciting crimes in general and crimes that may destabilize the country's security in particular; and inciting attempts to thwart or change the regime. Moreover, the law is associated with Penal Code 15 of 1976, which may bring even more severe punishment to journalists because of their reporting.

The vague phrases in the press law are a source of concern, according to some panelists, who said the country's press law may be interpreted differently and hence used subjectively against journalists. Panelist Abdulhadi Al-Khawaja, a freedom-of-expression activist and former president of the dissolved Bahrain Center for Human Rights, said journalists cannot depend on the law for protection because the judiciary is "not independent." Furthermore, he noted that even when journalists are acquitted in a long, grueling trial, they are not compensated for the mental and financial losses that they are exposed to, creating fear in journalists of being prosecuted regardless of the outcome of the trial. In a specific example, he noted that a journalist was reporting about

## 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.

*Panelist Kamal noted a significant rise in officials' awareness of the need to cooperate with journalists. "There could still be some who may be reluctant in giving information, but from my own experience, I can say this group has become a minority," Kamal said.*

corruption in the Ministry of Electricity but after the ministry attempted to file a lawsuit against him, he had to personally go to the ministry and apologize just to avoid going through painful trial procedures. "Is the judiciary a means of protection or a means of pressure?" Al-Khawaja asked, suggesting that the latter was probably the case.

Citing the press law, the Supreme Court banned reporting or writing about Bandargate, which refers to a conspiracy plot uncovered in September 2006 alleging a plan by senior officials to suppress the Shia majority and manipulate the 2006 parliamentary elections. The 240-page report was issued by the London-based Gulf Centre for Democratic Development, whose general secretary was Sudanese-born British national Dr. Salah Al-Bandar, who used to work as an adviser to Bahrain's Cabinet Affairs Ministry before being deported for operating on behalf of a foreign entity and revealing classified government documents.

When the Supreme Court banned reporting about Bandargate, it cited Article 40 of the 2002 press law, which prohibits the publishing of any information that may affect any trial proceedings. It also cited Article 70, which prohibits the publishing of fabricated news that may disrupt peace or damage the public interest. However, the court interpreted the press law in such a way that makes mentioning "Bandargate" a violation of Articles 40 or 70, which consequently imposes a blanket restriction on all Bahraini media, who could have tackled this issue objectively.

However, panelist Mohamed Fadhel, a writer for *Al-Waqt* and secretary of the Bahraini Journalists Syndicate, said the press law may occasionally protect the journalist. He gave the example of journalist Radhi Al-Musawi, who was acquitted by the judiciary based on the articles of the press law despite the fact that it was the government that filed the lawsuit against him. But Fadhel noted that one of the biggest challenges is the public's awareness of the need to have freedom of expression as a fact of life. As proof of the severity of the problem, Fadhel said, "In the past one and a half years, there were 70 cases filed against journalists... this shows that there

is prior antipathy in the people [against the press]," adding that the majority of those cases were filed by regular citizens.

Panelist Ebrahim Bashmi, Shura Council member and editor-in-chief of *Al-Waqt* independent daily newspaper, agreed to the notion that it is the society that needs to raise its awareness and acceptance of freedom of expression. "Seventy-five percent of the lawsuits were not filed by the executive branch, but by the society against existing journalists," he said. Noting that the state had intentionally given more leeway to practice journalism, panelist Mohamed Al-Ghasra, a journalist for *Al-Watan* daily newspaper, said, "Today, it is the society that does not tolerate the other point of view." Unlike many other panelists, Al-Khawaja defended society's role, noting that when the public rises up to defend its rights through protests or other activities, "a person feels more secure whether he is a journalist or a writer on the Internet."

But panelist Ali Abdulemam, an online journalist and moderator of the *BahrainOnline.org* website, noted the government's role. He pointed out that the 2002 press law approved by the government created in its third article a reference to "electronic newspapers" so as to expand restrictions to the Internet.

Overall, there was consensus among panelists of the need to have a more relaxed press law. In this respect, some reformists in the Shura Council drafted and passed a more tolerant and modern press law, which they hoped the parliament would pass by the end of 2007. Panelist Bashmi, one of the architects of this draft law, said the council's passing of the law was the first step but that it remains to be seen if the parliament will give full and final approval.

From his own experience, Bashmi said some parliamentarians may occasionally prevent necessary reforms in the press. "Parliamentarians, who are supposed to grant the press its freedom, were the ones who buried it in the parliament," he said, adding that there were parliamentarians who called for flogging journalists.

Panelist Essa Ghayeb, a lawyer and representative of the Human Rights Society, said another version of a modern press law was drafted during a number of meetings of concerned stakeholders. Panelist Bashmi wondered whether the law Ghayeb noted would be accepted by legislators and parliamentarians and therefore would remain an ambitious piece of work that may not succeed.

The government does not restrict the right to apply for a print media license, but broadcast media remain under strict state monopoly. Given the tight control of the national television and radio networks, some panelists said the public had somewhat lost confidence in their reporting and that

citizens have shifted to regional and pan-Arab news channels, such as Al-Jazeera and Al-Arabiya.

While the right to apply for a print media license is not restricted, the conditions set forth in the third chapter of the 2002 press law regarding obtaining a license are quite tough. Panelists indicated that the conditions mean that only rich elites, who are mostly close to the government, would qualify to receive the license. Among the conditions is the required capital of 1 million Bahraini dinars (US\$3.6 million) for a daily newspaper. According to panelist Al-Khawaja, this makes it impossible for people of average income to even dream of establishing their own newspaper. Furthermore, only a company of at least five Bahraini investors could apply for a license, making foreign investment in this respect impossible. Apart from all this, Article 44 of the law requires the approval of the cabinet and prime minister, which triggered a dispute among panelists on whether providing licenses represents a form of political influence.

But panelist Bashmi rejected the notion, noting that the law gives the applicant the right to file a lawsuit against the government if the license is not granted. "There were no cases of a rejected applicant who went to the court," Bashmi said.

Some panelists said that the local market is already saturated with the six daily newspapers targeting a population of less than one million. But others rejected this claim, defending the right to have as many newspapers as desired and letting the public choose which ones to read.

When it comes to licensing of electronic media, the government had attempted an unprecedented move a couple of years ago when it issued orders demanding that all news websites and forums operated from Bahrain be licensed by getting a specific registration number from the Ministry of Information. But according to panelist Abdulemam, his website (*BahrainOnline.org*) was among only 80 websites that registered with the Ministry of Information out of about 10,000 websites run from the country. He was of the opinion that the government is trying to control the electronic media but that its ineffective methods mean it cannot currently do so effectively.

Panelists agreed that once a newspaper is granted a license, market entry from that point onward depends on the newspaper's ability to compete for the limited advertising income for such a small country. Some panelists said the required capital is needed to ensure that the media establishment would become strong and competitive and hence afford to pay reasonable salaries, purchase modern, high-quality equipment, and carry out massive advertising campaigns. But because Bahrain is a tax-free country with the most liberal economy in the Middle East, newspapers

find no tax-related challenges. There are, however, some modest import taxes of 5 percent for newsprint and other printing-related products. But panelist Isa Al-Shaiji, editor-in-chief of *Al-Ayam* newspaper and director of the Bahrain Journalists Association, said efforts are being exerted to secure an exemption from those taxes.

When it comes to crimes committed against journalists, all panelists agreed that such crimes are extremely rare and that the authorities act swiftly if such crimes are reported. They noted, however, that it is the obligation of the journalists attacked to contact the authorities and file complaints to the police when they are subjected to attacks, which usually do not go beyond blackmail or threats.

A particular case of blackmail was reported by Paris-based Reporters sans Frontières, which mentioned in its 2006 report that journalists Hussein Mansour of *Al-Mithak* and Mohamed Al-Othman of *Al-Wasat* received anonymous phone threats in October 2006 for mentioning the sensitive Bandargate scandal in their reports.

However, many panelists stressed the rarity of physical or verbal attacks or other conventional crimes. Instead, they indicated that these are substituted by other means of punishment, such as prosecutions, firing from work, and salary cuts. An example was set forth by panelist Batool Al-Sayed, who said that trial proceedings have started against Ahmed Al-Arabi and Mohamed Al-Sawad of *Al-Waqt* for referring to the Bandargate scandal.

But panelists agreed that there was no obvious differential treatment in the court of law because all journalists would be treated equally regardless of their affiliation. Furthermore, the fact that all newspapers are in private hands makes it difficult to judge such preferential treatment, as no comparable cases were reported. According to panelist Bashmi, there were no well-known cases of lawsuits that targeted journalists working for state-owned media, which includes the state-run television and radio and the national Bahrain News Agency. Bashmi added that he did not notice any special treatment against the private media. As an example, he stated that the Ministry of Housing filed a lawsuit against his newspaper but that the attorney general refused to proceed with the case because of its weak foundation.

Libel cases in Bahrain are both a criminal and civil offense and are subject to a fine and potentially other forms of penalties, including imprisonment, although no jail sentences were issued against any journalists. Chapters six and seven of the 2002 press law are concerned with criminal offenses by journalists resulting from libel and other similar offenses. Panelists indicated that actual criminal cases are not needed

to deter journalists from aggressive reporting—the existence of the law itself serves as a deterrent.

Furthermore, according to panelist Bashmi, the Bahraini society is not yet ready to remove the criminal jail penalty from the press law. He argued that if legislators are to suggest canceling the jail penalty for journalists, regular citizens would object to such preferential legal treatment. “Isn’t he who is jailed based on the penal code also a citizen?” he said people would ask. He added that the draft press law he presented to the parliament maintained the status of libel as a criminal offense and kept the prison penalty intact because otherwise the law is not likely to be passed.

On some occasions, however, fines could be even more devastating than short jail terms, according to some panelists. Sometimes a single fine can be as high as 5,000 Bahraini dinars (US\$18,000) based on a single article of the press law. But the fine could easily be multiplied many times if more than one law is used for prosecution. Panelist Mohamed Sami Kamal, the correspondent for *Al-Ahram* Egyptian daily, said he was subjected to a libel lawsuit and had to pay the fine in installments for five successive years.

Journalists in Bahrain generally suffer from the lack of cooperative sources willing to provide crucial information for certain journalistic reports, some panelists noted. But other panelists underlined a significant positive transformation in terms of respecting journalists in official circles and cooperating willingly with journalists to find proper sources for sought-after information. They said this transformation was partly due to Article 31 of the 2002 press law, which granted journalists the right to access information from its sources. But all panelists agreed that laws that grant the right to access information are vague and need to be improved. Panelist Al-Khawaja had even revealed that there is a ministerial decree prohibiting ministry officials from providing information. “Hence, there is a decree that does the total opposite,” he said.

Because there is no way to compel officials to provide information, newspapers started to develop ways to persuade sources to cooperate. Panelist Bashmi said private newspapers need to occasionally appeal to ministers by publishing their illustrated positive news just to ensure that they would be responsive when approached for future interviews. Bashmi noted that this applies to any other source because when a person “finds his photograph and statement published in a newspaper, whenever he finds news, he would directly call the newspaper,” he said.

Panelist Kamal noted a significant rise in officials’ awareness of the need to cooperate with journalists. “There could still

be some who may be reluctant in giving information, but from my own experience, I can say this group has become a minority,” Kamal said.

Panelists agreed that journalists can easily access international news sources. On certain occasions, however, some publications may be banned from distribution in the country if they were assessed by the authorities to have violated the country’s laws. Similarly, the Internet is accessible, except for a few cases in which the government bans some political websites, such as *BahrainOnline.org*. The website’s moderator and MSI panelist, Abdulemam, was arrested and jailed in early 2005 and was subjected to charges that included defaming the king, inciting hatred against the regime, publishing information to undermine the country’s security, and violating the press and communications laws.

Abdulemam said his website is blocked based on the press law, which he said is supposed to be inapplicable to websites. Furthermore and according to the Bahrain Center for Human Rights, whose website itself is banned, at least 22 political or religious websites have been blocked by the Ministry of Information. However, many Bahrainis learned alternative methods to access filtered websites (e.g., using proxy websites).

Entering the journalism profession, however, is granted to all except foreign correspondents, panelists said. Though the majority of panelists viewed this positively, Kamal, the correspondent for *Al-Ahram* Egyptian daily, said that not having any restrictions or conditions for entry into the profession had resulted in a mix-up where journalists without any credentials may work alongside professional journalists with tens of years of experience. As for the restrictions on foreign correspondents, panelist Al-Shaiji said the Bahraini Journalists Association requested the removal of the condition of prior licenses for correspondents.

Panelist Zainab Abdulnabi, who is the correspondent for the Tehran-based *Al-Alam* television channel, complained of the restrictions imposed in licensing for foreign correspondents. She said the government applies double standards in dealing with licenses for correspondents. “A license could be given to the Abu Dhabi channel but not to the *Al-Alam* channel. There could be a license for the *Al-Jazeera* channel on the condition that the Ministry of Information appoints the correspondent,” she said.

Restrictive licensing and pressure on foreign correspondents have significantly affected the neutrality of foreign correspondents, according to Al-Sayed, who works as a reporter for *Al-Ayam* daily. “Most, if not all, correspondents are close to the governmental line, not the opposition,” she said. Panelist Fadhel added that the press law failed

to mention any right to file a petition to the court if an application for a license was rejected.

Furthermore, some panelists complained about restrictions imposed on journalists in the form of compulsory licenses to cover specific events or take photographs of certain buildings and areas. "There are reports for which you can't even apply for a license because their coverage is forbidden," panelist Abdulnabi said.

Direct interference from the authorities in appointing correspondents has also been a major concern, according to Abbas Busafwan, a Manama-based freelance journalist. "The Al-Jazeera channel called me once asking for an interview, and then they said, 'OK.' Upon my return, Al-Jazeera called me, saying, 'Our apologies—there was a veto from the government.'"

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Bahrain Objective Score: 1.61

Panelists strongly agreed that journalistic standards in the country have deteriorated and have not kept up with the country's development needs. The objective scored a 1.61, noticeably lower than 2005's score of 1.93. Journalists do not adequately cover issues from various perspectives and lack the knowledge and skills to gather information from different sources. Though there is no standard code of ethics in Bahrain, journalists usually abide by their own standards and individual perceptions. However, there are efforts to create a common code of ethics. Panelists agreed that the strict press law contributed to raising the level of self-censorship in journalists and publishers alike, preventing the media from reporting critically on some sensitive issues. Furthermore, journalists still need guidance in identifying the most important issues and events to cover and need training in how to cover them.

Panelists noted that journalists' wages were relatively low, compared with other posts, but were still high enough to prevent corruption. Panelists agreed that entertainment programming is within acceptable limits, compared with news and other reports. They also agreed that Bahrain enjoys a wealth of technical facilities and equipment that allows the media to operate smoothly. Even though Bahrain's media do occasionally establish various niche programming in the form of supplements and magazines, journalists covering such specific fields and topics need to be trained.

Bahraini journalists are generally active and engaged in political and social reports covering various local issues.

However, many journalists who are politically engaged occasionally allow their personal convictions and affiliations to affect their professionalism, some panelists said. It is often the case that journalists cover a specific issue from a limited perspective either due to their affiliation, self-censorship, restrictions, or just due to negligence or lack of the necessary skills.

Panelist Al-Sayed acknowledged that most journalists may report in favor of a specific editorial line based on political, ideological, or sectarian factors. However, other panelists emphasized the need not to generalize, noting that there is a minority composed of qualified journalists who aspire to achieve the maximum levels of professionalism. Panelist Mahdi Rabea, a journalist for *Al-Ayam* daily, said some journalists working for *Al-Waqt* seem to be following professional guidelines and resisting pressure to be biased in favor of any side.

In terms of journalistic ethical standards, a substantial number of journalists do follow broad ethical guidelines but do not have a formal code of ethics. According to panelist Al-Shaiji, the Bahrain Journalists Association is striving to issue a standard Code of Ethics by the end of 2007. But some panelists noted that establishing a common code of ethics is not the highest priority for journalists, who are more concerned about changing the press law. Sometimes, however, external pressure or temptations cause journalists to abandon their principles and drift away from their ethical convictions, some panelists said. During the 2006 parliamentary elections, for example, there were reports of clear violations of journalistic ethics when journalists received "gifts" and reported in favor of some candidates or political

## 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).

groups. Other journalists abandoned their professional obligations in presenting all points of view in the hope of promoting the newspaper's political line.

Panelists agreed that the country's strict press law has played a significant role in maintaining a high level of self-censorship in the media community. For example, journalists do not believe the law protects them from harsh penalties resulting from writing critically about issues of concern to the public. Meanwhile, publishers fear the backlash on their businesses if they tackle specific sensitive issues. The 2002 press law specifically lists taboo issues that could lead to prosecution, such as criticism of the royal family. This has caused many journalists to think twice before writing about an issue related to the prime minister, king, or crown prince. Panelist Jalal Fairouz, a member of parliament, recalled a case when a journalist asked a question in a conference regarding real-estate properties owned by Prime Minister Khalifa bin Salman al-Khalifa. "A couple of days later, this journalist was sacked from his post," Fairouz said.

Panelist Busafwan noted that the situation after the 2006 elections had worsened for journalists in terms of self-censorship because of the emergence of a strong opposition bloc that is hostile to critical reporting against it. He argued that before the elections, journalists didn't dare to criticize the regime, but since the opposition won about half of the seats in the parliamentary elections, journalists are refraining from critically reporting about this opposition bloc (Al-Wefaq), the largest single parliamentary bloc. "If I criticize Al-Wefaq, it will not give me any future statements," Busafwan said.

On the other hand, Jamal of the Ministry of Information noted that the degree of self-censorship in journalists remains within acceptable limits, which consequently does not prevent writers from writing freely.

When it comes to self-censorship among publishers, the picture does not get any brighter. Panelist Bashmi, who publishes *Al-Waqt*, said there are times when publishers are forced to practice self-censorship for the good of their establishment. Bashmi said he would not publish an unedited critical opinion piece, for example, targeting Sheikh Isa Qassim, who is a senior leader of the Shia sect in Bahrain. He noted that if not properly edited to remove inflammatory language and sensitive words, the article may result in direct confrontation with the whole Shia sect in Bahrain. "You could publish one article that could result in closure of the newspaper," Bashmi said, stressing the importance of self-censorship in securing the continuity of the newspaper.

Apart from the damage that may be caused to the establishment and its operations, Article 72 of the 2002 press

law states that libel crimes should also lead to the prosecution of the editor-in-chief as well as the writer of the story.

Panelist Ghayeb added that the conservative and religious nature of large segments of the Bahraini society only confirms the inevitability of self-censorship. "A religious leader may call for the boycott of a specific newspaper or even call for staging a sit-in or protest in front of a particular paper," he said. Confirming the religious and sectarian sensitivity in Bahrain, panelist Fadhel noted that he had been reviewing an interview the other day and said that if he had published the interview as it was, "there would be a sectarian war in Bahrain tomorrow."

Panelist Abdulemam emphasized the commercial factors behind self-censorship when recalling a prominent newspaper editor's warning to his journalists not to write critically about three major Bahraini companies because "I'm deriving your salaries from those companies."

Journalists in Bahrain do strive to cover local news adequately. But they often fail to mark what is most significant for the public and are usually driven by directions from their editors and immediate supervisors when covering various issues. Part of the problem, panelist Bashmi noted, is the lack of a supervisor and trainer who should acquaint fresh journalists with the work environment and inform them of the needs of the readers and public at large. Panelist Fadhel, who also trains journalism students, noted that most nationals who worked in the press remain in the field of journalism for an average of just four years. He argued that such a period is not enough to develop the professional skills necessary to be highly qualified journalists. "The lack of professionalism is the weakest point of Bahrain's media," he said.

Panelist Bashmi added that most young journalists view their work as a temporary and insecure arrangement and immediately leave for posts with higher salaries when the opportunity arrives. Well-known and longtime columnists and veteran journalists are an exception when it comes to wages, as they receive high salaries for limited working hours compared with young journalists.

Panelists agreed that one of the factors behind the poor proficiency level of most journalists is the low monthly wages they are offered, which are about 350 Bahraini dinars (US\$1,250) on average. Newspaper management often gives a high priority to profit and a low priority to journalists' well-being in terms of salaries, health insurance, qualifications, training, etc. Despite a relative increase in wages in the past few years due to competition among newspapers, wages remain unattractive in comparison with many other fields. This encourages journalists to seek other jobs to generate extra income.

In some cases, journalists may end up receiving bribes in return for publishing or not publishing specific stories. The 2006 parliamentary elections stood as evidence of an alarming level of corruption among journalists. This prompted the Bahraini Journalism Association to issue a press release in October 2006 expressing its concern about cases in which journalists and newspapers received funds to carry out and publish interviews and news articles promoting specific candidates without referring to such material as “advertisements.” But panelist Kamal believes that low levels of personal integrity and ethics in some journalists—not the level of pay—is the crucial factor behind corruption among journalists.

Most panelists agreed that low wages and the neglect of training for journalists by their papers may have had negative, long-reaching consequences on the level of journalism in the past three decades. “Newspaper administrations throughout the past 25 years are responsible for the decline of the standard of journalism in Bahrain,” panelist Fadhel contended.

Panelists agreed that news and informative reporting is more dominant than entertainment content in the Bahraini media, particularly in newspapers. However, they also noted a growing desire by the public for more entertainment sections, possibly as a break from the many politically charged news items and columns that they often find in the local press.

Bahrain is a relatively rich country, so it is natural to conclude that the media generally enjoy high-standard, professional equipment, such as digital cameras, computers, and other technological equipment. *Al-Ayam* daily was often criticized for the slow pace of modernization in its equipment. But its editor-in-chief, Al-Shaiji, said the newspaper will be moving in 2007 to a new state-of-the-art building where all the technical facilities will be provided to raise the overall standards of the newspaper and to allow it to compete more vigorously for a bigger share in the country’s limited market.

Panelists acknowledged an increase in the number of specialized publications with niche reporting in specialties such as fashion, vehicles, etc. Furthermore, most daily newspapers regularly publish supplements dealing with various subjects such as sports, family, kids, health, etc. However, panelists Al-Sayed and Ghayeb noted that despite the high technical features of such supplements, cadres that work on them are still not specialized in their theme topics. “The editor of the economic supplement today may become the editor of the sports section the next day,” Ghayeb said. Other panelists noted that because the main objective of those supplements is making a profit, newspapers seem to focus more on money rather than on the editorial quality of the product.

## OBJECTIVE 3: PLURALITY OF NEWS SOURCES

### Bahrain Objective Score: 1.35

The Bandargate scandal and the aftermath, which witnessed a ban by the Supreme Court on dealing with this issue, resulted in a decline in reliable news available to the public. This resulted in a serious blow to the rating of this objective, which received a modest score of 1.35—a serious decline from last year’s score of 1.76. Being a geographically small country with a population of about 700,000, Bahrain enjoys a wealth of news sources that cover local news extensively. In fact, some panelists believe that the country is too small to have as many as six local newspapers. With an average income exceeding US\$18,000, Bahrain’s citizens can easily afford all sorts of media. The high income levels and the granted freedom to access local and international news made it possible for the public to access a vast amount of information, particularly through the Internet, which has a very high penetration ratio. Though programs on state-owned media have witnessed a steady rise in representing the various political views, such coverage remains well below aspired levels, panelists said.

However, the lack of independent news agencies and broadcast media has been strongly emphasized by some panelists, who said that such a monopoly resulted in leaving out voices of opposition movements that should be heard. Panelists acknowledged a minimum level of transparency in the country in terms of the ability to learn about the shareholders of the various media organs, which would allow

## 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.

*“Bahrain allows for relatively unfettered access to the Internet, especially compared with its neighbors.” Even in cases of filtered websites, many citizens found ways to overcome the blockade.*

the public to better judge the objectivity of those media. The fact that Bahraini society comprises various sectarian and ethnic groups with affiliations to different political blocs makes reporting on the different groups a major challenge to the media. Some panelists believe there is sufficient coverage of minorities.

The limited geographical area of 665 square kilometers and a population of about 709,000, of whom only two-thirds are nationals, makes access to news and information in Bahrain relatively easy. Local news is widely reported in the local press. Journalists, who are mostly based in the capital Manama and Muharraq, have easy access to various sources.

A per-capita gross national income of \$18,770 (purchasing power parity) and a literacy level approaching 90 percent make it possible for the public to access the six Arabic (*Al-Ayam, Al-Meethaq, Al-Wasat, Al-Watan, Al-Waqt, Akhbar Al-Khaleej*) and two English (*Gulf News Daily* and *Bahrain Tribune*) daily newspapers plus many locally produced periodicals. In terms of Internet penetration, more than 20 percent of residents in Bahrain have access to the Internet, placing it third to the United Arab Emirates and Qatar among all Arab countries. This explains the increasingly dominant position of the Internet as a primary source of information, particularly for the young population. The broadcast media, represented by one television and one radio station, remain monopolized by the state. But most residents have access to Arab satellite television channels, some of which have correspondents operating in Bahrain. However, these are pan-Arab channels, and coverage of Bahraini issues is minimal and focused on major events.

Panelists said the country's main Internet Service Provider, Batelco, blocked access to several political websites that may include criticism of the regime or royal family members. Nevertheless, the Open Net Initiative, which monitors Internet filtering in a number of countries, acknowledged that “Bahrain allows for relatively unfettered access to the Internet, especially compared with its neighbors.” Even in cases of filtered websites, many citizens found ways to overcome the blockade. According to panelist Abdulemam, whose website *BahrainOnline.org* is itself filtered, Batelco

purchased expensive software solutions to prevent users from using alternative methods to access blocked websites.

Panelists noted, however, that the press law has been applied to censor imported publications, which are reviewed for any objectionable content and banned from entry to the country if they contain what is deemed to be in violation of the law.

State-owned media in Bahrain do not adequately provide a voice to all politically and socially active representatives of the community, some panelists suggested. Panelist Abdulnabi said “neutrality [in the state-media] is almost nonexistent.” Meanwhile, some panelists acknowledged a trend in which those media are gradually allowing more diverse political views to be present. Panelist Kamal noted that increasingly, there are television talk-show programs that discuss sensitive and politically controversial issues. “Today, when a protest erupts and security attacks, talk shows do cover those events openly,” he said.

But even though television, radio, and the country's only news agency, Bahrain News Agency, are officially the only state-owned media in the country, panelists agreed that there certainly is governmental influence on most, if not all, private newspapers. Private newspapers do rely on the agency frequently, particularly for news related to government activities. Although the agency does cover nonpolitical news, panelists agreed that all coverage—whether political or not—is bound to not shed bad light on the government in any way. Panelists have not indicated, however, that the agency provides any substantial coverage about nonpolitical news or reports. Some panelists noted that newspapers rely more heavily themselves on investigative stories and coverage of nonpolitical events.

Dr. Abdulaziz Abul, an independent parliamentarian, noted that there is a crisis in the media in general, including the private media, in terms of independent reporting. “Therefore, we see that newspapers don't usually cover crucial matters, particularly the issue of corruption,” he said. Even though panelists did not fully agree on which daily newspapers are closest to the regime, there was consensus that some newspapers are more neutral than others. Panelist Al-Khawaja said that among private newspapers, the dailies *Akhbar Al-Khaleej* and *Al-Watan* represent one political and sectarian segment, while other newspapers represent other groups. “This is clear evidence of lack of professionalism,” Al-Khawaja said.

The press law in the country needs to be changed to regulate broadcast media and news agency services. However, most panelists agreed that such a move would

require a political will from the highest level as well as from the parliament.

Article 54 of the 2002 press law compels each newspaper to print the name of the owner and editor-in-chief in a visible location. However, because newspapers are usually owned by companies, only the name of the company is printed and not the names of the shareholders. Panelists agreed that information about owners of private media is accessible for those who seek it. Panelist Fadhel said a few years ago that the government enhanced transparency by implementing a system in which details of shareholders of each registered company are stored digitally. Access to this information through the website of the Ministry of Trade is open to the public.

But some panelists found it necessary to point out that it may prove a challenge for regular citizens to learn about the owners without guidance. On the other hand, not all those who know the owners may be able to predict the political inclination of the relevant media. Panelist Al-Khawaja said daily newspapers' political and ideological affiliations are often subject to rumors and speculations.

In terms of social, ethnic, and religious diversity, Bahrain is one of the richest GCC countries in this respect because it is home to a community of complex and mixed roots, cultures, sects, and ethnicities. Some panelists even suggested that Bahrain is a melting pot that contains immigrants from various parts of the region and the world. Citizens of non-Arabic origin along with first- or second-generation nationalized immigrants constitute a significant portion of the population and have their own customs and traditions.

Panelist Al-Khawaja noted, however, that media coverage of issues related to ethnicity, sect, or religion is rare due to the sensitivity of this issue. Some panelists noted that provocative reporting about a specific segment of the community may result in deadly confrontations on the ground. Therefore, media tend to avoid dealing with such issues unless they are thought to have no potential negative impact on the country's stability.

Panelist Abdulemam said the media tend to avoid dealing with serious ethnic and sectarian injustices in Bahrain. He specifically noted Bahrainis of Iranian origin and said they do not enjoy the same level of publicity in the press compared with other Bahrainis. Maintaining this delicate balance is what makes journalists and publishers practice extreme caution and self-censorship. No agreement was reached among panelists on how to deal with the ethnic and sectarian dimension of Bahrain's media scene.

*The press law in the country needs to be changed to regulate broadcast media and news agency services. However, most panelists agreed that such a move would require a political will from the highest level as well as from the parliament.*

But panelists did agree that expatriates, who form a third of the population, are an integral part of Bahraini demography and hence deserve more adequate coverage of their communities. There are non-Muslim minorities who belong to various faiths and ethnicities. Minorities in the country are represented by the Shura Council. According to Jamal of Foreign Media Affairs at Bahrain's Ministry of Information, the current council composition includes 10 women, some of whom were appointed to represent minority religious and ethnic groups in the country, including one representing Jews and another representing Christians. Jamal also noted that Nancy Elly Khedouri, a prominent Bahraini Jew, recently wrote a book about the origins and traditions of Bahraini Jews. Her book received significant press coverage in the local media.

Panelists noted that expatriates from the Indian subcontinent and Southeast Asia can find news about their communities and countries in the two English-language daily newspapers *Bahraini Tribune* and *Gulf Daily News*. Those groups can also access satellite television through a number of regional and international networks, which provide news and entertainment programming.

However, panelist Kamal noted that the government had allowed foreign newspapers, such as Cairo-based *Al-Ahram* daily, to print, sell, and distribute in the country without any censorship. "We aren't the only newspaper... There are Filipino, Hindi, Sudanese..." and other newspapers that are allowed to be printed and distributed locally, Kamal said.

It should be noted that Objective 3 (plurality of news sources) must have been affected by the Bandargate scandal. It was a case that shook the whole Bahraini community and particularly the press, which at one time was eager to cover the implications of the issue but was stopped short by Supreme Court orders that considered talking about it in public a crime. Although panelists have not raised the case in the discussion for understandable reasons, the authorities' suppression of journalists inclined to report about such a vital issue is subjectively viewed as a negative factor that decreased the plurality of available news sources.

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Bahrain Objective Score: 1.99

As is the case with other GCC countries, Bahrain enjoys an economically viable and strong media scene, with most newspapers generating decent income from advertising and those who have printing presses generating income from printing for others. Though the economy has prospered in recent years, this did not reflect positively on the income of newspapers due to an increase in competition after the emergence of the new publications. MSI panelists reflected this concern by giving this objective a score of 1.99, a slight drop from last year's rating of 2.14.

Because of low circulation figures due to the country's small population, sales and subscriptions fall way behind advertisement revenues, making competition among dailies even tenser. On the other hand, advertising agencies do rely heavily on advertising for their clients in the national media, particularly in daily newspapers.

Fierce competition among newspapers has resulted in higher overall quality in design and printing but does not necessarily reflect on editorial quality, which may in part explain the low circulation figures for most dailies. Because no governmental subsidy is given to the private media, newspapers have developed aggressive income-generating methods and occasionally have relied on external market-research bodies that could help them rise above the competitors. But Bahrain lacks verifiable circulation and printing figures for newspapers. The lack of such numbers occasionally results in parallel statements of some dailies that claim to be the most widely read, confusing both advertisers and readers.

#### 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.

Most panelists argued that most of those who establish newspapers did so with the main objective of generating profit. They acknowledged that in general terms, some private newspapers are able to sustain themselves and generate extra profit. Even though Bahrain was ranked as the fastest-growing economy in the Arab world in 2006 and the freest economy in the Middle East, this economic activity has yet to fully develop the advertising market to serve the needs of a growing newspaper industry. As more newspapers emerged in recent years, competition over the limited income from advertising created more challenges for their management. Panelist Kamal said two newspapers may be on their way to declaring bankruptcy because of excessive competition for limited advertising income.

Although most panelists agreed that general management practices in the official media are not well established in the governmental press, they could not generalize the contrary to the private press. Panelists noted that some newspapers seem to be managed better than others. But in general, human resources are not wisely used when it comes to the journalism profession. Some panelists noted that sales and management personnel seem to be getting more attention than journalists. MSI panelists did not come up with a conclusive statement on whether newspapers have effective business plans. Some panelists argued that although newspapers with a higher circulation seem to be managed better commercially and sales-wise, they are not necessarily the best in terms of journalistic standards.

Panelist Rabea added that already there are signs of newspapers that are losing. "Some failed establishments in Bahrain were on the verge of bankruptcy and were supported by the government with loans and contributions," he said. Other panelists agreed that some well-established newspapers are successfully run and are generating profit. But some panelists suggested that it could take substantial time before a newly established newspaper could recover its initial investment and start generating profit. Furthermore, there was also a consensus that the market may be too small to accommodate any more daily Arabic newspapers, particularly as some older newspapers have been affected when they had to share the advertisement income with newcomers.

Furthermore, given that the country's population is quite small, panelists expected daily newspapers to have small circulation figures, which makes income from sales and subscriptions relatively low. For daily newspapers that have their own printing units, extra income is generated from printing external publications. But even then, panelists identified advertising revenues as the main source of income that outmatches all others. Panelist Ghayeb noted that the government is a major advertiser, allocating an annual sum of

about 5 million Bahraini dinars (US\$18 million) in the form of advertisements in the printed media.

Advertising agencies in Bahrain are active and represent a wide variety of local and international brands and companies. International companies allocate significant budgets for advertising their brands in the local market through the agencies, which distribute advertising material to the different media outlets. Newspapers do carry the bulk of the advertising campaigns, though agencies are also active in outdoor advertising.

However, all panelists agreed that newspapers depend solely on advertising income for survival. Panelist Fadhel went further to assert that advertisement revenues constitute almost 100 percent of the income, hinting that income from other streams is less than 0.5 percent. Hence, newspapers are able to form strong links with advertising agencies and companies to maintain a steady flow of advertisements all year round. Panelists agreed that advertising content falls within the reasonable limits that do not usually exceed 40 percent, allowing 60 percent or more for editorial and news content.

Panelists agreed that no subsidies are provided to the private media in Bahrain. However, some newspapers may receive indirect support from the government. Panelist Fadhel gave the example of *Al-Ayam* newspaper, whose old building was bought with a loan from a commercial bank based on a governmental guarantee. He also added that the state may occasionally use advertisements as a means of pressure and persuasion.

Due to growing competition in the past few years, market research has become increasingly common in the local media industry. With daily private newspapers struggling to increase their sales and expand their outreach, private companies are hired to carry out specific market studies that have generally succeeded in increasing sales and popularity. Panelists expect that in order to survive, dailies will probably be forced to do more scientific field research and studies to beat the fierce competition.

Information about circulation figures for printed media and audience statistics for broadcast media are virtually nonexistent. Daily-newspaper owners occasionally give statements claiming that they are the highest in readership and/or outreach. But as there are no independent or even governmental institutions to verify those figures, those numbers are taken at face value. And occasionally, it is the advertising companies that do their own research before deciding on where and for how much they would advertise in the different newspapers. Panelist Fadhel expected that the highest-circulating newspaper would be printing about 10,000 copies per edition.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Bahrain Objective Score: 1.71

As expected in a politically vibrant country, the role of supporting institutions in Bahrain is quite significant. Though there are no formal trade associations dealing with media owners and publishers, coordination and alliances among some media owners are not uncommon. The failure to merge the Bahrain Journalism Association with the Bahrain Journalism Syndicate has somewhat frustrated the journalism community. Stagnancy in this objective led to a nominal decline in score from 1.84 last year to 1.71 in 2006. On the other hand, nongovernmental and grassroots organizations have somewhat compensated by actively promoting freedom of expression regularly.

In terms of academic education for journalists, panelists gave poor ratings to the academic programs currently provided in Bahrain's universities. They did, however, reflect a brighter image of some short-term training programs that targeted journalists in the country. Such programs are usually carried out by NGOs with funding from abroad. But panelists also partly blamed the restrictive working environment and faulted journalists for not fully using such opportunities to improve their skills. But there was consensus that printing units and companies importing newsprint and printing material were in private hands and out of governmental control. They also agreed that sale and distribution points are not controlled, as each media institution is free to sell and distribute its product throughout the country without prior permission.

Despite the fact that there are only six private media institutions printing eight daily newspapers (two in English

#### 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.

and six in Arabic), no trade association or formal body has formed to represent media owners or publishers. Part of the reason behind that is the excessive competition between rival newspaper owners and the limited scope to operate. Panelist Fadhel noted, however, that in the past couple of years, alliances were formed to standardize the rate of advertisements. Publicly, there have been no efforts to establish such an association. But panelist Al-Shaiji said that when urgent matters that concern newspapers come up, newspaper owners contact each other and coordinate a meeting to take important decisions. "We sometimes coordinate by phone," he said.

But panelist Al-Khawaja said that printing-press owners, some of whom print newspapers, coordinated under the umbrella of the Chamber of Trade and were able to force the Ministry of Labor to abandon a measure that it had been planning to implement concerning printing presses.

Meanwhile, the Bahrain Journalists Association, according to its director and panelist Al-Shaiji, is an institution that had helped journalists defend themselves in courts by appointing lawyers to all who needed one and providing free legal consultation. But panelist Al-Khawaja explained that the association is not professional in the real sense but is rather a "private association, whose legal frame is basically weak and was established with the interference of the state." He argued that the proper alternative to the association should have been a syndicate.

Efforts to formally establish the Bahraini Journalists Syndicate have been going on for many years. However, as an agreement to merge the syndicate with the association has yet to be reached, the long delay may have hampered the activities of the syndicate.

Panelist Fadhel, who is also the syndicate's general secretary, admitted that both the association and the syndicate still have a long way to go before being effective advocacy organizations that journalists could rely on. He indicated that an initiative was proposed to sign agreements, with all newspapers to refrain from firing journalists before consulting the syndicate to reach mutual agreements that could protect the rights of both parties. But among all newspapers, only *Al-Wasat* signed the agreement.

Fadhel said the challenge is to move from the artificial measures in the form of press releases and so on to practical approaches that involve mediation and solving problems that journalists may face in their work environment or in the court of law.

Panelist Al-Sayed said the Bahraini Journalists Association also suffers from a deficiency in providing training to

journalists and keeping them updated about the latest technical and practical means that would help them improve in their profession. Another complaint came from panelist Abdulemam, who said that the association did not react when he was detained in 2005. He said the association did not even consider him a journalist and hence ignored his case altogether while support for him had ironically come from an advocacy group across the Atlantic. "What helped release me from detention was a statement coming from the Committee to Protect Journalists in the USA," he said.

Meanwhile, panelist Kamal said he worked on establishing an entity for another purpose. Two years ago, he and other correspondents launched the Correspondents Club, a body that brought about 40 correspondents together to share experiences in a social and friendly environment. However, he stressed that the club is not a professional entity and hence does not substitute for the Bahrain Journalists Association.

Panelists highly praised the role of NGOs in defending press freedom in Bahrain. They noted that local NGOs remain active in coordinating with regional and international NGOs and advocacy groups to promote press freedom in the country. Among the NGOs that have been engaged with the press was the Bahrain Center for Human Rights, which the government dissolved in 2004, and the Bahrain Human Rights Society. Panelist Ghayeb of the Bahrain Human Rights Society said the society trained journalists and lawyers on means to protect journalists' rights based on the current laws. He also mentioned a recent workshop that discussed potential amendments to the 2002 press law to make it more compatible with international standards. Panelist Al-Khawaja, founder of the Bahrain Center for Human Rights, said the center had organized peaceful protest activities in 2003 and 2005 for cases regarding the closure of electronic websites and detention of online moderators and contributors.

Academic education in the field of journalism in Bahrain could be improved, MSI panelists noted. The country's sole bachelor degree in journalism and public relations is provided by the state-owned university in Bahrain's Media, Tourism, and Arts Department at the Faculty of Arts. Panelist Abdulnabi, who graduated from Bahrain University's journalism department, defended the journalism program at the university and said that the student is to blame if he or she fails to develop the necessary skills to excel in the working environment. Abdulnabi added that the university has constantly provided students with practical training sessions to help them become acquainted with their future jobs and to complement the theoretical studies that they learn in class.

Panelist Al-Khawaja said many of the fresh graduates demonstrate poor skills in their work, pointing to a deficiency

in the academic system. Panelist Fadhel said the educational system as a whole was flawed when it did not ensure that journalism students learn proper English. "Any journalist must at least know two languages," he said. Furthermore, although the curriculum is composed of courses involving traditional media, new media, and computer-mediated communication, some panelists criticized the program's deficiency in practical training.

To compensate for any deficiencies in the academic education, panelists agreed that short-term training is needed. Frequent training workshops are held by various institutions, including some by daily newspapers that provide short-term training to their staffers. NGOs may also carry out specialized training sessions in specific themes related to the media. Some panelists, however, were critical of journalists in general for not actively seizing frequent training opportunities. Panelist Al-Khawaja, who himself is a trainer, said he could not figure out why journalists, among all other professionals, were constantly irregular in their attendance of classes and sessions.

Because the Bahraini government had applied a liberal market approach, printing units along with printing material and newsprint are in private hands without any direct control or restrictions imposed by the authorities. Similarly, the distribution and sale of newspapers are unrestricted, as publishers have the right to sell and distribute their editions freely. However, panelist Al-Shaiji of *Al-Ayam* daily said the government issued orders forbidding the sale of newspapers at street crossroads for safety reasons.

On the other hand, broadcast technology and Internet service both remain under the monopoly and control of the state.

## Panel Participants

**Abbas Busafwan**, freelance journalist, Manama

**Abdulahdi Al-Khawaja**, director, Bahrain Center for Human Rights, Manama

**Ali Abdulemam**, moderator, Bahrain Online (bahrainonline.org), Manama

**Batool Al-Sayed**, journalist, *Al-Ayam*, Manama

**Dr. Abdulaziz Abul**, member, Council of Representatives (Parliament), Manama

**Ebrahim Bashmi**, Editor-in-Chief, *Al-Waqt*, Manama

**Essa Ghayeb**, lawyer and activist, Human Rights Society, Manama

**Isa Al-Shaiji**, editor-in-chief, *Al-Ayam*, Manama [also the director of the Bahrain Journalists Association]

**Jalal Fairooz**, member, Council of Representatives (Parliament), Manama

**Mahdi Rabea**, journalist, *Al-Ayam*, Manama

**Mohamed Al-Ghasra**, journalist, *Al-Watan*, Manama

**Mohamed Fadhel**, writer and consultant, *Al-Waqt*, Al-Manama

**Mohamed Sami Kamal**, correspondent, *Al-Ahram*, Manama

**Zainab Abdulnabi**, correspondent, *Al-Alam*, Manama

## Moderator and Author

**Walid Al-Saqaf**, Media Consultant, Gulf Forum for Citizenship, Sanaa, Yemen

The Yemen study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat, Oman.

In many ways, moderate and reformist Iranians' fears of a conservative clampdown on civil society and press freedom following President Mahmoud Ahmadinejad's election in June 2005 have materialized. But even some moderates point out that US-driven sanctions and threats of military action against Iran have helped solidify the current government, serving as justification for its encroachments on Iranians' freedoms.



IRAN

In Iran, the battlegrounds for media plurality are the pages of the press and the Internet. By law, only Iranian print media have the right of independence, while all broadcasting—television and radio—is state-owned and operated. Internet journalism, so far, is independent by default, although the government is increasingly trying to regulate it as well. Hence, for the past years, newspapers have not only reflected the degree of freedom accorded to the press but also, by extension, provided a measure of the powers of the various arms of government, a scale that increasingly leaves the future of Iran’s independent media hanging in the balance.

In many ways, moderate and reformist Iranians’ fears of a conservative clampdown on civil society and press freedom following President Mahmoud Ahmadinejad’s election in June 2005 have materialized. But even some moderates point out that US-driven sanctions and threats of military action against Iran have helped solidify the current government, serving as justification for its encroachments on Iranians’ freedoms.

Although the press already had suffered heavy blows during the reformist President Mohammad Khatami’s tenure, there were still government bodies, such as the presidency, parliament (*Majles*), and the Press Supervisory Board, that allowed the press to develop, though at a slow pace. At that time, the press could count on the elected bodies for support, struggling against the judiciary and Tehran prosecutor Said Mortazavi—both backed by the Supreme Leader—for survival. With conservatives taking over the *Majles* (in 2004), the presidency, and nearly all other government posts, Iran’s previously budding media outlets now seem largely orphaned, bereft of moral and material support.

The year 2006 saw the closure of more than 40 newspapers, the filtering of hundreds of Internet sites, the arrests of dozens of journalists and civil-society activists, many of whom keep blogs, as well as much greater pressures exerted on Iran’s ethnic minority publications. Leading into 2007, Iran’s two most prominent reformist newspapers, *Shargh* and *Ham-Mihan*, were shut down, and one of Iran’s main independent news agencies, the Iran Labor News Agency (ILNA), was suspended. Even the conservative newspaper *Siasat-e Rooz* and the popular conservative news website *Baztab* were banned for diverging from the views of the ruling powers. In early 2008, the government closed *Zanan*, Iran’s leading women’s magazine, which had been published for 16 years.

The MSI panel’s overall score for Iran was 1.56, with most progress made toward Objective 5, supporting institutions, which was ranked at 2.05, almost unchanged from 2.04 reported by the last MSI. The panelists found the greatest weakness in the areas represented by Objective 1, freedom of speech, which they was ranked at 1.05, down from 1.20 during the previous period. The other objectives were largely unchanged and fell fairly close to the overall score.

# IRAN AT A GLANCE

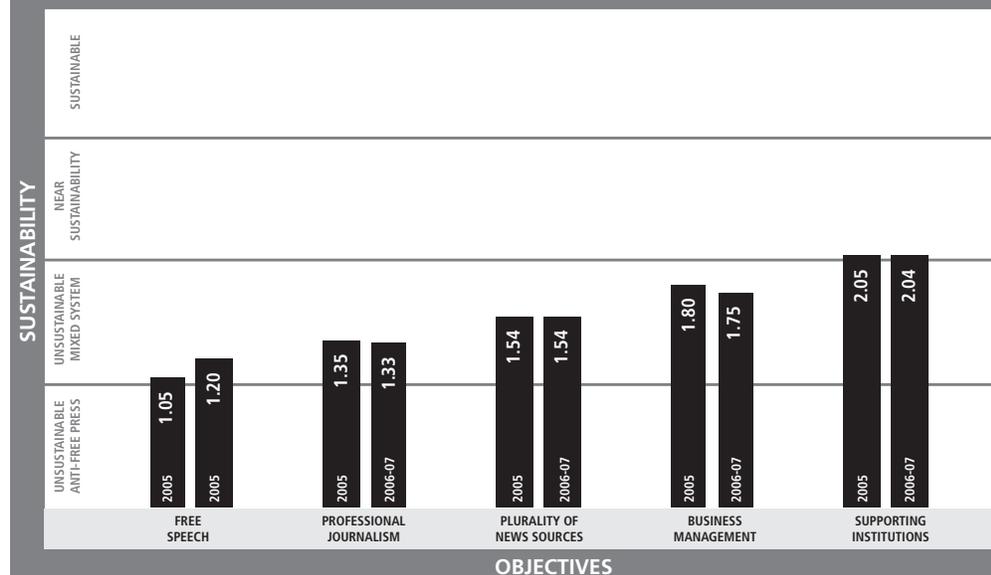
## GENERAL

- > **Population:** 65,397,521 (July 2007 est., 2007 est.)
- > **Capital city:** Tehran
- > **Ethnic groups (% of population):** Persian 51%, Azeri 24%, Gilaki and Mazandarani 8%, Kurd 7%, Arab 3%, Lur 2%, Baloch 2%, Turkmen 2%, other 1% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 98% (Shi'a 89%, Sunni 9%), other (includes Zoroastrian, Jewish, Christian, and Baha'i) 2% (*CIA World Factbook*)
- > **Languages (% of population):** Persian and Persian dialects 58%, Turkic and Turkic dialects 26%, Kurdish 9%, Luri 2%, Balochi 1%, Arabic 1%, Turkish 1%, other 2% (*CIA World Factbook*)
- > **GNI (2006-Atlas):** \$207.6 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$8,490 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 77% (male 83.5%, female 70.4%) (2002 est., *CIA World Factbook*)
- > **President or top authority:** Supreme Leader Ali Hoseini-Khamenei (since June 4, 1989)
- > **Next scheduled elections:** Parliamentary elections 2008

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 2,857 publications; of those more than 500 are believed to be daily outlets, with the remaining publications constituting specialist periodicals; 9 national radio stations, and more than 100 local stations, all state-owned; 5 national TV stations in Persian, 1 station in Arabic, 1 news network in English
- > **Newspaper circulation statistics:** Largest paper in terms of circulation is the governmental *Hamshahri*, followed by the governmental *Iran* and *Jame-Jam*; published circulation numbers are not available, though it has been estimated that daily circulation of newspapers lies around three million
- > **Broadcast ratings:** *Payam Radio* is generally believed to be the most popular radio station, followed by *Javan Radio* (Youth Radio); overall broadcast ratings are not available
- > **News agencies:** IRNA, ISNA, IRIBNEWS, ITNA, ISCA, IPNA, IANA, SNN, Advar, Aftab, Fars, Mehr, Raja, Rasa, Alborz, Press TV News, and most major foreign news agencies
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 18 million (2006 est., *CIA World Factbook*); 7-8 million (Iran IT industry)

### MEDIA SUSTAINABILITY INDEX: IRAN



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

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

#### Unsustainable Mixed System (1-2):

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

#### Near Sustainability (2-3):

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

#### Sustainable (3-4):

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

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

## OBJECTIVE 1: FREEDOM OF SPEECH

### Iran Objective Score: 1.05

Iran's constitution is based on Islamic as well as republican principles. It was adopted following the highly ideological revolution of 1979, which at the outset sought to correct the wrongs of the Shah's regime and create an ideal Islamic society based on justice. The document guarantees press freedom in Article 24: "Publications and the press have freedom of expression except when it is detrimental to the fundamental principles of Islam or the rights of the public." It does not provide more generally for the right to freedom of expression, and panelists have noted that the conditional phrase in the article is often used to limit the media. In its Article 168 regarding political and press offenses, the constitution commands: "Political and press offenses will be tried openly and in the presence of a jury, in courts of justice." Here, too, it is stipulated, "The manner of the selection of the jury, its powers, and the definition of political offenses, will be determined by law in accordance with Islamic criteria."

But more so than the actual constitution, it is the Iranian Press Law, ratified in 1986, that sets the legal framework for media activity in Iran. In it the press are obligated by law to work "while duly observing the Islamic teachings and the best interest of the community." Journalists say they are often tried on charges of violating Article VI of the Press Law, which holds among other clauses that "to act against the security, dignity, and interests of the Islamic Republic of Iran within or outside the country" and "insulting Islam and its sanctities, or, offending the Leader of the Revolution and recognized religious authorities (senior Islamic jurists)" are illegal.

While the Press Law was already viewed as giving conservatives the necessary legal grounds to charge reporters with violations based on arbitrary or interpreted grounds, a set of amendments to the Press Law in the year 2000 were seen as a serious blow to journalists' rights. One panelist described those amendments as the outgoing conservative *Majles'* revenge against the victory of reformists in the parliamentary elections that year, which was emblematic of reformist victories in national and local elections across

the board in the years 1997 to 2001. The 1986 version already stipulated the creation of a Press Supervisory Board, consisting of five members who were given the powers to issue licenses, "examine violations of the press," and arrange for legal prosecution by court if deemed necessary. The Press Law specified that those five members should consist of a judiciary chief representative, the minister of culture and Islamic guidance, a member of parliament chosen by parliament, a university professor chosen by the minister of education, and a managing director chosen by Iran's press managing directors. The 2000 amendment added two more members to this board, in effect guaranteeing that its composition would be tipped in favor of a conservative one. The two new members must be a seminary professor from the religious city of Qom and a member of the Supreme Council of the Cultural Revolution, a body responsible for promoting the role of Islam in the cultural field.

Other additions to the Press Law further tightened controls on the press. Among them was a clause stipulating that any publisher or editor applying for clearance from the Press Supervisory Board also had to seek clearance from the Ministry of Intelligence, the Ministry of Justice, and the police. Furthermore, the new version mandated that not only the editor-in-chief but also the writer were responsible for articles. However, the acting authorities only interpret the editor-in-chief to be—in theory at least—benefiting from the law's provision for jury trials, whereas the writer is held to be responsible for his own act of writing and can be punished according to the Islamic penal code (Article 697), essentially

## 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.

like a criminal. Other unfavorable amendments were that journalists were legally obliged to reveal their sources and couldn't criticize the constitution. But the biggest blow to journalists came in the form and powers of the Supervisory Board. Not only were its members now guaranteed to be overwhelmingly conservative, but also they had the power to stop a publication before its case had even been heard by a court. Although editors are to be tried in a jury trial, the jury is selected by members of the Press Supervisory Board, which means that prosecutor and jury are like-minded—if not, in effect, the same.

The judiciary already had raised pressures significantly on independent media during reformist President Khatami's tenure. In fact, what was termed a "press spring" lasted not much longer than an actual season, spanning 1999 to 2000. Soon after the outgoing conservative *Majles* voted in restrictive amendments to the Press Law, close to 100 publications, among them more than a dozen prominent reformist newspapers, were shut down. One panelist said that some 300 journalists at the time lost their jobs. One of the panelists described this period in April 2000 as a "national day of mourning for the independent Iranian press." The incoming majority reformist sixth *Majles* then declared that reversing those measures would be at the top of its priorities. It approved an emergency bill three weeks into its term but was forced to withdraw its bill when then-*Majles* speaker Mahdi Karroubi received a handwritten letter from the Supreme Leader Ayatollah Ali Khamenei effectively prohibiting a reversal of the 2000 amendments.

From a legal perspective, press freedoms were considerably diminished during reformist Mohammad Khatami's presidency. But panelists noted that with the election of conservative President Mahmoud Ahmadinejad in 2005, the press were restricted from all fronts. "Khatami and his circles believed in freedom of expression and sponsoring free media so they never hindered the publication of any paper," said one panelist. "It was the conservative judiciary that was closing down papers." Now, all panelists said, the situation is entirely different. "It is not just the country's laws and the judiciary apparatus that limit press freedom: the government itself is independent media's biggest enemy," noted one participant.

Even with the 2000 amendments, the scale in the Supervisory Press Board had been tipped four to three in favor of reformists. The culture minister, the MP, the university professor chosen by the culture minister, and the managing director elected by his colleagues were all reformists in support of independent media. Now all of those, including even the managing director, are conservatives. "The conservatives occupy even that post in the Board, even though their election is seen as illegitimate by many in the independent press,"

said one panelist. The panelist explained, "It is only because of the crackdown on reformist papers and the flourishing of pro-government ones that they were able to get more votes than the reformist candidate and that, only by a few votes." The conservative managing director elected to the board is Hossein Entezami, spokesman of the Supreme Council for National Security as well as the managing director of the governmental newspaper *Hamshahri* and previously managing director of another government newspaper, *Jaam-e-Jam*.

All panelists agreed that the current atmosphere made existence close to impossible for reformist publications. In 2006, the Tehran prosecutor, seen as a major foe of press plurality, appointed as his deputy Hassan Haddad, a judge with a track record of banning reformist publications. "At least during Khatami's time we were comforted by the fact that the president and elected powers weren't against us; it was the appointed conservative powers that would give us a hard time, but then Khatami would come out and say something in our defense and give us some hope," one panel member said. "And even when publications were shut down, there was hope that the Supervisory Board would give out new permits. Now they ban papers, and they won't give out new permits, either."

By law, the Board is supposed to order the closure of a publication based only on the recommendation of the Ministry of Culture following proof of violations of the Press Law. But one panelist said the Board is supposed to forward the proof on to the Judiciary within a week's time. "The second time they closed down *Shargh*," the panelist continued, "it took them close to three months to forward the file to the judiciary. They said they didn't have the documents and the evidence ready yet. First they close the publications, and *then* they go looking for evidence."

*Shargh*, considered Iran's highest-quality independent reformist newspaper, was first shut down in the lead-up to the 2004 parliamentary elections when it, along with another reformist newspaper, *Yas-e No*, published an angry letter by the reformists to the Supreme Leader in which they decried the disqualification of reformists to the elections of the 7th *Majles*. It was allowed to resume but was shut down again in September 2006, based on various charges, including the publication of a cartoon that showed a haloed donkey on a chessboard facing a horse. Many interpreted the donkey to represent Ahmadinejad because he had spoken of a halo representing him at his speech at the United Nations General Assembly in September 2006. The judiciary allowed *Shargh* to resume again in May 2007, but the Board ordered its closure again only three months later, citing an interview with the Iranian expatriate poet in Canada, Shadi Ghahreman. The press watchdog accused *Shargh* of providing a forum for an

"immoral and counterrevolutionary" person who promotes homosexuality. *Shargh's* lawyer charged that the choice of an interviewee cannot serve a legal basis for closure and called the act unlawful. One participant believed the Board was looking for an excuse and that it was only a matter of time until *Shargh* would be shut down. Another panelist noted that the day after *Shargh's* closure, the independent conservative Fars News Agency published a series of articles about her, her biography and activities, which in the eyes of the participant provided more grounds for accusations of "propagation of obscenity" according to Clause 2 of Article 6 in the Press Law, based on which *Shargh* was closed. "Of course, Fars News Agency didn't even have to fear any repercussions," the participant added.

The closure of another reformist newspaper, *Ham-Mihan*, even more starkly represented the arbitrary way in which publications can be ordered shut. *Ham-Mihan* had been banned in 2000 following the publication of an article that called for better ties with the United States. Seven years later, the judiciary decided that the closure was not permanent and allowed *Ham-Mihan* to resume publication. After less than two months of publication and 42 issues, the paper was banned without any clear legal accusations. One participant, familiar with *Ham-Mihan* said the order came directly from Tehran Prosecutor Mortazavi, bypassing any legal rules and regulations. "It's gotten to a point that they close us down without even needing to give a reason," the same participant added.

Reporters Without Borders reported that in 2006 alone, 38 reporters were arrested and at least a dozen media outlets were shut down. Other prominent media that have been banned in the span of 2006 and into 2007 have been the independent ILNA, the *Siasat-e Rooz* daily, and the conservative *Baztab* website. Several other papers, including the influential daily *Mosharekat*, which had been suspended, received judicial verdicts of permanent closure. The government also tightened its grip on civil-society activists, labor union activists, teachers, and women, many of whom are either journalists for paper publications or run their own weblogs and Internet sites.

In November 2006, the government cabinet issued a new ruling according to which all websites dealing with Iran have to register with the Ministry of Culture. One panelist said the purpose of this rule was to provide the government with yet another illegitimate cloak of legitimacy in shutting down websites, since it could not really regulate the registration of *all* sites about Iran. The new decree also created an "Internet Surveillance Body" under the control of the Ministry of Culture, which oversees websites and recommends censorship and closures. Many consider the closure of *Baztab*, one of the

most-read news sites, which is allied to a rival conservative faction, to be the first victim of the new Internet regulations.

Other victims of increased repression in Iran are reporters for ethnic-minority publications. Several Kurdish and Azeri publications have been shut down and their reporters arrested and held without trial in 2006 and 2007. But it is not only ethnic-minority journalists accused of "spreading separatist ideas" who are under greater pressure. Iran's mainstream Persian publications are under equal pressure to refrain from the publications of any material that could insult Iran's ethnic minorities. The governmental *Iran* newspaper was shut down in May 2006 after publishing a cartoon with a cockroach that spoke Azari, which led to protests and demonstrations in Tabriz and other Azari towns. In February 2007, the conservative daily *Siasat-e Rooz* was suspended by the Supervisory Board for publishing an article that was deemed offensive to Iran's Sunni minority.

Under threat from the US government and fearing separatist movements and other sources of instability, the Iranian government has tried increasingly to control media content. Participants said the government has issued an increasing number of circulars in recent months banning the publication of certain subjects and instructing them on *how* to cover others (effectively banning particular angles or perspectives on certain subjects), including the nuclear issue, labor union and teachers' protests, and gas rationing.

The volume of these circulars and the pressures from the government, the judiciary, and the Press Supervisory Board reached such an extent that in September 2007, Iran's Association of Iranian Journalists issued a statement urging all those organs and officials responsible for neglecting Articles 4 and 5 of the Press Law (which prohibit government from meddling in or censoring media content, unless they violate Article 6 clauses, and give media the right to inform the public) to stop their unlawful acts. This statement implies that censorship no longer follows the law but is political, at worst, or random, at best. The statement also urges editors not to cave in to such illegal pressures too readily.

However, participants also stressed that although the Press Law gave them certain rights, such as the ones mentioned above, Article 6 of this law was abused to limit media freedom. Among the most cited clauses used by government to charge publications in court are 1, 2, 4, and 7, which condemn atheistic and anti-Islamic content, immoral or obscene material, any content that may cause conflict between Iran's ethnic populations, and insult to Islam and the Supreme leader and other Islamic sources, respectively. Also cited are articles in Iran's public penal code against acts that threaten the interests and security of the Islamic Republic.

There is little public outcry about violations of journalists' rights. Four years after an Iranian-Canadian photojournalist was killed at the hands of Iranian authorities following arrest for taking pictures outside of Iran's notorious Evin prison, her case still remains unresolved. After prison officials acknowledged that she was beaten during interrogation, prosecutors named an intelligence official as the person responsible for her death. He was later acquitted by a court. Lawyers are still trying to pursue the case through the appeals court.

All panelists totally condemned the killing and decried it as absolutely deplorable but said that part of the repression on media was being justified as due to increased foreign threats against Iran's national security. One panelist said she felt like she had been intimidated to such a degree that she was dutifully acting out the role of a censor on herself. "Before writing any piece," she said, "I have to consider what all the likely censors—you know, the Press Supervisory Board, the judiciary, or the Tehran public prosecutor—may object to. In the process, I have become my own strongest censor."

These developments, especially the closures of *Shargh*, *Ham-Mihan*, and ILNA, have led to the unemployment of hundreds of journalists as well as to an exodus of young Iranian reporters from the country. However, despite this bleak picture, most MSI participants believed that Iranian journalism's struggle would eventually leave it stronger, more mature, and more professional. One panelist disagreed, saying she and her colleagues had lost all hope. Participants expressed frustration at the linkage between the future of Iranian journalism and US foreign policy: the greater the threats of a military strike, the greater the repression at home. Still, most agreed that through the years, the sustainability of independent journalism had increased, with better professional development possibilities and business acumen.

Although access of information is not a right established in the constitution or the Press Law, most panelists felt that the more important issue was their right to actually publish what they believe to be information that is in the interest of the public. "If you are prohibited from publishing certain information, or if you know your paper will be closed because of the publication of that information, what good is a legal right to access of information?" asked one panelist. Another panelist added that there was a general recognition that elected government officials had to be responsive to the public, though this did not apply to appointed officials, who make some of the most important decisions affecting the lives of Iranians.

Publications and Internet sites are the only independent media in Iran. Radio and television are state-owned, as

they were before the 1979 revolution. There is no tradition of independent broadcast media in Iran. The constitution stipulates that the head of the Islamic Republic of Iran Broadcasting (IRIB), which has seven television stations and dozens of radio stations, must be appointed by the Supreme Leader. After the 2005 presidential elections, Mehdi Karroubi, former parliament speaker and contender to the presidency, started an initiative to launch Iran's first independent television station to be produced from inside Iran but broadcast per satellite from the United Arab Emirates. There are no laws directly prohibiting independent broadcast media, but when the station was ready to launch its first batch of programs, its tapes were confiscated by Islamic Republic officials upon arrival in Dubai and the station never managed to take off.

Among the news agencies and print publications, there are some that are government-owned and controlled but there are also dozens that are independent. The Press Law sets forth guidelines for publishers that are rather liberal, requiring the person to be Iranian, at least 25 years of age, have a bachelor's degree, and be without a criminal record. However, as panelists pointed out, the Press Supervisory Board rarely issues permits to persons known to have reformist political leanings. As a general rule, especially since the ascendancy to power of the current conservative government, government media are much better funded and supported. Journalists working for those outlets have much better access to information than those working for private outlets.

Libel is punished under Iran's Press Law, though the writer of the piece can be punished under Iran's penal code as opposed to the Press Law, which guarantees—in theory—a jury trial. But past panelists with experience of libel suits have criticized that even the plaintiff's failure to prove a charge or claim may have no effect on the verdict. Essentially, journalists feel they are at the mercy of the sitting judge.

Government filters both the Internet as well as satellite television stations. Reporters Without Borders estimates that Iran filters some 10 million Internet sites that it considers "immoral and against the national security interests of the country." One panelist who is well-informed about the management of Iran's Internet Service Providers (ISPs) believed that 95 percent of the sites that are blocked by government are pornographic sites and that only a minority are actually political sites. The panelist also believed that some 30 percent of the sites were a casualty of mistaken filtering. In November 2006, the government adopted a policy that allows it even greater censorship of Internet content. That regulation was followed by a bill in the *Majles* that aims to control the Internet like all other conventional

media. Panelists said filtering had increased in 2006 and 2007 considerably, not even sparing the sites of rival conservative factions, such as the *Baztab* news website.

The panelist familiar with ISPs estimated Iran to have about 7 million Internet users today. For the first time this past year, their access to sites such as Google and Flickr was blocked, but only for a few days. "The public outcry following the closure of Google was simply too much," the panelist said, adding, "but it's also possible that they banned Google by mistake." Although many sites are filtered, the government doesn't block foreign sites as a rule. People inside Iran have access to foreign news sites, such as the BBC and the Guardian Unlimited, two of the most popular news websites in the western world.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Iran Objective Score: 1.35

Media are highly political in Iran, and hence, for some panelists, the question of "objectivity" is a troubling one. One panelist noted that the media have always been political in Iran, leaving little room for the development of objective and independent thinking among journalists. In governmental news outlets, journalists are trained and conditioned to represent the government perspective. The vast majority understand that not toeing the government line could cost them their jobs. In the independent media, on the other hand, journalists find themselves usually captive to the viewpoint of the publication at hand, whether conservative or liberal. Panelists described this as similar to the political differences that one finds at the *Guardian*, for example, versus the *Daily Telegraph*, to take an example from England, or ABC News versus Fox News, to take an example from the US television market. That is to say, a journalist who has liberal leanings may be less inclined to take up employment with the Fox News Network. The same is the case in Iran, with the important difference that the majority of government media support a conservative viewpoint; hence, employment options for journalists of differing views to those of the government are limited.

Most panelists agreed that there are only a few newspapers still on the market that air somewhat critical stances toward the government. The only moderate papers with higher circulation numbers are *Etemad-e Melli*, *Etemad*, and *Sarmayeh*. Among these three, *Etemad-e Melli* is affiliated with the party of former *Majles* speaker and presidential candidate Mehdi Karroubi and takes its name from the party. *Sarmayeh*, meaning "capital," has an economic news focus. Of the three, only *Etemaad* is a political paper without

affiliation to a political party. This has made it difficult for young reporters, as one panelist pointed out, to find employment with independent papers. Several reformist as well as conservative professional news websites do offer an alternative to papers.

Although newspapers usually have a political affiliation or clear leaning, panelists agreed that reporters had become better at seeking to represent both or various sides on an issue. One participant argued that due to government pressure as well as libel suits filed from all sides, reporters had become much more careful and hence comprehensive in their reporting. All but one participant agreed. The dissenting voice argued that journalists in Iran were too busy censoring themselves and had little time or motivation to try to do better journalism.

The ethical standards of fairness, objectivity, accuracy, and refusing to offer or accept payment for information are learned during education or on the job. However, panelists agreed that there is still a need to reinforce these standards among journalists. One panelist thought it worth mentioning that some journalists working for lower-quality or highly biased publications may not even be fully aware of those journalistic standards because many among Iran's journalists haven't actually studied journalism. The same panelist said journalists often felt compelled to slightly distort or write in favor of a certain viewpoint in order to maintain relations with their sources within the government. In general, the panelists added, journalists at independent media are more committed to ethical standards than their colleagues at government media because they operate in settings driven to a greater extent by a commitment to journalism.

## 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).

There have been initiatives from members within the Ministry of Culture to produce two documents to strengthen ethical standards and labor conventions in the field of journalism. A research group headed by Dr. Kazem Mo'tamedinejad produced a document titled "Convention on the Ethical Principles of Professional Journalism," which sets out standardized ethical guidelines for journalists. Although it was difficult to obtain precise information about the standing of this document, it appears that for now it is unpublished.

Some panelists said government restrictions make it sometimes impossible to work ethically. For example, circulars handed down from the government often force editors to ask their reporters not to cover certain issues or to omit certain aspects of the story and highlight others. One panelist said this kind of government pressure led to readers' mistrusting newspapers: they would learn from the Internet or the foreign media that a certain event has taken place but find no mention of it when they checked domestic papers. "This seriously harms our credibility," the panelist added.

The panelists argued that due to the low salaries among Iranian journalists and the high level of inflation, some may be prone to accepting gifts. They said this happens almost exclusively among economic reporters, where gifts may be offered for presentations of certain information that serves the business interests of the subject. Panelists said they were not aware of widespread financial corruption among journalists in general, adding that lack of job security rather than modest salaries is the more daunting problem for journalists. This discourages young people from entering the field. "The media are hostage to politics in Iran," said one panelist, "which means that anyone with any inclination to join the field thinks about all the ensuing implications before taking that step." As a result, one panelist said, employers have raised the salaries somewhat. A panelist who is a senior newspaper editor claimed to receive a salary comparable, in real terms, to that of colleagues who worked for the BBC's Persian Service in London. "But still no matter how many connections your publication has, it may be shut down," the panelist said. "That became clear to us all when they banned *Salam* newspaper in 1999, despite the high-level revolutionary credentials of its editor, Mohammad Mousavi-Khoeiniha." There is not a stark pay difference between independent versus government media, but those working for television generally make considerably more than those in radio or print.

Entrance into the field of journalism is less difficult than entering other fields, such as medicine or politics. But whereas entry into independent media is open, jobs at governmental outlets are strictly controlled by government and entry is often aided by relations. Applicants to state television and radio often undergo religious tests and pass

background checks. This does not apply to subcontractors who work as freelancers for the state broadcaster IRIB.

Lack of job security has led a sizeable number of Iran's younger and more mobile journalists to leave the country. One panelist said that most journalists these days were studying other subjects, chief among them English, so that they could have the option of starting other careers or emigrating. Another panelist said the closure of *Shargh* and *Ham-Mihan* left some 200 journalists unemployed. The panelist expressed regret that this led bright young people to emigrate and that many then joined the voices raised against the Islamic Republic.

A new development among the media, some panelists found, was an increased reliance on entertainment and "softer" pieces to fill the void left by the censorship of more serious stories. Although state television isn't subjected to the same degree of censorship by virtue of being itself the mouthpiece of the government, there was also a trend there toward filling airtime with entertainment programming, particularly television serials. Generally though, people felt that they were able to get the information they needed, if not from state television and other government media, then from the Internet and satellite television channels.

One panelist with experience inside Iran's state television network said there was up-to-date equipment but not enough skilled employees to take full advantage of the technology. At independent newspapers, however, lack of government support and funding as well as investor trust often means a smaller staff, as well as a lack of computers, recorders, and company mobile phones. Also, in terms of printing presses, one panelist said that 80 percent, if not more, were in the service of government papers, which left other smaller independent newspapers with lower-quality paper and ink.

On a positive note, one panelist said, Iranian magazines and specialized publications are growing, mainly because some of those journalists from banned daily publications are able to start weeklies or monthlies, to which the government censors are less sensitive. Most of those working on the daily *Ham-Mihan*, for example, are now producing the weekly *Shahrvand*, which panelists described as the most high-quality current-affairs magazine to be produced in Iran so far. This should not be taken to mean that magazines have not seen their share of closures. Periodicals with political or intellectual content, or shiny magazines covering popular culture, have been particularly at risk. Because of the hazards of daily political journalism, niche reporting in the fields of sports, economy, cars, family and childcare, and youth and women have benefited. But this is only within parameters acceptable to the government. A big crackdown on the

online publications of women's activists came in 2006, and the women's magazine *Zanan* was closed in early 2008.

### OBJECTIVE 3: PLURALITY OF NEWS SOURCES

#### Iran Objective Score: 1.54

The number of publications is generally believed to have grown significantly following the election of President Mohammad Khatami in 1997 and the press freedom that the "Tehran spring" offered for a period after that. But already by 1999, the pioneering reformist newspaper *Salaam* had been banned, leading to the biggest demonstrations Iran had seen since its revolution two decades earlier. Following the new amendments to the Press Law, close to 100 daily publications as well as periodicals were suspended. However, due to the reformist composition of the Supervisory Board, publications were able to receive permits to spring back to life, though with different names and looks.

With victories of conservatives on different electoral levels, the pressures on the media kept increasing, culminating in the closure of dozens of publications. In 2006 and 2007, some 40 outlets were suspended, and about a dozen previously suspended publications had their permits permanently removed. Overall, following Ahmadinejad's election in August 2005, more than 1,400 permits for publishing have been revoked. However, a large portion of the permits were inactive, being obtained but never used to start a publication. Prospective publishers may actually buy the rights of these permits from the owners and start new papers. The authorities intend to prevent this from happening and prefer that those wanting to start new publications actually apply for a new permit, hence the revocations. However, new permits are rarely issued in the current environment. Still, the number of newspapers and periodicals published in Iran stands at 2,857, with about 500 constituting national and Persian-language dailies and the remaining comprising specialist weeklies and monthlies, or regional dailies in non-Persian languages.

People in the larger cities have more access to media sources, but both city-dwellers and villagers can afford the low cost of print publications thanks to large government subsidies to both private as well as government publications. Most national dailies cost only 100 Iranian toman, which is equal to about 10 US cents, and some governmental ones cost even less, such as the largest-circulation daily *Hamshahri* at 50 toman, or five US cents. Panelists pointed out that while government outlets received the larger subsidies, the situation had become worse now because Ahmadinejad's

government was even less keen on subsidizing independent publications.

Panelists noted that the distribution system in Iran is generally not well developed. In contrast with the larger government dailies, such as *Kayhan*, *Hamshahri*, *Jame-Jam*, and *Iran*, which receive strong financial and logistical support, other independent dailies may arrive half or a full day late to the provinces. This does not apply to the larger cities such as Mashhad, Esfahan, Shiraz, and Tabriz. Panelists also noted that since the rationing of gas in June 2007, it had become even more difficult to distribute independent and even government publications to far-off towns and villages.

For people to really benefit from a diversity of information and news, whether they are in the cities or smaller towns, they cannot rely on television and publications alone. Up to about two years ago, it was still possible to receive alternative non-government-sanctioned information from the reformist media. But panelists said that due to the crackdown on media, citizens find it increasingly necessary to supplement the information they're able to receive with information from media abroad.

Either way, most panelists agreed that the majority of Iranians were not readers, and that the whole hype around newspapers really just concerned a very small percentage of city-dwellers. "There was a lot of hope in the first Khatami years, and all of a sudden a large number of people had become interested in the reformist newspapers and sometimes you couldn't even find newspapers because they were sold out. But times have changed," said one panelist. The panelist explained that people became "cold" toward the independent

#### 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.

media when they witnessed the dispiriting setback of the reformist movement. Currently there are about 60 national newspapers to choose from on newsstands in the bigger cities, among them 20 or so that take a more moderate, reformist line. Still, one panelist believed it was no more than 5 percent of the Iranian population that really read newspapers on a daily basis. Others put the number a bit higher, but not much. "The days when newsstands were like beehives are long over," added another panelist.

The panelists agreed that the majority of Iranians received their information from broadcast media, Iranian as well as foreign. Three kinds of television are available to Iranian viewers inside Iran. The first is state television, which consists of five Persian-language channels, one multi-language channel, one Arabic channel called *Al-Alam*, and another channel launched in 2007 as Iran's English-language international news network called *Press TV*. Although all strictly adhere to the government perspective and promote regime interests, there is a perceptible range within that framework. Channel One, for example, is dedicated to political news and roundtables, with the most important news bulletin broadcast at 2 pm. Channel Two and Three broadcast news programming but also have a wider range of current-affairs documentary programming. Channel Five is usually the carrier of the *Sahar TV* network, Iran's foreign-language programming that is broadcast on satellite and distributed in Asia and Europe. *Sahar TV* programs, which range from news to documentary to entertainment, are mostly in English, but some hours are also slotted on a daily basis for programs in other languages, including German and French. Channel Six is a pure news channel, which carries important *Majles* hearings, press conferences by Iranian officials, and national events such as Revolution Day marches live. Such events are also broadcast live on radio. IRIB has nine national radio channels and about 100 local stations, some of which carry programming in Iran's minority languages. Generally speaking, Iran's state television and radio do not represent a variety of viewpoints, although some programs do break the bounds. Some talk-show-style shows on *Radio Javan* (Youth Radio), for example, cross hard regime lines and satirize government hypocrisy and incompetence in a very uncharacteristic fashion. In past years, IRIB has been criticized for showing a strong bias toward filling prime time with addictive television serials, which many say are intended to distract Iranian viewers from political issues.

Although having a satellite dish is theoretically forbidden unless one has a license (given only to hotels, journalists, and a few others), panelists suggested that a minimum of 60 percent of households may have satellite dishes. Neither the dish nor the decoder are too expensive in Iran, and with the purchase of a card one can tune into programming from

around the world. Prices vary depending on the origin and quality of the equipment being purchased, but the whole setup is possible for about \$100. Hence, most Iranians can access Persian-language television programming produced abroad by expatriate Iranian stations broadcasting mostly from Los Angeles. The vast majority of these programs strongly advocate against the Islamic Republic and have in the past even successfully called on Iranians inside Iran to stage demonstrations. In terms of news programming, *Voice of America's* nightly news bulletin is among the most widely watched. The third kind of television available to Iranians is the myriad of other non-Persian channels on satellite, such as BBC and CNN, which Iranians with a command of the English language can consult for news.

The BBC and CNN have permanent offices and correspondents in Iran, as do news agencies such as the Associated Press, Reuters, Agence France-Presse, Deutsche Presse Agentur, the Chinese Xinhua, the Japanese Kyodo, and many others. Both governmental and Iranian media use reports by foreign and Iranian news agencies, of which there are more than a dozen governmental and nongovernmental ones. Among the governmental news agencies, the most prominent are Islamic Republic News Agency (IRNA), Islamic Students News Agency (ISNA, semi-governmental), the IRIB news agency, as well as the Press TV news agency, which launched in 2006 ahead of the television channel. Among the independent news agencies, Fars News Agency, Mehr News Agency, and until recently ILNA, are the most widely used. ILNA, a moderate news agency that had covered protests by the truck drivers' union, teachers, students, and women, was suspended in July 2007. Iranian news agencies are subject to similar forms of repression as other Iranian media, panelists noted. Foreign media outlets enjoyed greater liberties, though not necessarily always greater access.

Another source of information for Iranians is the Internet. Although the Iranian government has stepped up filtering of Internet sites, it is still possible in Iran to access a variety of views. While most blocked sites tend to be either "un-Islamic" or political opposition, they also have included some prominent conservative news websites such *Baztab*, which was suspended several times and then semi-permanently banned in March 2007. In summer 2006, the government cracked down severely on sites dealing with women's-rights activists. The authorities also banned free access to broadband connections, which in effect restricts downloads of larger files, such as films. The crackdown has been accompanied on a parallel track by legal attempts to restrict and more closely control the Internet. In November 2006, the government cabinet passed a law according to which all websites dealing with Iran have to register with the Ministry of Culture. As one panelist explained, this regulation

is difficult to implement and “really just provides an excuse for government to shut down sites more easily, accusing them of violating this ruling.”

The ISP participant said there are approximately 200 ISPs in Iran today and that there are now increasingly stronger filtering regulations imposed by the government. “When we first started, there were no rules, no regulations. For the first three to four years, the law was trying to catch up with us,” the panelist added. Then the government obliged all ISPs to use one of three filtering software companies. “As a result,” the same participant said, “there is now really strong filter-breaking software developed in Iran. If someone is serious about free access to all sites, he won’t have a problem doing it.”

Constrictions on ethnic minority media have always been stronger, and they have only increased in 2006 and 2007, with close to a dozen Kurdish and Azeri journalists arrested and their publications banned. Most of those journalists have been accused of conspiring to threaten Iran’s national security. The Iranian government has become increasingly sensitive to minorities and possible separatist movements, which the government says are supported by US intelligence sources. There has been attention in the out-of-country Iranian media to death sentences handed to two Kurdish journalists, Adnan Hassanpour and Hiva Boutimar. However, the Association of Iranian Journalists (AIJ) says it has investigated their cases with the aid of its experienced lawyer, Saleh Nikbakht, who has defended many press freedom cases in the past, and come to the conclusion that neither of those two men have been arrested on charges related to their media work. AIJ also said that one of them, Boutimar, is not in fact a journalist and, hence, the organization is not taking a position on this issue.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### Iran Objective Score: 1.80

The Iranian press has a history reaching back into the mid-1800s and yet has failed to develop into a truly profit-generating industry. The first factor noted by panelists is that although there is a part of the Iranian population that can be described as “avid newspaper readers,” the majority receive their information from television and radio. Panelists agreed that there are ebbs and flows to Iran’s readership population. Two periods of “flow” can be identified since the revolution in 1979: one immediately following the revolution, which may be described as the most free press environment in Iranian history, and another short period following reformist President Khatami’s election in 1997. In these periods,

newspaper readership increased considerably, though there are no published data on the magnitude. Panelists estimated that the total circulation of daily national newspapers in Iran is below 3 million, not too large considering Iran’s highly literate population of more than 70 million.

The second factor, panelists said, is that strong government subsidies have been detrimental to the development of business professionalism because they have softened the impact of factors that usually force businesses to devise innovative and profit-generating routes to survival. Finally, political cycles and insecurities have prevented the independent press from forming strong relationships with commercial sponsors and advertisers. Financial impracticality was cited as the main reason why a moderate newspaper, *Kargozaran*, stopped publication voluntarily.

In general, government-owned, high-circulation papers—such as the conservative *Kayhan* and *Ettela’at*, but also the more moderate *Hamshahri*, *Iran*, and *Jaame-Jam*—receive larger subsidies, including office equipment and funds, allowing for higher salaries. Independent papers also receive subsidies, though in smaller sums, often limited to paper and ink. The government instituted these subsidies in 1989 to allow for lower newspaper prices that would make the publications more readily available to the wider public.

The scale and amount of subsidies are usually determined by the Press Supervisory Board, where the current conservative membership is disadvantageous to reformist media, panelists said. An official at the Ministry of Culture estimated that the government spent approximately \$30 million annually on newspaper subsidies and that independent newspapers benefited from 20 percent of that fund. The overwhelming majority of publishing houses with presses

#### 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.

are government-owned, and panelists said that several are capable of printing state-of-the-art newspapers.

Despite the subsidies, newspapers strive to generate revenue. This is evident in the sizeable number of advertisements in most newspapers. Also, two panelists who had been involved in the production of the highly successful *Shargh* and *Ham-Mihan* newspapers said that both had managed to become fully independent and generate enough profits for their staff to receive comparatively high salaries.

There is a dearth of studies about the operation of media in Iran, but some panelists claimed that most newspapers didn't actually have a business/financial manager. One panelist said that the governmental *Hamshahri* newspaper had a skilled business manager and that this was evident in the large amount of advertising the paper was able to attract. The panelist's own paper did not have a person to strategize and plan for the paper's financial future. "This has to do with the fact that papers are constantly shut down, and so people are hesitant to invest in long-term plans," the panelist said. "*Hamshahri* has the security that it will continue printing and can plan ahead. For us, we can't even plan six months ahead. We can only have short-term visions and plans."

Most distribution companies are also governmental, and panelists noted that even private distribution companies had to follow certain government guidelines. Distribution takes place by air and road, and government papers are available in most major cities. The system of subscription is underdeveloped. A few large newspapers offer subscription, but the majority of subscribers receive their papers from motorcyclists who have created a niche business buying papers en masse and delivering them to people's doors. Most newspaper kiosks are operated privately, and the government does not interfere with their sales.

Iranian television and radio, while receiving large government subsidies, also generate good income because of a well-developed advertising regime. Panelists said television spots during prime time had increased to such an extent that viewers now commonly complained about the disruptive nature of excessive advertising.

It is extremely difficult to get a sense for viewer, listener, and circulation numbers in Iran. It seems that circulation for mid-range papers lies between 50,000 and 75,000, with the bigger papers printing anywhere between 200,000 and 300,000 copies a day. The government does its own market research of television viewers, but this data is not available to the public. Panelists noted that during prime time, when popular television serials are broadcast, the streets of larger crowded cities become noticeably empty.

Most Iranian ISPs are run privately, although the government imposes strict filtering on them. One panelist working in the sector estimated there to be about 200 ISPs and said the level of technology and business development among some of them was highly advanced.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Iran Objective Score: 2.05

Iran's journalism support institutions have developed in recent years, but now, most panelists agreed, educational institutions continue to grow while trade associations are being weakened by the practices of the current government.

Although a semi-governmental Press Syndicate was created in 1989 to provide publications with printing and distribution amenities, it was only in 1999 that Iran's first national journalists' trade association certified by the Labor Ministry was founded. The AIJ is the only recognized Iranian member of the International Federation of Journalists (IFJ), which represents about half a million journalists in more than 100 countries.

The AIJ is a nongovernmental institution that counts about 3,700 reporters, out of an estimated 5,000, as its members. Its secretary, Badrolsadat Mofidi, says the AIJ is the only organization to represent a wide spectrum of reporters in Iran, from right to left, because of its apolitical nature. AIJ represents journalists' labor rights vis-à-vis their employers, tends to their insurance and housing needs, especially in times of unemployment, and provides them with loan funds to support families of jailed journalists. The AIJ has also been active in holding meetings, issuing statements, and taking stances in regard to journalists' freedom of expression and during periods of press crackdown.

A panelist knowledgeable about AIJ's activities said the association had done its utmost to stay out of politics but that taking a stance on such values as freedom of expression and media independence was politicized by the powers governing the country. Hence, the panelist said, some conservatives viewed the AIJ as a hotbed for reformist journalists, which is why the current government has tried to paralyze the organization's operations. "This government has cut all of its financial support to us, and it's done everything in its power to depict us as a useless organization so that journalists would turn away from us," the panelist said. "They tried to close us down, questioning our constitution and activities, but they have failed so far because we have a strong legal foundation. Our permit was given to us by the Labor Ministry itself. We are a trade union, not a political party," the panelist

added. The panelist also said the current government had announced it would recognize reporters' permits issued only by the Ministry of Culture and none issued by the IFJ, which the AIJ views as another attempt to undermine its authority. The AIJ has now submitted an official complaint against the government to the Supreme Court.

The current pressure and withdrawal of funds have meant that the AIJ has been unable to establish any sort of support network for the more than 200 journalists who have become unemployed as a result of the closures of the ILNA news agency, as well as the *Shargh* and *Ham-Mihan* newspapers. In a gathering held in October 2007, former President Khatami spoke in support of journalists' rights and urged government to be mindful of the consequences of mass unemployment in the sector.

While the AIJ has the largest number of members, there are also other active journalists' associations. Iran's Association of Muslim Journalists (IAMJ) was set up parallel to the AIJ, in effect to counter the influence of the AIJ and to attract those members who work for conservative papers. One panelist said that many journalists working at conservative papers remain AIJ members because they believe in the values that it stands for but hold jobs with the conservative press simply to support themselves; this may be true for IAMJ members, too. Unlike the AIJ, the IAMJ has received its permit from the Interior Ministry. That is because there can be only one national journalists' labor union. Panelists said IAMJ is active, holds elections, and provides benefits to journalists working for government publications and other conservative outlets.

The Association for the Defense of Press Freedom, led by some of the Islamic Republic's strongest critics, regularly holds meetings and protests and issues statements in

support of press freedom and jailed journalists. A semi-active organization is the Association of Iranian Women Journalists. The Association of Young Journalists is connected to the Islamic Republic of Iran Broadcasting (IRIB) and provides educational and training facilities and opportunities for young journalists.

"In reality, there is only one active independent association anyway (the AIJ), and in recent months—unfortunately—it's been us journalists defending and supporting the association, rather than the other way around," one panelist said. "The association's just been busy trying to survive."

Panelists said there are increasing opportunities for young people to learn journalism. In October 2007, the AIJ launched its own college of journalism. The AIJ secretary said beside its obvious educational benefits, the school was part of a profit-generating scheme to allow the AIJ to become financially independent from the government. Various universities, including the Allameh-Tabatabai, as well as Tehran and Azad Universities, offer respected journalism courses. Other institutions, such as the IRNA News Agency, the IRIB, and the Center for Media Studies and Research, which is connected to the Ministry of Culture, offer short courses and workshops.

During 2007, the Iranian government also started a policy of intimidation of dual-nationals, confiscating their passports and preventing them from leaving the country. It has also withheld the passports of Iranian nationals, and hence effectively banned them from participating in conferences and workshops abroad. The panelists expressed dissatisfaction with this state of affairs and said the government is extremely sensitive about any foreign-sponsored programs and that participation in them usually led to problems upon return to Iran.

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

#### 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.

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*The MSI panelists described a situation where figures in government work against press freedom, whatever their publicly presented positions may be, and an unfinished legal environment throws the media sector into confusion. The panel contends that although Iraqis now are informed about dissenting voices and disagreements among political parties and other groupings, in fact much more information is kept secret or covered up.*



IRAQ

Iraq was the deadliest country in the world for the media for the fifth straight year in 2007. According to the Iraqi Journalist Rights Defense Association's annual report, *Violations of Freedom of the Press and Freedom of Expression in Iraq for 2007*, 54 journalists were assassinated during the year. In addition, 31 journalists were arrested, 10 were abducted, and 10 media outlets raided. These statistics stand in grim contrast to the image of a free press burgeoning across Iraq unfettered by repressive government controls. Iraqi leaders say that the media has become independent, that access to information is open, and that widely ranging news reports are now available to Iraqis. However, according to this year's MSI assessment, the reality is that the media's ability to gather and communicate information, if not their very survival, is imperiled.

The MSI reflects this deteriorating situation. The overall country score for Iraq this year is 0.92, down from 1.16 for the 2005 report, and indicating that media freedom is actively opposed, professionalism is low, and media industry development is weak.

The MSI panelists described a situation where government figures work against press freedom, regardless of their publicly stated positions on the issue, and an unfinished legal framework further confounds the media sector. The panel contends that although Iraqis now are informed about dissent among political parties and other groups, much more information is in fact concealed from public view. The panelists contrast the pre-2003 situation, when media was politicized and focused only on glorifying the regime, with the current politicized and fragmented media landscape. This fragmentation reflects the often conflicting dictates of politicians, religious leaders, media owners, and advertisers. This means that Iraqi society lacks a professional and responsible media, and that the prospects for reaching this goal soon are few.

Moreover, the panelists said, there are no legal protections for media professionals who seek to work in the spirit of free expression. Although the Constitution ensures the media's independence establishes freedom of expression, new laws implementing these principles are not yet in place. Remaining on the books, however, are laws with the potential to take a journalist to the gallows.

Despite the lower MSI scores this year, some positive trends were noted. Discussion of media independence was seen as more vigorous than before, and panelists observed an increasing number of free press support groups. They also said more websites convey factual information and reserve space for citizens to voice opinions and make comments—and that the public has a lower tolerance for media outlets working only to justify the actions of special interests. Panelists also described a higher degree of awareness about the concept of public broadcasting as a system that should work in citizens' interests without being politically influenced.

# IRAQ AT A GLANCE

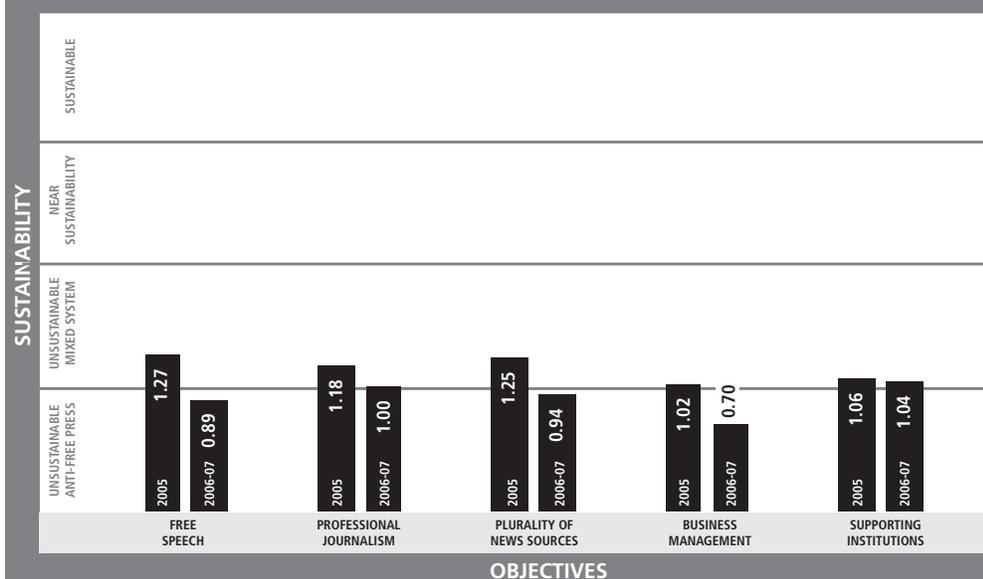
## GENERAL

- > **Population:** 28,221,181 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Baghdad
- > **Ethnic groups (% of population):** Arab 75%-80%, Kurdish 15%-20%, Turkoman, Assyrian, or other 5% (*CIA World Factbook*)
- > **Religions (% of population):** Shi'a Muslim 60%-65%, Sunni Muslim 32%-37%, Christian or other 3% (*CIA World Factbook*)
- > **Languages (% of population):** Arabic, Kurdish (official in Kurdish regions), Turkoman (a Turkish dialect), Assyrian, Armenian (*CIA World Factbook*)
- > **GNI (2006-Atlas):** N/A
- > **GNI per capita (2006-PPP):** N/A
- > **Literacy rate:** 74.1% (male 84.1%, female 64.2%) (2000 est., *CIA World Factbook*)
- > **President or top authority:** Prime Minister Nuri al-Maliki (since May 20, 2006)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**  
Print: 30 regular newspapers (15 daily, 15 weekly), 300+ irregularly printed papers; Radio: 84 local and regional stations; Television Stations: 25 terrestrial and satellite channels
- > **Newspaper circulation statistics:** Exact circulation not available, the top paper, *al-Sabah*, has an approximate daily circulation of 30,000
- > **Broadcast ratings:** Top 3 TV stations: *al-Iraqiya*, *al-Sharqiya*, *al-Hurriya*
- > **News agencies:** National Iraqi News Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 36,000 (2004 est., *CIA World Factbook*)

### MEDIA SUSTAINABILITY INDEX: IRAQ



#### 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: FREE SPEECH

### Iraq Objective Score: 0.89

Aspirations for media freedom after April 2003 were enormous. Some Iraqis came back from abroad to establish their own outlets. Others worked from inside Iraq, often influenced by examples from countries with mature independent media industries. Everybody saw great opportunity for change—before being hit by reality. An increasing gap formed between the media sector's expectations and aspirations and the reality of the weaknesses of the free press protections and the media law environment in practice. This has led to a significant lowering of the MSI panel's assessment for this objective, to 0.89 from 1.27 in 2005.

The reality, MSI panelists say, is that there is no protection for media professionals and little free press context in which to work. Iraq had not previously known an enterprising media seeking out news and information. It is not easy for the political forces to allow access; on the contrary, giving information out to journalists conflicts with their tendencies. Moreover, many of those who took over important positions in government and other institutions had no professional experience, educational background or personal understanding of free media. Rather than seeing the nurturing of free expression and provision of information to the media as part of their duties as public servants, they thought that the media should serve their interests and those of their political movements. The media had been used as propaganda for the totalitarian regime in the past, and now they wanted to impose their wishes on it and be served in the same way.

The constitution ensures freedom of expression in Article 38, but the weak legal system and the overall insecurity render this ineffectual, according to the MSI panel. It is possible to arrest—and even to assassinate—any journalist at any time and in any place. Additionally, important elements of the media regulatory structure are not yet in place, such as those governing public broadcasting. “It is true that the constitution is important, yet the laws that ensure the activation of its articles are more important, and so far, these laws have not been issued,” said Adil Al-Thamiri, an academic from Basra University and chairman of Afaq Media Forum.

A mix of temporary statutes governs the Iraqi media: The National Communications and Media Commission was established by Order 65 of the US-led Coalition Provisional Authority (CPA) in March 2004 to regulate broadcasting, among other tasks. The commissioners were charged with coordinating use of the radio broadcast spectrum, regulating and licensing broadcast outlets, and developing regulatory policy for the government, although their duties also

extended to telecommunications and other areas unrelated to the media. The commission controls the licensing of radio and television stations, and does so largely without political interference, the panel concluded. No media license is required to open a newspaper.

The CPA's Order 66 of March 2004 established the Iraqi Media Network (IMN), including the Al-Iraqiya satellite channel, *Al-Sabah* newspaper, and radio stations, but its planned transition to true public service media run by a board of governors selected for their independence and insulated from the government and its political leaders is not complete. Another CPA order, No. 17 Part II, prevents arrests of journalists without approval of the prime minister.

“We are waiting for the laws on the media,” said Adil Al-Thamiri. “For instance, many organizations worked on the Iraqi Media Network law. It was supposed to be the first law that deals with the media issues to see the light; and yet it has not been issued.” He also noted that a draft law put forward by civil society to support freedom of expression was “lost in parliament,” and other panelists noted that no access to information law has been formulated.

Articles of the 1969 penal code, which focus on media as related to national security, public morals, and the higher interests of the state are still considered in force. As a crime, libel can be punished according to the penal code's Article 434. The Civil Law No. 40 of 1950 also includes the possibility of judgments for damages from defamation. The law considers use of the media in cases of defamation as an aggravating circumstance, in response to which the courts should impose the harshest punishment, critics have noted.

In Kurdistan, a new press law was drafted with input from the Kurdistan Journalists Syndicate but the version that was approved by the region's parliament in mid-December was greeted by protests from journalists who said revisions had raised penalties and added restrictions that would limit press freedom. The president of the regional government, Masoud Barzani, refused to sign the bill when it reached his desk and sent it back to the regional parliament for further review. A new version was prepared and submitted for the Spring 2008 parliament session. In particular, MSI panelists noted that the bill as approved by the parliament significantly raised fines for a series of vaguely worded offenses such as disturbing security, spreading fear, or encouraging terrorism. “In a time in which we need balance, the government fires on us elastic terms such as ‘national security,’ ‘public morals,’ ‘the security of the region of Kurdistan,’ etc.,” said Khidhr Domali, a reporter and human rights activist in the region. “We know nothing of these terms other than their generalities. Yet, we are threatened to be punished if we come near them,” he continued.

MSI panelists identified the lack of regulations concerning access to information as one of the most significant challenges. A journalist may outline a reporting idea that interests him and satisfies his editors, yet not be sure whether he will be able to carry it out. Therefore, panelists said, the journalists are often very hesitant to plan even marginally ambitious reporting, knowing that officials can hide information whenever they like if they do not think its release would benefit them. Reporters are fearful of being misunderstood or abused by officials, and may be inclined to overlook most of the standards of professional integrity. They fear having what they wrote misinterpreted, or seeing it followed by a call, an arrest, a lawsuit, or worse, panelists said. The journalists know that their media outlets are too weak to stand beside them if they are arrested or sued. These outlets are mostly able only to condemn and denounce. And if journalists are detained or killed, owners of many outlets are not ready to pay any compensation, panelists said.

The panel members described a degree of “despair” among journalists, and a deteriorating profession. They also cited a certain double standard, with Iraqi officials giving foreign journalists more access to information and even allowing these reporters to publish news that annoys them without any retaliation. The Iraqi journalist, by contrast, will be exposed to the official’s anger if he publishes something that disturbs the official, even if it is published quoting from a foreign source.

#### 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.

“Shortage in information does surely affect freedom of expression,” said Ibraheem Al-Sarraj, chairman of IJRDA. “What is said is something and the actual reality is something else, and journalists are being abused especially after the increase in pressures and regulations on information gathering.” He mentioned a May 2007 announcement by a Ministry of Interior official that journalists were no longer to be allowed immediate access to places where explosions had occurred. The decision was presented as a safety measure for journalists given the potential for additional explosions, but it was widely viewed as interference in coverage of violence. Shortly after the provision’s announcement, it was enforced by police firing in the air to disperse journalists trying to reach a bomb scene in a Baghdad square. “The irony is that now any official can prevent the journalist’s access to whatever he wishes,” Ibraheem Al-Sarraj said.

Various new orders, some of them issued on the spot at an individual official’s whim, hinder the movement of media professionals and their access to news events and information sources, panelists said. This emphasizes the absence of laws that protect journalists or ensure they can do their jobs. The MSI panel described a chaotic situation, and noted repeatedly that the journalist may turn into a victim at any moment—or become a number in a prison or a graveyard.

Many journalists have been detained by various authorities. Ala’ Al-Haddad, head of Tawasul Company for Publications and Distribution, said that the tallies of journalists killed or detained are probably incomplete. “There are detainees who have not been registered in the arrest list; among whom is Abdul-Sattar Al-Sha’lan who was arrested by the Multi-National Forces more than a year ago,” he said. According to the Committee to Protect Journalists (CPJ), US troops have taken in dozens of reporters, mostly Iraqis. Most have been released relatively quickly, but CPJ has documented more than a half-dozen cases where they have been held for weeks or months without having their cases adjudicated. One example is that of Bilal Hussein, a Pulitzer Prize-winning photographer for The Associated Press who has been held by the US military since April 2006, accused of being a security threat but without formal charges ever being filed. The AP, conducting its own extensive internal review, found no evidence to suggest wrongdoing (Hussein was released in April 2008 while the MSI was in production).

Abduction by unknown forces also is a threat. Ibraheem Al-Sarraj said the annual report of his organization, IJRDA, shows 23 journalists were abducted during 2007. “Most of them were killed, and six are still missing,” he said. For example, Reem Zaid and Marwan Khaz’al al-Majidi, correspondents of the Al-Sumariya satellite television channel, remained missing at the end of 2007 after being

abducted more than two years before. Extra-judicial cases also occur: "Moreover, 24 journalists suffered from different assaults including capital punishment judgments issued by courts that belong to radical groups. Militants destroyed completely two media institutions," Ibraheem Al-Sarraj said.

Impunity is rampant. "All these crimes were committed, and yet neither the Multi-National Forces nor the Iraqi security forces conducted investigations in spite of all the numerous statements and promises," Ibraheem Al-Sarraj said. "Moreover, the causes and facts behind the arrests were not uncovered. No explanation was given as to why they arrest this journalist or that one. The arrests are not even investigated quickly."

The panelists differed about whether the public is stirred by the dramatic statistics on journalists killed and abducted. Sa'diya Khaleel Taha Al-Tikriti, correspondent of Salah El-Deen TV and *Al-Khabar* newspaper, said, "I myself have seen and heard many people who feel compassion for the journalists who were assassinated." But Adil Al-Thamiri of Basra University differed: "The Iraqi community, in general, is shocked by everything that takes place in front and around it. I don't believe that the community is much touched by the assassination of a journalist. Not because it does not want to be, but because there is nobody who might, for instance, organize a demonstration or a protest parade to support the journalist. Have any one of you seen or heard of a demonstration that has gone on for the killing of a journalist?"

The MSI panel said the disorganized state of the country's statutory framework contributes to the media's problems. Some officials invoke inactive regulations from the Saddam Hussein regime as protection, seeking to take these laws out of the drawers and bring them back to life. One panel member, Hashim Al-Musawi, editor-in-chief of *Al-Safeer* newspaper and a legal specialist, said some laws that are in place are not used. "There are laws that are inactive, such as Order No.7, Part II, issued by (Coalition Provisional Authority head) Paul Bremer and which prohibits bringing proceedings against journalists except after obtaining the prime minister's approval. This law is still valid, but judges and the executive authority in Iraq do not want to activate it. Had it been activated, journalists would not have been arrested." He gave as an example the case of Ali Shareef, a journalist who was sued by the governor of Babylon after writing about allegations that the governor had engaged in corrupt activities and did not have a university degree, disqualifying him for the position. The case was dismissed on the basis of Order No. 7, according to Hashim Al-Musawi.

Gaining entrance to press conferences or even learning when they are held can pose an access-to-information challenge, panel members said. Those who provide approvals to attend

*The reality, MSI panelists say, is that there is no protection for media professionals and little free press context in which to work. Iraq had not previously known an enterprising media seeking out news and information. It is not easy for the political forces to allow access.*

press conferences may deal with the media according to their whims, the panelists said, based on the power of the party that owns the media outlet in question and according to political currents. Jameel Al-Rikabi, of the Al Diyar satellite television channel, described how government officials stand in the way of information-gathering: "In the Press Center of the Prime Minister, for instance, we were told one is not allowed to ask more than one question."

Journalists who work at media outlets owned by parties with numerous seats in parliament and government are better provided for than others in terms of access to information generally, and learning when press conferences are, specifically. Moreover, such journalists may get pre-written reports that contain the information intended to be released, panelists said. Reporters working for outlets whose owners are not part of the inner circles are regarded as having doubtful loyalty, with the easiest path being to accuse them of being financed by foreign entities. Journalists from media published or broadcast from abroad and viewed as in opposition have no opportunity to access information themselves, according to panel members, and thus they depend on foreign news agencies. Journalists from state broadcaster IMN have better access, and the favoritism by government officials is readily apparent, according to panel members.

The status of IMN and public media in general was the focus of concern for the MSI panelists, who noted that a permanent law to replace CPA Order 66 remained before parliament. Meanwhile, panelists said, IMN's work is in limbo, hindered because the professional journalists at the network's outlets are counterbalanced by others who either act as if they are spokesmen for government and political parties or use IMN for personal interests. As a result, IMN outlets all have been stamped as biased toward government, panelists said. "Iraqiya satellite channel broadcasts the government and its officials' viewpoints," said Jameel Al-Rikabi. "If it wants to prove its independence, it needs to interview an opponent to the government who lives abroad."

Mohammad Al-Juboori, editing secretary of the Murasiloon News Agency website, placed responsibility for the

*Impunity is rampant. "All these crimes were committed, and yet neither the Multi-National Forces nor the Iraqi security forces conducted investigations in spite of all the numerous statements and promises," Ibraheem Al-Sarraj said.*

deteriorating media sector elsewhere: "The parties, especially the strong ones, stand behind everything. They influence the government and parliament. I can say that an official at an influential party pressed a media outlet owner to repeat a complete article and change it because of one word in it, and the journalist agreed and did what he wanted."

Abdul Rasool Ziyara, head of the Iraqi Journalists Union and editor-in-chief of *Al-Sharq* newspaper, said journalists themselves are to some degree responsible for the partisanship in the media. "Yes, partisan trends do overwhelm the media nowadays, and they deprive it of its independence," he said. "Still, we should not blame the government or the parties alone. We are not united journalists, but rather divided among ourselves. Had we unified, we could have had the ability to pressure the government or even the parties."

The government does not license journalists and does not seek this power.

**OBJECTIVE 2: PROFESSIONAL JOURNALISM**  
**Iraq Objective Score: 1.00**

Even if only a relatively limited number of the hundreds of newspapers that emerged after April 2003 survive today, the fact that so many were published reflects a degree of capacity on the part of the journalists and editors. But pressures from political and sectarian forces, the agendas of the media owners, and the dangers of being a journalist have done significant damage to the professionalism of those working in the media, the panel concluded. Journalists work increasingly cautiously out of fear: fear of losing their jobs, fear of drawing the ire of powerful people, and fear of losing their freedom or their lives. The MSI panel scored Iraq at 1.00 for this objective measuring the professionalism of the media, compared with 1.18 for the 2005 report.

With most newspapers and satellite channels financed by political parties or persons with political interests, journalists at all levels are exposed to the financiers' influences. This is

true to such an extent that journalists may find that their stories appear containing material that they did not report or write. "In many instances, the stories are changed and thus they become less precise, losing their most important characteristic," said Dhuha Sa'ad, news editor and a recent journalism graduate who works for an independent newspaper. "Since many work to win their bread, they are forced to approve all the practices of the owner or financier of the media outlet they work with."

"Do we have a professional journalism?" wondered Hashim Al-Musawi, editor-in-chief of *Al-Safeer* newspaper. "After the political changes, journalism has emerged quickly and achieved freedom of work, but not the freedom of the profession. Many who were the bosses and backers came with foreign agendas. After 2006, that has led to enormous setbacks, such as the loss of journalistic standards and the imposition of those agendas on the professionals."

"I shall not talk here about complete professionalism, but a scratched version," added Awatif Hashim, correspondent of *Al-Shabaka Al-Iraqiya* magazine, one of the IMN media outlets. "The professional journalists who were in Iraq before 2003 are still following the same path. The new ones, however, are looking for excitement and for promoting specific things they want."

"Journalism is not to be judged by quantity, but by variation," said Ala' Al-Haddad of the Tawasul Company for Publications and Distribution. "All over the world there are famous and internationally known newspapers that readers cannot do without. In the same countries, there are unknown newspapers which have limited influence. In Iraq, there are now newspapers that are financed and subsidized

**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).

but there is neither professional journalism nor widely circulated newspapers that ensure returns. Also, there are names known as professional journalists but there are no media outlets that have attained high professionalism. The political, economic and security events in Iraq since 2003 represent the best evidence. These events fill international journalism, and yet there is no single media outlet in Iraq that has succeeded in producing reports on them at international standards.”

Journalists engage in a degree of self-censorship, in part because of the high level of politicization and government officials’ lower level of experience in dealing with media, panelists said. “Our officials give us many problems,” said Hashim Al-Musawi, describing how representatives from a political party or government bloc may make statements to the media one day and deny them the next, after being blamed by their factions for the positions they took publicly. “They mostly deny their statements and shoulder us with the responsibility. Now we fear scoops and avoid them.”

Despite subsidies from various backers of news outlets, said Nahla Ghazi Al-Lowzi, head of Free Media Organization in Babel in south central Iraq, the working conditions for journalists may be very poor: “Some of the media outlets have huge financing but the journalist working in them lacks the simplest requirements, including training and equipment.”

Salaries are low for most journalists, both at outlets that are struggling financially and at those where financing is from a special interest to promote an agenda. “In general,” said Al-Sarraj, “the problem lies in the relation between the financing bodies and the editor-in-chiefs. I know an editor-in-chief who receives a huge financing, and yet she does not pay for the article more than 1,500 Iraqi dinar, that is \$1 or a little more. She went to the extreme of placing a list of prices to the articles and reports at the entrance of the newspaper building. I also know of a newspaper that has a staff of five workers only, yet the registered number is 20. The reason behind this is that the editor-in-chief gets the salaries of 20 workers and pays only five of them.”

Several panel members pointed to the lack of binding work contracts and the toll that the insecurity resulting from this takes on professionalism. “I know an old journalist who has taken hold of a newspaper and, to please his financiers, he fired 73 journalists,” said Al-Sarraj. “The greatest problem in working in our profession nowadays is that it is loose: there are no working contracts that bind both parties. Contracting takes place orally.” Panelists mentioned that more experienced journalists may be fired to be replaced by a new graduate who is willing to accept any pay level. Moreover, the graduate may win a job opportunity only due to having a university degree in journalism, they said.

*Dhuha Sa’ad, news editor and a recent journalism graduate who works for an independent newspaper said “Since many work to win their bread, they are forced to approve all the practices of the owner or financier of the media outlet they work with.”*

Salaries generally do not exceed \$100 a month, and often are not paid on time. Media owners may say they do not have enough money to both publish and pay salaries, and choose to produce the newspaper, panelists said. This leaves some journalists continuing to work without pay in the hope they will eventually receive their salaries. Others are paid by the piece, creating a financial incentive for them to sacrifice quality for quantity.

“There are journalists nowadays whom we call copy-and-paste journalists,” said Mohammad Al-Juboori. “Their mobile phones enable them to contact each other to get news from each other. A journalist of a newspaper contacts a journalist from another newspaper to exchange the pieces of news he has gained. This takes place even in press conferences so that both get the highest number of news articles. I know a colleague who works in a news agency. She calls this journalist or that one to increase the number of articles she sends to her agency irrespective of the quality of the article or what it is.”

In these circumstances there are significant challenges to maintaining ethical standards, the MSI panel concluded. For example, according to panelists, there are cases when journalists seek to stay ahead by bribing an information officer for a ministry or other institution to provide them exclusively with information and hide it from all others making inquiries. There have been several initiatives concerning ethics codes supported by civil society organizations, international support groups and, in some cases, media outlets. One drafting process, launched by a range of Iraqi broadcasters with support from UNESCO in October 2007, seeks to unify media ethics principles and raise the credibility of television and radio reporting. In another initiative, begun in 2006, IMN managers commissioned a special committee led by the editor in chief of *Al-Sabah* newspaper that produced an ethics code eventually signed by representatives of 32 media outlets. However, panel members said the agendas imposed by political blocs backing some media houses, financial conditions, and other factors conflict with ethics codes, and therefore many journalists do not

*“There are journalists nowadays whom we call copy-and-paste journalists,” said Mohammad Al-Juboori. “Their mobile phones enable them to contact each other to get news from each other. A journalist of a newspaper contacts a journalist from another newspaper to exchange the pieces of news he has gained.”*

comply with them. For example, Nahla Ghazi Al-Lowzi said journalists may be required to bring advertising business to their newspapers. Panelists described how journalists conduct interviews with government officials and then tell them that their views will not be published unless their institutions buy advertisements or subscribe to the publications.

Most panel members agreed that while it is appropriate for media outlets to be commercial entities, this often is pursued at the expense of professionalism. At some outlets where finances are weak, or the drive for profit takes precedence, owners are dispensing with journalists altogether and resorting to lifting material from the Internet, panel members said. This also produces newspapers that look very similar to each other.

Generally, niche reporting and programming has not developed significantly. In part, panelists said, this has to do with the lack of time and financial resources required by journalists to produce in-depth reporting. Fear and self-censorship also contribute to shortfalls in this area.

Lack of equipment at media houses also was noted as reducing professionalism. Most newspapers do not have their own presses, forcing publishers to use private printing houses that have outdated equipment and lack the capacity for producing multiple daily editions. Consequently, the newspapers are issued as if they were copies of each other. There also are satellite channels that do not have all the equipment they need, at times renting sets from production companies to execute their work.

### OBJECTIVE 3: PLURALITY OF NEWS SOURCES

**Iraq Objective Score: 0.94**

The newspaper industry that expanded so rapidly in 2003 and 2004 continues to constrict. Where hundreds of titles were

sold from sidewalks and kiosks, now the most prominent newspapers number less than 10. The number of satellite channels and Internet resources is growing, and access to them is broadening steadily. However, the MSI panel noted that even now not all Iraqis are reached by media, and that the still-substantial number of outlets does not correspond with a great variation in the subjects covered and the views expressed, as would be expected. The panelists also said the impact of larger numbers of media outlets is tempered somewhat by suspicions about their credibility. The panel ranked this objective at 0.94, down from 1.25 in 2005.

Newspapers are issued in Baghdad, with the leading titles including *Al-Sabah*, *Al-Mada*, *Azzaman*, *Al-Sabah al-Jadeed*, and *Addustoor*. Newspapers also are issued by some governorates. In Kurdistan, for example, the Ministry of Culture records 800 licenses for periodical magazines and newspapers, including in the main cities of Erbil, Sulaymaniya, and Duhok. However, panelists said circulation is very low, and that the copies of the top newspapers circulated in the three governorates, with a population of about 5 million, total little more than 15,000 copies. Residents of governorate centers and some towns can obtain a range of publications. They are not available, however, in some districts and in villages and rural areas. “In Basra, some of the newspapers reach the city, but they do not go out of the center,” said Adil Al-Thamiri of Basra University. “You will not find a single newspaper in Abu Al-Khaseeb district,” which is on the outskirts of Basra.

“If the newspapers do not reach Abu Al-Khaseeb,” said Hoker Khidhr Ghareeb, correspondent of the Yekeker Kurdish

### 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.

radio station, “we have areas in Kurdistan to which neither newspapers nor television broadcasting, whether local or satellite, reach. If the radio broadcasting reaches them, reception will be distorted ... There are villages and towns situated on very high mountains ... (or) in very low valleys or encircled by two mountains or several elevations.”

Among broadcasters, leading radio stations include Republic of Iraq Radio (RIR), Dijla, Al-Mahaba, Al-Hurriya, Al-Nas, and Ur FM. Prominent television channels include Al-Iraqiya, al-Sharqiya, Al-Hurra Iraq, Al-Baghdadiya, al-Hurriya, and Baghdad. There are two prime times for all Iraqi satellite channels: between 1 p.m. and 3 p.m. and 7 p.m. and 9 p.m., with the evening newscasts taking prominent positions at 7 p.m. or 8 p.m.

In northern Iraq, the MSI panelists pointed to the impact of factional control of the media. By far the majority of the media outlets in the Kurdish region of Iraq, including the three northeastern governorates of Erbil, Sulaimaniya, and Duhok, remain under the domination of the two main political parties, the Kurdistan Democratic Party (KDP) and Patriotic Union of Kurdistan (PUK). This is particularly true among the key broadcast media, although a few relatively independent newspapers and on-line news sites have emerged.

In the south, panel members discussed the influence of the government and political officials, religious figures, militias, tribal leaders, and business forces on the media. Al Marbid radio, a station receiving technical assistance from the BBC World Service Trust, is generating 12 hours a day of locally produced original news and entertainment programming. Its transmissions reach Basra, Amara, and Nassirriya and the station records high audience figures as well as significant official responses to issues raised by its news and public affairs reporters. However, Al Marbid TV, the local television component of the project, closed in March 2007. The BBC and donors concluded the prospects were dim for developing sufficient advertising revenue to offset the costs of operating the station over the long term. Factors in the closing included the lack of economic development in the area and the continued partisan pressures on the media, challenges that MSI panelists said were true across the region’s media market.

Satellite transmission has become increasingly important to media plurality, panelists said. There are now whole villages, towns, districts, and communes that depend entirely on satellite channels. Even in Baghdad, some of the neighborhoods are in this category. Panelists said this is in part because newspaper distribution depends on companies that are not well-informed about promotion and marketing and do not aggressively open new districts to sales, and there

*“If the newspapers do not reach Abu Al-Khaseeb,” said Hoker Khidhr Ghareeb, correspondent of the Yekeker Kurdish radio station, “we have areas in Kurdistan to which neither newspapers nor television broadcasting, whether local or satellite, reach.”*

are no firms specialized in the market represented by more remote areas. The government-owned National Distribution Co. of the previous regime, which had efficient countrywide distribution but only for the very strictly controlled list of approved publications, has not been replaced. The current network of shops, kiosks, and distribution offices is vulnerable to disputes and conspiracies against certain publications, with bribery and even death threats used to prevent their distribution and destroy their business.

Also dampening market support for media plurality is the shaken trust of potential newspaper readers in Baghdad and in the governorates, panelists said. Sensationalism and lack of accuracy has caused audiences to give up on some Iraqi media outlets, they said, and turn—if they can afford it—to international media. The panel also noted that political party linked publications tend to have a narrow focus and lose audience and, therefore, revenues. Also hurting access to a wide range of media are electricity outages, which plague both remote areas and Baghdad. Panel members noted the impact of these interruptions on the “chain” of information, with news consumers missing out on developments in on-going news stories.

There are a limited number of news agencies, some providing news for free and others charging subscription fees. To date, their quality has not been such that they have convinced editors-in-chief to depend on them and do without foreign counterparts. “Officials participate in the weakness of the news agencies and the other media,” said Santa Mikha’eel, correspondent of Voices of Iraq News Agency. “The official who may give a statement that does not appeal to the government or his party may later deny this statement, a matter that is reflected on negatively by the reader who is unaware of what takes place between the media outlet and the bodies it deals with.”

“Personally, I depend on the foreign news agencies,” said Hashim Al-Musawi, editor-in-chief of *Al-Safeer* newspaper. “They are impartial and their news articles are new and varied.”

*“For us in the northern areas, the news resources are not multiplied,” said Salma Hifdhi, correspondent of the Dijla satellite channel, “We neither know nor take the news of the middle and the south of Iraq. All the channels are Kurdish.”*

MSI panel members described the degree to which plurality of news sources does not mean there is extensive and varied information available. Many of the media outlets carry similar information, some of it culled from the same Internet sources or the same journalists. Reporting does not tend to be in-depth, and is subject to distortion due to the wishes of those who run the media outlets. Not all owners of media outlets are known to the public because ownership is not transparent.

Language is another issue. “For us in the northern areas, the news resources are not multiplied,” said Salma Hifdhi, correspondent of the Dijla satellite channel, “We neither know nor take the news of the middle and the south of Iraq. All the channels are Kurdish. We do not have a channel in Arabic.” Diyala governorate has a mixed Arab, Kurdish, and Turkmen population and the panelist noted that the local television broadcaster does not reach Khaniqeen, a district that is on the road joining Kurdish- and Arabic-speaking areas. Newspapers do not reach Khaniqeen either; only a Kurdish radio channel reaches the town. Other panelists mentioned that Kurdish officials may decline to speak in Arabic when interviewed by correspondents for Arabic-language broadcasters, and that officials in Kurdistan require security service approval to distribute newspapers in the region.

Minority groups in Iraq such as Mandeans, Christians, Yezidis and others may find no place for their voices except in their own media, panelists said. Generally events involving these communities are not reported on in the national media, and panelists said that when they are, there often are distortions. An example cited from 2007 was the coverage of a young Yezidi woman who was killed, apparently for having embraced Islam and marrying a Muslim.

Internet access is increasing but still limited largely by expense. An hour at a private Internet café costs 2000 Iraqi dinar, or about \$1.50. Internet cafes are not yet plentiful and often are clustered, therefore not reaching every neighborhood. Additionally, security conditions limit their opening hours.

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Iraq Objective Score: 0.70

Media management continues to be weak in Iraq. Outlets work without prior planning or studied calculations. There is not a single institution to research the media market, help a potential new entrant understand whether it is possible to be profitable, or support the business strategies of existing outlets. The MSI panel rated Iraq's score with respect to this objective at 0.70, down from 1.02.

The lack of market research and other media business consulting capacity hampers the ability of the more credible and independent media to compete with those outlets subsidized to promote political agendas, MSI panelists said. Without support in their drive for sustainability, many outlets fall into a downward financial spiral or are forced to find patrons, as well. The subsidized media outlets get advertising not only from their backers but also from businessmen and other figures who are aligned with their political or sectarian interests. Panelists said there are ministers and government officials who limit the advertising from their departments to media that express their parties' viewpoints. Exporting of ads to foreign media also has contributed to weakening the more professional and independent Iraqi media, according to the panel.

Panelists described the mixed sources of revenue for Iraqi media outlets. Some have backers but not advertising such as the Al-Hurra Iraq satellite channel. Others have backers and advertising, including the Al-Iraqiya satellite television channel and Al-Hurriya. The same can be said about newspapers. For example, *Al-Sabah* has backers, advertising,

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

#### BUSINESS MANAGEMENT INDICATORS:

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

and circulation sources of revenues due to being arguably the leading newspaper in Iraq. Even the type of backers for media outlets differ: Al-Iraqiya and Al-Hurra Iraq are backed by governments, while Al-Hurriya and Al-Sharqiya are backed by individuals.

In particular, the panel noted that IMN, which includes Al-Iraqiya satellite channel, *Al-Sabah* newspaper, and radio stations, receives an annual allocation in the state budget, and also takes in advertising revenue. Panel members noted that this policy is in place even though many commercial media outlets are floundering either financially or in terms of editorial independence.

Journalists frequently are turned into advertising agents for their outlets, violating the strict separation between news and business departments that contributes to media credibility. Some reporters choose to do this because it is more lucrative than continuing as a journalist uninfluenced by advertisers' interests. In other cases, editors-in-chief have informed their journalists that they must garner advertising for their newspapers or face losing their reporting jobs.

The advertising agencies themselves are not highly experienced and are seen as using any means to place the highest number of ads. Some newspapers resort to blackmail to get ads, making promises or threats to officials. Overall, the advertising industry is growing slowly because of the security situation and the hybrid nature of the market, with a large public sector, a weak and inexperienced private sector, and another politicized sector that mixes public and private interests, panelists said. Some media houses form their own advertising agencies, while others have a designated advertising department that works with advertisers and with advertising agencies. To the degree that the advertising market has been analyzed, television appears to receive the greatest share of ad revenue. Major advertisers include the government, which places public service announcements promoting tolerance, warning against terrorism and publicizing activities of the Defense and Interior ministries, and the mobile phone companies.

Broadcast ratings and circulation figures are not produced reliably although there has been some limited research done on audiences for television and print media by international and Iraqi groups including Tawasul Company for Publishing and Distribution and Eye Media Company.

Distribution systems also are not highly developed. Ibraheem al-Sarraj said that media companies do not analyze their circulation and production trends to optimize distribution. Ameera Al-Juboori, a publishing house owner, said that some distributors "do not pay the owners of some newspapers their shares from buying their newspapers. At the same time, they

*Ameera Al-Juboori, a publishing house owner, said that some distributors "do not pay the owners of some newspapers their shares from buying their newspapers. At the same time, they do not return to them the copies that are not sold."*

do not return to them the copies that are not sold." Added Abdul Rasool Ziyara, "No single distributing company has appeared that is aware of ... the mechanisms of distribution."

The deteriorated printing presses also contribute to weaker business performance, and the private printing houses tend not to have the financial resources to refurbish their equipment. Nor, panelist said, do the printing houses trust that if they invested in their production technology, their newspaper clients would be profitable or plentiful enough to provide return on the outlay.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Iraq Objective Score: 1.04

The Iraqi media sector does not have the full range of institutional supports to promote its sustainability, according to the MSI assessment. This is true for owners, who do not work together to lobby for their industry, and journalists as well. The organizations that could link Iraqi media to international trends and help keep pace with modernization also are largely failing to develop, the MSI panelists said. They rated this objective at 1.04, almost unchanged from 1.06 during the last period.

"Bosses and owners of the media do not sit together, as is the case in other countries, to form a specific organization that helps them to study their issues in a manner that serves their interests and the interests of the industry," said Mohammad Al-Juboori, a publishing house owner. The government-approved organization for publishers during the regime of Saddam Hussein has not been replaced by a legitimate industry association.

The unions and associations representing Iraqi journalists are still relatively weak, according to the panel members. The Iraqi Journalists Association and the Iraqi Journalists Union work as syndicates. The oldest is the Iraqi Journalists Association, established in 1958. In 1969, Saddam Hussein issued Law 178 and its amendments stating that it is the only association that represents Iraqi journalists. However,

*“Bosses and owners of the media do not sit together, as is the case in other countries, to form a specific organization that helps them to study their issues in a manner that serves their interests and the interests of the industry,” said Mohammad Al-Juboori.*

panelists said it has been unable to stand for journalists in the new conditions of the industry, and therefore no one relies on it. The other syndicate, the Iraqi Journalists Union, was established after 2003, but the panel noted that the 1969 law still prevents the establishment of any other entity representing journalists officially as a trade union.

Other new groups, including the IJRDA and the Journalistic Freedoms Observatory, are more active but still not able to fully meet the needs for advocacy and support within the media sector, panelists said. JRDA monitors violations against Iraqi media and has offices in Baghdad and 10 Iraqi cities. It offers a legal advocacy program to defend detained journalists and published an annual report, *Violations of Freedom of the Press and Freedom of Expression in Iraq for 2007*. The Journalistic Freedoms Observatory works on freedom of expression advocacy by publishing declarations and lobbying. The work of both is assisted by a range of international organizations that are focused primarily on capacity building through training workshops and consulting, sponsoring conferences on media topics, and making grants.

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

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

The MSI panel rated the efforts of the organizations offering training to journalists as not yet fully fruitful. Panelists said the training has reached only a restricted number of journalists who have been offered the opportunity by their newspapers and other media to join workshops and courses. In some cases, they said, these opportunities result from relationships that the media organization managers have with the organizations supporting or organizing the trainings. Some panelists criticized what they saw as bias in the distribution of opportunities abroad. They said NGOs erred in sending some journalists to international trainings in the same areas more than once, in exchanging coverage of their activities for training opportunities, or in the processes they use to select participants.

Certain organizations use specific criteria to fill their rosters, and these are viewed critically by some panelists as unduly subjective rather than objective selections. While such organizations may be selecting participants to encourage those who had been barred or not encouraged professionally during previous regimes, the comments indicated that there is suspicion within the journalistic ranks because training opportunities, particularly involving travel abroad, are not seen as fully fairly distributed. Santa Mikha'eel said that some journalists provided with international training are not known to her as working media professionals, and are suspected of having used personal connections to get nominated. She also said women journalists have greater opportunities to be trained but do not necessarily represent all the gaps in media professionalism. Hoker Khidhr Ghareeb said, "Even nationality has a role in getting training opportunities. The Kurds, for instance, number less than the Arabs who traveled abroad to be trained." Added Santa Mikha'eel: "I'll tell you something bad. I was nominated to attend a training course abroad. I was chosen because I am Christian, and not for any objective or professional standards. I was chosen to complete the image the international NGOs insist on communicating, namely the participants represent the entire Iraqi spectrum. This means that the quota has even reached to training. That is the greatest disaster."

University journalism programs are presented by academics who studied mass communication, not the practicalities of the profession in current conditions. "The graduates from the mass media institutions are not satisfactory," said Abdul Rasool Ziyara. "Some of these graduates know nothing about the media. Consequently, they end by working at the information offices of ministries." He added, "Some media had bitter experiences with graduates of the College of Information at Baghdad University."

The College of Information is the oldest and most important journalism education institution in the country. As a public

entity, however, it is severely lacking in training equipment and largely unable to hold practical workshops for students, limiting the bulk of its courses to theoretical lectures. "Sometimes, a graduate does not know the components of a news article," agreed Ibraheem al-Sarraji. The college also is not currently contributing to the development of the media sector through research, forums and consultations, panelists said. Elsewhere in the country, there also are media education departments at Erbil Technical Institute, Sulaimaniya Technical Institute, and Emara Technical Institute.

There are state printing houses but they are as deteriorated as the private ones. Several of the more modern presses were looted or burned when the previous regime collapsed, and equipment that has been imported is used for government work only, the panel said. Printing equipment can be brought into the country freely but private investors do not risk the investment, in part because of a lack of expertise in running the newer technology. Newsprint is imported privately and prices fluctuate on the market, reflecting movement in international currencies and the demand among Iraqi publishers.

Kiosks are privately owned, although subject to political influence or interference by competing media houses. Internet providers are non-political and access is not restricted, other than by price.

## Panel Participants

**Mahir Al-Dulaimi**, media lawyer expert and human rights activist, Al-Anbar

**Salma Hifdhi**, correspondent, Dijla Satellite TV Channel, Diyala

**Sa'diya Khaleel Taha Al-Tikriti**, correspondent, Salah El-Deen TV and *Al-Khabar* newspaper, Salah El-Deen

**Ibraheem Al-Sarraji**, chairman, Iraqi Journalist Rights Defense Association, Baghdad

**Abdul Rasool Ziyara**, head, Iraqi Journalists Union, editor-in-chief, *Al-Sharq* Newspaper, Baghdad

**Ala' Al-Haddad**, head, Tawasul Company for Publications and Distribution, Baghdad

**Mohammad Al-Juboori**, editing secretary, Murasiloon News Agency Website, Baghdad

**Jameel Al-Rikabi**, correspondent, Al-Diyar TV, Thi Qar<sup>1</sup>

**Ameera Al-Juboori**, owner, Rose Baghdad Publishing House, Baghdad

**Awatif Hashim**, correspondent, *Al-Shabaka Al-Iraqiya* Magazine, Baghdad

**Hashim Al-Musawi**, editor-in-chief, *Al-Safeer* Newspaper, Baghdad

**Dhuha Sa'ad**, news editor, *Rose Baghdad* Newspaper, Baghdad

**Nahla Ghazi Al-Lowzi**, head, Free Media Organization, Babylon

**Adil Al-Thamiri**, academic, Basra University, chairman, Afaq Media Forum, Basra

**Santa Mikha'eel**, correspondent, Voices of Iraq News Agency, Baghdad

**Hoker Khidhr Ghareeb**, correspondent, Yekeker Kurdish Radio, Erbil

## Moderator

**Kadhim Nazar Al-Rikabi**, acting Iraq media programs director, IREX, Baghdad

<sup>1</sup> It is with regret that IREX notes Jameel Al-Rikabi died March 11, 2008

Panelists agreed that the new laws have put new restrictions on freedom of expression because of articles that impose high fines and civil charges on any media outlet for publishing information that was prohibited by law even if the information was correct. For example, publishing international treaties or agreements that Kuwait signed before their official announcement is not allowed, even if published by others outside Kuwait.



KUWAIT

In July 2007 the Kuwaiti Parliament approved a new broadcasting law providing for the licensing of new television and radio-television channels and stations. The new law requires more than \$1 million in capital to establish a television station and more than \$300,000 for a radio station. Until 2005 only a music radio station could be established. In Kuwait there is one private radio (Marina FM) and several private television channels (Al-Rai being the first and most popular). With the issuance of the new law the number is expected to increase. The law includes the same limitations and punishments included in the new publication law issued in 2006.

The new publication and broadcasting laws have raised hope among journalists that new media outlets will flourish. Since the 2006 publication law, three newspapers were licensed and started operating. Journalists' salaries rose as a result as the need for professional journalists made the job market more competitive. According to panelists the new publication law has ended the monopoly by a few families over the newspaper industry.

However, panelists agreed that the new laws have put new restrictions on freedom of expression because of articles that impose high fines and civil charges on any media outlet for publishing information that was prohibited by law even if the information was correct. For example, publishing international treaties or agreements that Kuwait signed before their official announcement is not allowed, even if published by others outside Kuwait.

Kuwait's overall score for this year is 2.04, down somewhat from last year's score of 2.30. This drop is driven by lower scores in Objectives 1, free speech, Objective 3, plurality of news sources, and Objective 5, supporting institutions. Objectives 1 and 5, in particular, pulled the score down, as each received scores less than 2. Objective 4, business management, received a strong score of 2.71 and returned the highest score among the five objectives.

# KUWAIT AT A GLANCE

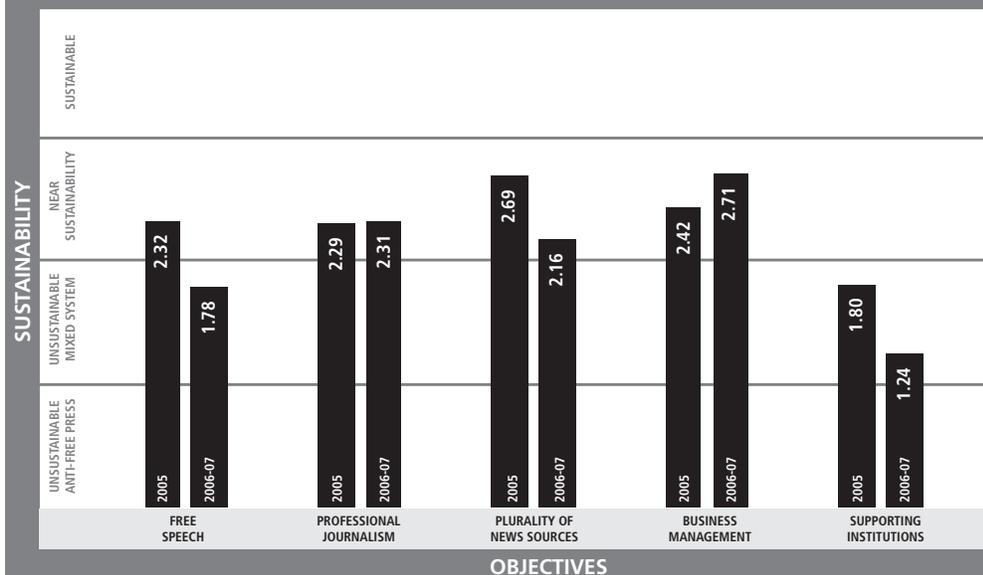
## GENERAL

- > **Population:** 2,596,799 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Kuwait
- > **Ethnic groups (% of population):** Kuwaiti 45%, other Arab 35%, South Asian 9%, Iranian 4%, other 7% (*CIA World Factbook*)
- > **Religions (% of population):** Sunni Muslim 70%, Shi'a Muslim 30%, other 15% (*CIA World Factbook*)
- > **Languages (% of population):** Arabic (official), English widely spoken (*CIA World Factbook*)
- > **GNI (2006-Atlas):** \$77.66 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$48,310 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 93.3% (male 94.4%, female 91.0%) (2005 census, *CIA World Factbook*)
- > **President or top authority:** Amir Sabah al-Ahmad al-Jabir al-Sabah (since January 29, 2006)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 8 Arabic language newspapers, 2 English language newspapers, some weekly newspapers, 70-75 magazines; Radio: 1 private (Marina FM0, many other state-owned stations; Television Stations: 1 private (Al-Rai TV), 9 other restricted stations
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Kuwait News Agency
- > **Annual advertising revenue in media sector:** \$350 million in 2006
- > **Internet usage:** 816,700 (2006 est., *CIA World Factbook*)

### MEDIA SUSTAINABILITY INDEX: KUWAIT



#### 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: FREE SPEECH

### Kuwait Objective Score: 1.78

The score for freedom of speech fell to 1.78 this year, from 2.32 last year. Few indicator scores fell close to this average, highlighting the fact that certain areas of the media are free, while, in the view of the panelists, others much less so. Panelists gave much higher scores to Indicators 8 and 9, media access to international news sources and free entry to the media profession. They also gave a higher score to Indicator 6, libel laws; despite the existence of criminal penalties, panelists felt that the court system generally handles these cases fairly. However, Indicators 2, 3, and 7, broadcast licensing, market entry, and access to information, all about three-quarters of a point lower than the average. Further, panelists gave a score of more than a point lower to Indicator 5, legal treatment and editorial independence of state media.

Article 36 of the Kuwaiti constitution and the publication and printing laws grant the freedom of expression and freedom of the press. Journalists in Kuwait do believe that they have a relatively free media compared to other countries in the region. Social conventions generally approve of the freedom of opinion. Freedom of expression is, as MSI panelists described it, one of the main pillars of the Kuwaiti social structure; a kind of contract between society and the government since the state of Kuwait was established.

Abdulkareem Al-Shamali, head of the sports department at daily newspaper *Al-Jarida* mentioned that, despite the fact that Kuwaiti society defends the freedom of speech, there are some religious groups, which are allies of the government, playing the role of censor by watching closely every word published or broadcast. This action leads to limited press freedom, he asserted. Similarly, Al-Rai, a private television station, was under severe attack from tribal interests because of a mistake committed by an actor who was performing in a play aired by the station.

Furthermore, public support does not typically manifest itself in action. There are few incidents of crimes or violations against journalists that generate broad public outcry. Dr. Fatima Al- Abdali, a writer and women's rights activist, added "when writers Laila Al-Othman and Laila Shoaib were arrested, there were protests and strikes," but in general panelists thought that people's reactions were not significant. Al-Shamali mentioned a national democratic coalition called (36), after the article granting freedom of speech in the Kuwaiti constitution. He said this kind of group and coalition can build pressure and make grass-roots movements more effective.

The new publication law was controversial. Some journalists think it supported freedom of expression by breaking the monopoly of media outlet ownership. Others think the law is one step forwards and two steps backwards. They feel the law puts up new barriers to freedom of speech by prohibiting the publishing of certain events regardless of the subjectivity and the credibility of the news.

Panelist Saud Al-anzy, assistant managing editor of *Al-Jarida*, said "the new law does not allow us to publish discussions conducted in the Parliament or the Cabinet unless it was permitted previously. We used to publish the events and discussion without any limitations. Now we can only publish about the discussions that are constitutionally licensed. We can only publish the official press releases issued by these bodies. If one newspaper published any of the discussion, it would be punished, even if what it published was correct."

Anwar Al-Rasheed, a consultant and civil society activist, said "this law leaves lots of room for interpretation by the Ministry of Information. This interpretation is different every time and sometimes against international laws and treaties. According to this law, journalists are taken to the same department that deals with alcoholics and drug crimes." He added, however, "But there is opportunity to enforce the law by Parliament and through pressure of public opinion and political powers."

The Ministry of Information issues media licenses. Panelists said it is not really competitive, as only those who have sufficient capital—almost one million dollars for daily

## 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.

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newspapers and more than a million dollars for television stations—may apply. In 2006, the Ministry received 120 applications for newspapers, 50 were approved, and only three of them started to publish. Rejected applicants have the right to appeal and ask for reconsideration, but few applicants do that. Ministry officials put a lot of weight on government interests and then decide applications based on a very difficult set of criteria. However, panelists said the process is transparent because the standards are clear.

As a result of the difficulty to obtain a license, many media professionals prefer to establish websites to publish their news and opinions to avoid the complexity of the application process.

The parliament approved in July 2007 a new law regarding broadcasting media. Panelist Ahmed Essa, the director of *Al Shark el Awsat*, said “We expect the number of TV channels and radio stations to increase and the competition to improve the quality of programs and professionals.” He added, “This law is very much like the publication law in terms of the limitations it puts on freedom of speech.”

For radio before 2006, only music format stations were allowed to operate commercially. Now such stations are allowed to broadcast news stories but with restrictions. In Kuwait one private radio (Marina FM) is producing news now and there is another application with the Ministry.

Beyond the difficult licensing regime, however, entering the media market is fair and based on principles of competition. There are no additional taxes on media outlets and the legal framework is transparent without difficult conditions, except for the high capitalization requirements monitored by the ministry of information.

Crimes against journalists and officially sponsored violations of freedom of expression are usually hidden and not well publicized. Such crimes most often take the form of harassment, which may also be aimed at families and relatives. Opinion writers are the most frequent targets. In very rare cases, a newspaper might be closed or stopped from publishing.

On the night of August 18, 2007 state security officers arrested two journalists as they left the *Al-Jarida* building. Bashr Al-Sayegh was arrested without any explanation. Jasim Al-Qamis was arrested because he was photographing the arrest of his colleague. Al-Qamis was released a day later but not before being beaten by staff of the Interior Ministry. Bashar Al-Sayegh was released three days later. An article by *Al-Jarida* speculated that Al-Saygh's arrest may have been because of a story he wrote criticizing the president of Jordan's House of Representatives, who suggested that

Kuwait should have a Senate. The official reason given was that an anonymous post on *Al-Jarida's* on-line discussion forum had insulted the emir.

Many representatives in the Al-Ummah council (Parliament) condemned the arrest, characterizing it as unconstitutional and contrary to the spirit of freedom of expression. Ayedh Al-Barazi of the Parliament's information section expressed hope because of the Parliament's stand in support of freedom of expression and that it takes such incidents seriously.

However, while most panelists agreed that society appreciates freedom of expression, they noted that public reaction to crimes against journalists is limited and weak. Violations against writers and journalists do not generally cause anger among people. Shoaab Al-Qati, editorial secretary of the Kuwait News Agency, said, “People get information about the violations but their reaction is limited. Civil society organizations don't organize campaigns to raise awareness and pressure the government.” On the other hand, Maha Al-Berges of *Al-Qabas* daily newspaper added, “when writer Ahmed Al-Baghdadi was arrested, because he expressed his opinion, all columns writers boycotted publishing in newspapers for one day. NGOs issued statements.”

Legislation does not grant state-owned media preferential treatment, but in practice government institutions give them better access to information. The government considers state media as a public relations tool to promote government policies. Editors are not independent. In this regard, state media does not have the ability to compete with the private media.

Libel is a crime, typically penalized through fines. Lawyers specializing in media cases are available to represent those accused of such crimes. If media uncover corruption or crimes, journalists are typically not punished for doing so, panelists said. Most other violations of media laws fall under the publication law, but sometimes these are punished under the criminal code.

All panelists agreed that the law does not grant the right to access public information. Journalists generally believe that this runs contrary to democratic principals and feel the Ministry of Information should propose legislation granting this right.

Journalists therefore depend on personal relations in order to get information. Panelists characterized these sources as a “double-edged sword:” it is fine when ethical standards are followed, but sometimes sources use journalists and mislead them by purposely giving incorrect or false information. Al-Anzy explained, “Some officials will mislead or fool or refuse to give information, because they know there is no

obligation to force them to tell what they don't want to." Sometimes journalists, especially junior ones, may accept a kind of agreement with sources in order to receive the benefit of access.

MSI panelists mentioned another right that should be included in the law to help access information: the right of protecting sources. Journalists do not have this right by law and they are sometimes forced to announce the identity of their sources. Panelists gave the 2005 example of Adel Al-Eidan, a correspondent for Al-Arabiya satellite television. Al Arabiya broadcast news of a raid by security forces against suspected militants that erupted into a gun battle. Al-Eidan was detained for four days—and he charged that he was tortured during his detention—in order to force him to reveal a source in Kuwait's security apparatus that had tipped him off to the raid.

Foreign media and publications are available inside Kuwait, and local media may cite such a source if it does not include prohibited information or issues considered sensitive to the state or a friendly country. Journalists can easily use the Internet to access information. The government rarely blocks web sites, but Saud Al-Anzy noted, "the Ministry of Communications and Internet companies may block some websites according to orders from the state security." For example, a local website created by writer and journalist Mohammed Al-Jasim was blocked several times. The *Al-Quds Al-Arabi* website (located in London) and the Liberal Arab Network website have been blocked as well.

Al-Shamali said "In open environments and at the various media outlets it is easy to get news and information from many different sources. The government does not interfere in this area. I think the government is smart for not trying to ban or block the flow of information. In fact, the government can not control various and different views through local or international media outlets, coming from many sources around the world. It is better for the government to gain a point instead of risking failure."

The journalism profession is open to anyone without limitations. Foreign media correspondents need licenses and permission Ministry of Information to cover events in Kuwait and send their reports outside the country. Permission must be given by other ministries in order to cover events related to those ministries. These conditions do not apply to local media.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Kuwait Objective Score: 2.31

The Objective 2 score remained essentially the same this year compared to last year, and most indicators fell close to the overall objective average. Indicator 4, journalists cover key events, received a noticeably higher score, while Indicator 8, niche reporting, scored well behind the average.

Most MSI panelists agreed that articles and reports are more or less professionally written and include information from various sources. They agreed that freedom of expression in Kuwait allows writers and journalists to write about most issues if they have sufficient evidence, but obtaining information is the main challenge. The law does not grant this right or the right of keeping a source of information confidential.

Al-Rasheed said, "In general, articles and reports are credible and include different opinions and ideas. Writers do depend on various sources. But sometimes the objectivity of reports or article depends on the media outlet or the ownership and on the writers or the journalists themselves. I can say from my follow-ups that reports mostly are done professionally and experts and specialists are used in the information sources." Al-Barazi did not agree: "Writers write articles that are not fair or balanced and usually they don't use credible sources." He added that writers and journalist make up the stories. "It is not professional at all," he said.

Al-Qati explained, "In the news agency, we are sometimes under time pressure and, according to official instructions, include whatever information we have found. It is unprofessional but that happens occasionally." She continued, "Sometimes one person covers a major event and all other media outlets use that person or from KUNA. One source is not enough, but some journalists don't want to make effort, preferring ready-made news."

Maha Al-Barges commented, "In fact, reports are completed only sometimes. Journalists don't finish their work. Sometimes they publish the press release as they received them from the ministries and NGOs."

Experts and specialists are not always consulted in preparing reports. Panelist Ahmed Essa said, "Journalists sometimes choose the easy way out. For example in our media there is a lot of talk and articles about separating the Kuwaiti dinar from US dollar. We read often about that in the economics page, but no journalist offers us the answer of 'what does that mean?' and 'how is that affecting our economy?' This kind of information is not [considered by the government to

be] sensitive and journalists need to pick up the phone and ask an expert about it.”

In discussing ethics, Al-Barazi said, “Journalists don’t practice any self-censorship, and they need to do so. The personal benefits and interests are playing a big role in what is published.” He added, “Writers and journalist don’t follow the minimum of professional or moral ethics.” Abdulkareem Al-Shamali, the head of *Al-Jarida’s* sports section confirmed this opinion: “The families’ journalism is the code of ethics which our media is following. Articles are published and programs are broadcasted according to personal views and desires; public interest is the last thing to be considered.” He added, “How can we talk about objective news in our outlets in cases like the following? *Al-Watan* daily is owned by a former minister of information who was accused of embezzling millions of dinars. How could a journalist in that particular newspaper write anything about the government or anything related to that ministry? How can journalists and writers in any other media outlets write about this former minister’s corruption or mention anything that might upset him? How can we talk about independent media in general?”

Al-Rasheed had a different point of view. According to him, most media outlets seek their readers’ and audience’s trust. Media outlets follow ethical standards and try to publish and broadcast credible news and stories. This all depends on the editors and their objectives. In Kuwait there are some media establishments that follow international ethical standards and they are well developed.

Censorship is practiced at many levels, with self-censorship by journalists, editors, and editors-in-chief as a result of pressure from the government, various other groups, and society as

a whole. Editors exercise censorship over their journalists because of the risks they face from lawsuits. It is safer to not publish controversial articles and avoid the possibility of legal trouble. Al-Rasheed said, “The pressure they go through is not because of fear, it is because of the responsibility they are taking. They want their outlets to remain credible and objective. Newspapers and other media outlets are obliged to gain and keep readers’ and audiences’ trust.”

For example, some ministries are more sensitive than others and have more power to enforce their preferences on the media. The Ministry of Defense is one of them. Al-Anzy noted, “*Al-Qabas* daily republished once a list of promoted military officers which had already been published in the ministry’s magazine *Humat Al-Watan*. The ministry sued the newspaper and the punishment was millions of Kuwaiti dinars.”

Further, journalists and reporters sometimes do not want to upset their sources and spoil a beneficial relationship by publishing negative information about them. Al-Anzy said journalists may be afraid of losing their sources. If a journalist covering a ministry has good sources there, and then discovers something negative, often the journalist will choose to keep the source and hide the information. Panelists noted the importance of an access to information law to help mitigate this dilemma faced by journalists.

Panelists also mentioned that the new publication law has increased the self-censorship among journalists. Editors-in-chief became censors because they are afraid of large fines. Al-Qati noted that, “Instead of having two people revising the news before publishing, now we have five people doing the same job in order to avoid any trouble with the governments or individuals.”

Al-Barges added, “It also should be mentioned that journalists do not always have the choice to write and publish professional stories and reports. Sometimes they are forced to follow certain instructions from editors or owners or the government. For instance, writing about international issues is always done more professionally because of the freedom available and the diminished sensitivity of the government or any local party to these issues. But writing and criticizing Saudi Arabia or another country within the GCC is fraught with many troubles.”

Journalists in Kuwait cover all major events in the country and in the Gulf region. In some rare occasions, a media outlet might be under pressure not to publish about a certain event, but other media outlets, especially newspapers, will manage to cover it. Private media are freer to cover local or regional events, while state-owned media typically follow the wishes of the government in line with state policies. In general,

## 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).

however, covering local and regional events is allowed without any restriction.

Panelists thought that in general salaries are low for journalists. They noted, however, that many Kuwaiti journalists have two jobs, the second being journalism. Therefore many do not depend on the salary they receive from their media outlet. Some journalists work part time for a company that advertises in the newspaper they work for. Al-Qati mentioned that many journalists and editors jockey to be included in the annual Hala February Festival committee, as it is lucrative work.

After the Iraqi invasion of Kuwait, more than 60 percent of journalists left the country. Media in Kuwait came to depend on other Arab journalists. Now around 100 Kuwaiti journalists work in the country, and the rest, the majority, are other Arab nationals. However, since liberation in 1991 the need for locally based journalists started to increase and salaries became higher than they used to be. Al-Anzy said, "Nowadays Kuwaiti journalists have more financial support if they work as full-time journalists." Licensing new newspapers and broadcast media outlets has resulted in increased salaries as well, but according to panelists not enough to prevent corruption among journalists.

Panelists did not argue about the fact that some journalists might take bribes and gifts, but they noted that this does not include all journalists. Al-Qati said, "Salaries are not high but that is not a reason for a journalist to take money or a gift to write an article or hide information or to publish false information." Al-Barges added, "Salaries are not the reason at all; journalists might take money or gifts whether they have high or low salaries. In fact the price [of the bribe] is higher when the journalist is more important." Panelists noted that some media organizations punish journalists found to have violated ethical standards.

Entertainment programs and related articles take up more air time and space than news stories or information. The state media include more entertainment than the private media, which try to provide more balance. Panelists mentioned that the morning of the 1990 Iraqi invasion, that people tuning into the state media found nothing about the invasion at all. Although an old example, it helped generate a public perception of news on the state broadcast media.

Recently, some media outlets are looking to specialize in news and information. But, as Al-Rasheed said, it is very hard to keep readers and audience engaged if the media outlet does not provide a wide range of various programming and articles that cover the readers' interests and keep the majority of them linked to the outlet.

All panelists agreed that media outlets should own and use new equipment of the latest technology. However, this is not always the case in practice: panelists noted that television stations are somewhat behind, although newspapers use better equipment. More importantly, they said, is the need for Kuwaiti media outlets to raise the level of professionalism among the technical staff that operate the equipment.

Although there is some investigative reporting, panelists brought into doubt its impact. Crimes uncovered by journalists languish in police departments and courts, even with no follow-up at all sometimes.

### OBJECTIVE 3: PLURALITY OF NEWS SOURCES

#### Kuwait Objective Score: 2.16

Panelists harshly scored Indicators 3 and 4, state media reflect the views of the political spectrum and independent new agencies, and these scores help to account for a drop of over half a point for Objective 3 compared to last year. However, panelists did rate four of the indicators much higher, with scores near or above a 3: these include Indicators 1, 2, 6, and 7, covering plurality of sources, access to news sources, transparency of ownership, and representation of various social interests in the media.

Panelists agreed that people in Kuwait have multiple sources of news and information because of the many media outlets. Newspapers represent the dominant media, even in terms of advertising. Twelve daily newspapers are published in Kuwait; 10 in Arabic and two in English. After the passage of

#### 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.

the publications law in 2006, five new private dailies quickly joined the media landscape: *Al-Jarida*, *Al-Wasat*, *An-Nahar*, *Alam Al-Yawm* and *Awan*. The new dailies feature fewer sections than the older, more established ones. The state does not own a daily newspaper. All daily newspapers are private and they represent wider views and interests of different social and political groups.

There are more than a dozen television channels in Kuwait, and most are private. Of the private ones, Al-Rai is the best known and offers well regarded news programs. It is part of the Al-Rai Media Group, which also owns the leading *Al-Rai* daily newspaper. Others are owned by individuals and these are either religious or arts and music channels. Marina FM is a private radio station that began with an all-music format and was recently allowed to include news bulletins and information programs. Panelists expected that the number of television and radio channels will increase in the next few years due to the issuance of the new broadcasting law.

Despite the diversity of sources, however, panelists felt that the diversity of viewpoint is wanting. They noted that it can be very difficult to notice a significant difference between the state media and the private media in regards to editorial content, especially when it comes to the state public policy or relations with other countries.

In terms of accessing media, as a small country, Kuwait has no problem with print media distribution to areas outside the capital, and broadcast media are accessible in all areas. Many citizens own satellite dishes. International news is available through satellite televisions. Foreign publications are allowed in Kuwait, but need official permission. The Internet is widely used and few Internet sites are blocked by the government.

State media represent government views and do not allow views representing other, dissenting groups. The state media are not independent and its news programs are not balanced; political bias is quite evident. Most panelists felt that the state media does not serve the public interest. Panelists also agreed that the state-owned media are far behind the private media and, with new television and radio channels, few Kuwaitis will keep watching or listening to the state media.

There is one local news agency in the country, Kuwait news agency (Kuna), which is owned by the state. It covers and publishes local, regional, and international news. Most media outlets in Kuwait publish reports taken from Kuna and it is considered the official Kuwaiti news source. Al-Barazi expressed his wish that Kuwait might some day have more than one news agency in order to increase local information sources and create a healthy competitive media environment. However, regional and international news agencies are available and accessible and are often used by Kuwaiti media.

Regarding media ownership, panelists felt that there is a fair level of transparency that allows most citizens to judge possible bias in favor of the ownership.

Journalists face challenges trying to cover certain social interests and including those views and opinions in their reporting. For example, some sources refuse to give information about certain issues, and this is exacerbated by the absence of a law granting the right to public information. In particular, covering issues related to minorities such as foreign workers, can prove difficult because of the pressure to not cover such issues in a way deemed critical of state policies.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### Kuwait Objective Score: 2.71

The score for business management improved to a 2.71 this year, up from 2.42 last year. A few of the indicators outperformed the overall average by more than half a point: Indicators 2, 3, and 4, which measure multiple sources of revenue, the strength of the advertising market, and advertising revenue as a percentage of total revenue. However, Indicator 7, audience and circulation measurement, kept the average down with a score more than two points lower than the average.

Al-Shamali began the discussions of Objective 4 by saying that independent media are successful businesses and the sector is growing fast. Abdulhameed Al-Daas, the editor-in-chief of *Alam Al-Yawm*, one of the new dailies, was quoted in a 2007 interview as saying, "A newspaper needs around KD 7,000 of advertisement and 6 pages of advertisement supplements monthly to cover its expenses. *Alam Al-Yawm* daily did not reach that level, but we are optimistic that we will if we continue to progress the same way we have been." He also mentioned that the local market has the capacity to support 15 newspapers.

The editor-in-chief of *Al-Wast* daily newspaper, Mohammed Saad Al-Odah, said in an interview that one should not consider a newspaper as a commercial project. It is in the primarily a social and political project. Newspapers are expensive projects, although in the long run they turn a profit. He said "we should look outside Kuwait to the regional market. The number of newspapers is not a problem; the problem is the similarity among the dailies. Kuwaitis access news and information through newspapers more than through other media outlets. So creativity and difference are needed."

In general, the advertising market in the gulf region is growing. The size of newspaper advertisements in Kuwait is the third largest in the gulf after Saudi Arabia and

UAE. Panelists referred to a study that showed annual advertisement sales by daily newspapers in Kuwait to be KD 110 million (more than \$350 million).

Panelists believed that it takes time for advertisers to accumulate more details about their readership bases and circulation figures. So far, the advertising agencies have not developed large sales plans for these new dailies. The old newspapers have the advertisers' trust because their readership is high.

While overall the business outlook for media in Kuwait is good, the diversity of revenue is still not enough to guarantee financial independence. Panelists reported pressure and interference by advertisers and investors. Media outlets must therefore understand the preferences and off-limit topics of important advertisers and investors. Many media outlets can not touch the interests of investors and advertisers, let alone write about possible corruption they might be involved in.

Panelists agreed that the advertising market is competitive and growing. Al-Barazi said newspapers are full of advertisements. In fact, newspapers are able to publish commercial supplements because of the demand for advertising. However, only two percent of advertisements are placed through agencies. The rest are placed through either personal connections or individual agents. Companies creating advertisements are robust, according to panelists.

The government gives annual subsidies to all newspapers published before the new publication law went into effect, regardless of their editorial policy. The government does not interfere in the newspapers' editorial content, although panelists felt that the size of the subsidy is not enough to

create pressure in any case. Some of the subsidy comes in the form of government subscriptions and advertising; panelists felt that government advertisements are distributed equally and not according to editorial policy.

Advertisement agencies depend on independent research and statistics before deciding where to place their commercials. However, among the media, panelists agreed that independent research and studies are few. Circulation figures and research to determine the composition of readers or audience for media outlets are not common. Panelists felt that organizations with these specialties are needed.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Kuwait Objective Score: 1.24

Panelists noted again this year the weakness of media supporting institutions, and Objective 5 again received the lowest score of the five objectives. Most of the indicators received scores within a half point of the average, the exceptions being Indicator 1, trade associations, which received a score close to 0, and Indicator 3, NGOs, which finished with a score more than one-and-a-half points above the average.

In Kuwait there is only one professional media organization: the Kuwait Journalists Association, established in 1964. There are no unions or other media associations. Panelists believed that the journalists association does not generally represent journalists or other media professionals.

Al-Barazi said "This association is supervised by the government and it follows official instructions. The association abandoned the real professional journalists." He added that Kuwaiti journalists number not more than one 100, yet the association membership is listed as being between 1500 and 1900. "Who are they, and how did they become members?" he asked. Al-Anzy explained, "The association board used these people for the elections so the same people remain in charge and keep the professionals away. *Al-Qabas* has reported on the association election and the number of members. The report listed the members who voted. Some of them were carpenters while others were beauticians. The association did not sue the newspaper. If it were wrong or false information, they would definitely sue the newspaper."

Al-Qati continued, noting, "Members of the journalists association are not journalists. The administration of the association gathered hundreds of people working in the media organization such as typists and proofreaders and others who don't work directly as reporters, writers or journalists." Ahmed Essa, the director of *Al Shark el Awsat* said, "The membership conditions are not transparent and

## 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.

unfair. Membership is divided into groups: active and inactive; this division is based on the nationality of the journalist, whether Kuwaiti or not.”

Panelists agreed that a professional association or a union should be fair and protect the rights of all journalists regardless of their race, sex, or nationality.

Journalists attempted to establish a union but it was refused. The position of the Ministry of Legal Affairs is that there is no article in the constitution that allows the formation of unions. Journalists have argued that the constitution and other laws do in fact allow professional unions, in addition to the international treaties Kuwait has signed. The union operates nonetheless, but unofficially and is severely hampered without official legal status. Applications to form a competing professional association for media professionals have also been turned down by the government.

The situation with NGOs that support freedom of speech and related issues is not strong, either. Individual activists and a few groups try to raise awareness among people and build pressure groups in the parliament and other legal bodies. However, Reem Al-Mee, a journalist with *Al-Rai*, said that regional and international NGOs are much more active than the local NGOs when it comes to defending journalists’ rights and freedom of speech. In general, panelists felt, local NGOs do care and do react when violations against journalists’ rights or freedom of expression occur, but their influence is weak and they fail to galvanize public towards action and pressuring the government.

Kuwait University offers a degree in journalism and media studies. Working media professionals also attended journalism schools elsewhere in the region or the world. Panelists indicated that the size of the program at Kuwait

University is sufficient in terms of number of graduates and curriculum. However, most Kuwaiti graduates do not work in the field, however; they prefer government jobs because of the higher salaries. Panelists lamented the fact that graduates think working as a journalist is not a rewarding job.

Panelists stressed the importance of training for journalists’ professional development and the improvement of media outlets generally. Some media outlets in Kuwait provide training for journalists in the form of workshops and short term courses. “Kuna provides good training and it is available for journalists from the region,” said Al-Qati, Kuna’s editorial secretary. *Al-Qabas* newspaper used to have good training programs during the eighties, panelists said, but not any longer. Eman Husain, a journalist with *Al-Jarida*, said “It depends on the establishment. Some of them don’t realize the importance of training; some do and would send their staff outside the country to get good professional training.” Al-Anzy added, “In our new newspaper, we cover all the sections using computers and our staff are trained to use them. This action made the working environment more professional.” However, there panelists noted that there is no dedicated training institution and supported the need to develop one.

Panelists mentioned other training programs conducted by the government, such as a program called “Rehabilitation of Workforces.” This program trained a group of middle school graduates to work in the media. Evaluating this program, Al-Anzy said “I have a personal experience with this program. It is difficult to turn a middle school graduate into a journalist or a reporter. Working as a journalist is not only about training; it needs talent and passion.”

Printing companies are accessible and operate freely in terms of setting prices and choosing clients. For non-periodical publications, however, permission is required from the Ministry of Information. One publishing house is owned by the government and the rest are private.

Panelists noted that sources of newsprint are somewhat limited. One businessman controls almost 75 percent of the paper market. One panelist said “That makes writing anything opposite to his interests very dangerous, despite talks about his corruption. This businessman also comes from a very powerful political family.” All of the older, established newspapers buy from his company. The new dailies, however, have found other sources.

Satellite television channels and the Internet are operated by private companies, but they are required to have permission to operate in Kuwait. There are around 10 private television channels and two Internet providers. The Ministry of Information supervises those channels and companies, but there is no censorship prior to broadcasting their programs.

#### 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.

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## List of Panel Participants

**Saud Al-Anzy**, assistant managing editor, *Al-Jarida Daily*, Kuwait

**Shoaa Al-Qati**, editorial secretary, Kuwait News Agency, Kuwait

**Fatima Al-Abdali**, writer and women's rights activist, Kuwait

**Anwar Al-Rasheed**, independent consultant and activist, Kuwait

**Ayedh Al-Barazi**, parliamentarian, Media Section of Kuwaiti Parliament, Kuwait

**Maha Al-Barges**, secretary, Graduates Association of Kuwait, Kuwait

**Ahmed Essa**, director, *Al Shark el Awsat*, Kuwait

**Eman Husain**, journalist, *Al-Jarida*, Kuwait

**Abdulkareem Al-Shamali**, head of sports section, *Al-Jarida*, Kuwait

**Abdullah Al-Otaibi**, senior journalist, *Al-Jarida*, Kuwait

**Reem Al-Mee**, journalist, *Al- Rai*, Kuwait

**Fatima Dashti**, reporter, *Al-Jarida*, Kuwait

## Moderator

**Rafiah Al-Talei**, program director, Gulf Forum for Citizenship, Muscat, Oman

The Kuwait study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat, Oman.

*Despite some progress in Oman's media sector, many Omanis still complain about the limits on freedom of expression. An Omani journalist said that freedom of expression did not advance in the past year, though the number of writers and journalists willing to stand up for it has increased.*



OMAN

Despite some progress in Oman's media sector, many Omanis still complain about the limits on freedom of expression. An Omani journalist said that freedom of expression did not advance in the past year, though the number of writers and journalists willing to stand up for it has increased.

Until 2006, the government was the only provider of radio and television services. Since then, two privately owned broadcast outlets have hit the airwaves, one radio station and one television channel. Hala ("Hello"), Oman's first private radio station, was given permission to begin operations in 2005, but was unable to go on air until May 2007 because of government delays and restrictions. Al-Haqiqa TV ("Truth TV") was launched in 2006. These two outlets are the only ones to see the light of day among seven other hopefuls that received official permission pursuant to a 2004 law allowing the establishment of private sector radio and television stations.

In 2006, two individuals were charged with insulting two government officials on the Internet forum Al-Sabla Al-Omaniya. One, journalist Mohammed Al-Harthy, was banned from writing or appearing in any Omani media outlet after writing about the lack of water in eastern Oman. Al-Harthy and six others, including Saeed Al-Rashidy, the manager of the online forum, were put on trial in September 2006. Al-Harthy and another writer were sentenced to pay a fine, while a third was sentenced to a month in prison in addition to a fine of \$15,000. Al-Rashidy eventually shut down his web site, saying he was tired of the problems it brought him since establishing it in 1999.

The MSI panelists said the number of private media organizations is increasing, resulting in slightly different points of view on public issues and improving the image of journalists. They noted the importance of having a variety of media outlets, but felt it imperative to maintain an environment supportive of the profession. However, panelists expressed their worries at the fact that the Ministry of Information still controls all media in Oman, both private and state-run. Panelists agreed that creating an independent media has not been of the highest priority for the government of Oman.

The Oman is the Journalists' Association, the only professional media organization in Oman, was lunched in 2006 and operates under the supervision of the Ministries of Social Development and Information. However, most panelists considered the association powerless, lacking influence with the government or among journalists themselves.

Oman's overall score is 1.65, down somewhat from last year's score of 1.89. All objective scores this year are lower than those from last year, although Objectives 2 and 4, Professional Journalism and Business Management, suffered the largest losses. Other objectives suffered only minor decreases.

# OMAN AT A GLANCE

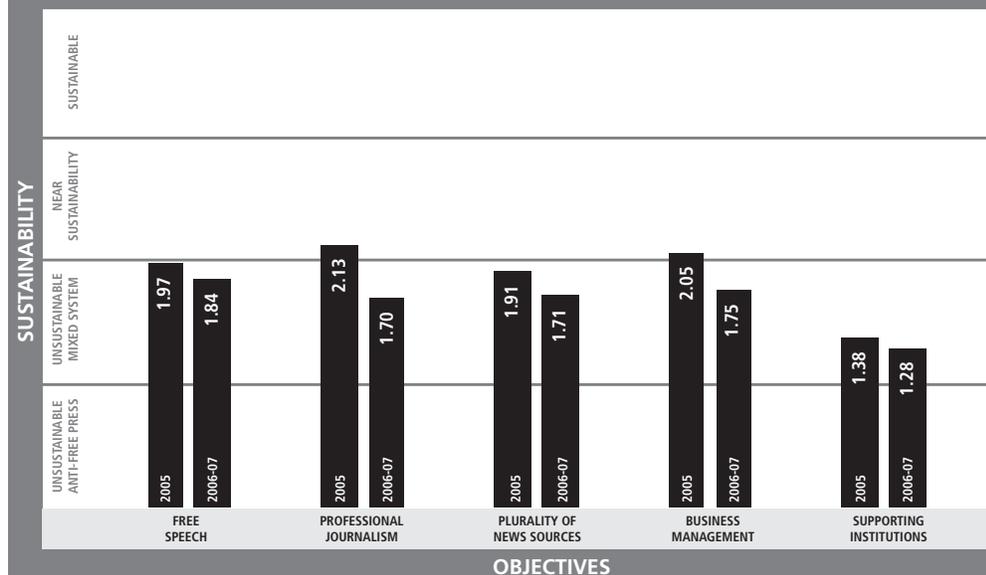
## GENERAL

- > **Population:** 3,311,640 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Muscat
- > **Ethnic groups (% of population):** Arab, Baluchi, South Asian, African (*CIA World Factbook*)
- > **Religions (% of population):** Ibadhi Muslim 75%, other (includes Sunni Muslim, Shi'a Muslim, Hindu) 25% (*CIA World Factbook*)
- > **Languages (% of population):** Arabic (official), English, Baluchi, Urdu, Indian dialects (*CIA World Factbook*)
- > **GNI (2006-Atlas):** \$28.89 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$19,740 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 81.4% (male 86.8%, female 73.5%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** Sultan and Prime Minister Qaboos bin Said al-Said (sultan since July 23, 1970 and prime minister since July 23, 1972)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 7 dailies (4 in Arabic, 3 in English), 40 other newspapers and magazines; Radio: 2; Television Stations: 2
- > **Newspaper circulation statistics:** Top 3 by circulation: *Al-Watan* (circulation 34,000), *Times of Oman* (circulation 34,000), *Oman Daily* (circulation 26,000)
- > **Broadcast ratings:** N/A
- > **News agencies:** Oman News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 319,200 (2006 est., *CIA World Factbook*)

### MEDIA SUSTAINABILITY INDEX: OMAN



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

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

#### Unsustainable Mixed System (1-2):

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

#### Near Sustainability (2-3):

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

#### Sustainable (3-4):

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

## OBJECTIVE 1: FREEDOM OF SPEECH

### Oman Objective Score: 1.84

Panelists scored most indicators close to the final objective average of 1.84, and all except Indicators 8 and 9 were scored below a 2. Indicator 4, crimes against journalists, scored slightly more than a half point behind the average, the lowest of all indicators. On the other hand, Indicator 8, media access to and use of foreign information sources scored more than a point higher than the average.

Oman's constitution, called the Basic Law, allows freedom of expression. The country's Publication Law, however, remains silent on the issue. In late 1998 there were demands from the Majlis ash-Shura (Oman's "consultative council") to change the law, but these demands were not addressed by the government. Panelists agreed that the Publication Law as it stands is not conducive to freedom of expression in the media.

Hamoud Al-Touqi, editor-in-chief of *Al-Waha* monthly magazine, said, "According to the [Publication] Law, journalists should not write negatively about the Sultan or religion, or spread hate speech... I have lots of ideas to write about but because I run my own private media company, I am afraid of having my magazine closed or causing trouble for my business."

As panelist Zaher Al-Mahrooqi of Oman Radio explained, the problems with freedom of speech stem from the Basic Law not providing journalists with specific legal protections or the right to information, even though the Law itself grants freedom of expression. He added that there are unwritten laws, orders, and instructions that journalists cannot challenge or ignore.

Taiba Al-Maawali, a former member of the consultative council and former Oman Radio anchor, said there is a contradiction between the law and reality, and between Omani law and the international treaties Oman has signed. The media in Oman can not discuss what is considered to be sensitive political, economic, or military issues. She said that finding information related to citizens' real concerns is nearly impossible, and even when found, it cannot be published or broadcast.

Panelists complained that media discourse has not changed in years because of the Ministry of Information's strict control of news reporting. Basima Al-Rajih of the newly launched Hala Radio said that the media in Oman has been reporting the same stories since 1970. Official points of view are dominating, she said, and although the Basic Law grants freedom of expression, violations against journalists

by the government persist. Al-Rajih said that during Cyclone Guno in June 2007, two weeks after the station's launch, the government pressured staff to change its coverage of the storm's devastation, which differed from the official Oman Radio's approach. "We got calls and threats from the Ministry of Information telling us that we should not be different, we should not cross the line," she said. Al-Rajih added that government officials should respect the law.

Censorship and self-censorship continue to haunt Omani journalists. Abdulmoneim Al-Hasani, a teacher at Sultan Qaboos University, explained that each official creates his own law and orders his subordinates to follow, each having his own interpretation and ambitions for advancement. Al-Hasani said that numerous studies show that the Publication Law is not beneficial; it is old and its principles are mostly imported from other societies with environments different from Oman's. All panelists agreed that there is a need for a new publication law that includes rights and protections for journalists.

Journalists in Oman should raise questions about their profession such as, "What is my role?" "What are my rights?" and "What kind of protection do I have?" Al-Hasani added.

Private media licensing is riddled with obstacles such as government bureaucracy and a requirement to raise enough capital—over \$1 million for a daily paper—to serve as a deposit. Panelists thought the licensing process is unfair because the government favors certain people and groups. Panelist Saeed Al-Hashimi, a writer and analyst, said, "Licenses are given to people loyal to the government, powerful people who are already close to government, or royal family members. Professional journalists don't have the same opportunity. The Ministry of Information can deny licenses to independent journalists or other outspoken people."

Al-Hashimi went on to say, "I know that a well-known non-local Arab TV station has asked for a license but was rejected."

Al-Rajih confirmed that Hala Radio faced many difficulties before it was launched and is still encountering problems in getting its frequency to cover all of Oman. The station can be heard only in Muscat and other nearby cities. "The Ministry of Information refused to give us short-wave frequencies so we can reach all areas in Oman. Now our broadcast is limited to Muscat and cities nearby," she said. The Ministry of Information is holding several applications for other broadcast stations, but has only granted three licenses since private media ownership was legalized in 2004; only two—both radio stations—have begun broadcasting. The license for television only included satellite and cable, not terrestrial broadcasting.

*Hamoud Al-Touqi, editor-in-chief of Al-Waha monthly magazine, said, "According to the [Publication] Law, journalists should not write negatively about the Sultan or religion, or spread hate speech... I have lots of ideas to write about but because I run my own private media company, I am afraid of having my magazine closed or causing trouble for my business."*

Freelancer Kalfan Al-Abri said that, "Journalists are not encouraged to establish their own media outlets because of the capital required and the limits on freedom of expression."

Khalifa Al-Hijiri, a newspaper correspondent, said, "Currently the country does not have the necessary legal framework, the transparent environment, or the required guarantees for a healthy media industry to function and flourish like other kinds of investment possibilities." He noted that running other types of businesses in Oman is easier, faster, and more transparent.

Al-Hasani added that, except for some relief on taxes applicable to paper and printing, there are no special tax breaks for media outlets. However, media are eligible for interest-free government loans.

Crimes against journalists are neither reported nor does the public know about them. However, they take the form of official pressure and extralegal procedures rather than physical attacks. Usually journalists are threatened and punished without trial. They do not have a forum where they can complain about such measures taken against them. If the government fails to intimidate journalists by threatening or punishing them in a secret way, it will sue them. Some of these cases were publicized through Internet forums. Only a few of them start publicly, like the case with Al-Sabla Al-Omaniya described above. Al-Hashimi indicated that there is a gap in the law. "I call it the branding and punishment law. There isn't anything related to protection in it," he said.

According to Fawziya Al-Amri from *Al-Shabiba* daily newspaper, "Journalists are squeezed between their employers and the Ministry of Information, which is why self-censorship is so high." She added that the Ministry knows how to punish journalists but never helps or protects journalists when they seek it. Nasser Al-Ghilani said, "If you don't write about the bright side of the government you

are in trouble. Journalists tell people what the officials want them to say—without criticism."

Mohammed Al-Bulushi reported, "I met ministers who indicated that media is a problem and the country is better without it. They want their activities to remain a secret." Al-Rajih wondered, "I don't know why the Ministry of Information isn't shut down. We don't need it anymore."

Average citizens do not know what is happening behind the scenes, and journalists lack the means to publicize it. The Internet can play a helpful role in informing the public, but the public does not necessarily react to it.

There is no special treatment for the media owned by the government, if only because all media outlets get the same information from the same official sources. Oman News Agency is the main official news provider. Readers do not see or feel the editorial differences between the private and the governmental outlets. For all intents and purposes, there is no independent media in Oman.

Libel is a crime under the criminal statutes and the Publication Law. Journalists are usually punished by the imposition of jail time and fines. However, no Omani official has ever been sued or put on trial because of comments they have made that were published or broadcast by a journalist.

Government officials are not obliged by any law to provide journalists or citizens with public information. On the contrary, journalists may face punishment such as jail time or

#### 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.

termination if they find and publish information from other sources regardless of its validity.

Khalid Al-Adawi of *Oman Daily* newspaper illustrated the pressures Omani journalists face: "I was at a crime scene by accident and saw the killer after he killed his victims and then himself. I had my camera, I took pictures, I had wonderful interviews and information. When the police arrived and noticed that I was not one of them they chased me across the city until I reached the newspaper office. The police wanted to take me to jail directly if I did not give them my camera and all the notes I took. The editor-in-chief could not do anything. Finally I had to give in to the pressure of both the police and my editor. Not only this, I had to sign a paper that I will never publish anything about the crime anywhere, even on the Internet."

There are no limitations on media access to, and use of, international news, whether through satellite television or the Internet. Access to international news is much freer than to local news. Cost is not an obstacle to getting the Internet or satellite television. International wire services are accessible and easily affordable through the Internet. Media outlets may use the Gulf, Arab, and international news agencies' stories. Media outlets publish most international news, except information they think the government would consider sensitive to itself or its foreign allies.

Panelists agreed that anybody can write for the newspapers or magazines, but to work as a journalist at a specific media outlet, one needs to register with the police department. Otherwise, the journalist will not receive the professional identification that is issued by the Ministry of Information. This accreditation must be renewed annually. Correspondents of non-Omani media outlets need special work permits.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Oman Objective Score: 1.70

Panelists leveled a harsher judgment of the quality of journalism this year compared to last, and the score fell from 2.13 to 1.70. Most indicator scores fell close to the overall objective average. Only Indicator 7, modern facilities and equipment, stood out, receiving a score slightly more than a half point higher.

Most news stories in Oman come from the same sources of information. Stories are mainly about government events and official interviews. A plurality of sources is not available; journalists can not use more than one source if an official source objects. Journalists sometimes include expert opinions in their reports, however. Panelist Al-Mahrooqi pointed out,

*Panelists also placed blame on a lack of professional skills among their colleagues. They mentioned that journalists often do not commit themselves to professional standards due to, in the words of Kalifa Al-Hijri, the "ignorance" of media outlets. "They don't care about professionalism," he said.*

"Journalists suffer from the lack of news sources; we have to depend on official sources."

Al-Bulushi added, "Most of the time we find ourselves with one source of information. For example, for anything about the elections we have to go to the Ministry of the Interior where the head of the primary committee is the undersecretary. If he decides not to give information, nobody can [give information]. And the Ministry of Commerce for instance does not allow us to publish anything about economics or trade in the country without their permission." Al-Hasani explained, "It is difficult to get information directly from the sources sometimes, so journalists have to depend on press releases." But these releases are not reliable, because as panelist Al-Abri indicated, "A press release is not objective and not balanced at all."

Al-Mawali voiced the opinion that journalists only repeat what officials say, true or false; they can not discuss or criticize. Sometimes there is information that differs from the official story, but journalists are afraid of publishing it.

## JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

### PROFESSIONAL JOURNALISM INDICATORS:

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

*Panelists felt that entertainment programs outnumber news and information programs. They also reported that media outlets usually own modern equipment that allows for high-quality production values.*

This is true for international news as well. He also said that the new, educated generations are afraid of working in the media because of the authorities. Most who currently work as journalists came to it by accident; few of them actually intended to. Many journalists have left the profession recently or left the country for a better professional environment.

Panelists also placed blame on a lack of professional skills among their colleagues. They mentioned that journalists often do not commit themselves to professional standards due to, in the words of Kalifa Al-Hijri, the "ignorance" of media outlets. "They don't care about professionalism," he said.

Al-Hemli said, "We as journalists do our best to get information, to write good articles, to try to be fair and balanced, but we know that the quality of our work is still poor and that is because of the difficulties in getting information and the weakness of sources and sometimes of our skills."

All panelists agreed that none of the media organizations in Oman have a code of ethics, and journalists do not push to adopt one. Panelists said that it is common to get a complimentary gift from a large company at a press conference, without asking for special treatment. Of course the next day all the newspapers will publish the company's story, they said. There are some cases when journalists may get presents from companies such as plane tickets or other kinds of benefits. But journalists do not seek bribes to publish—or not to publish—false information, according to panelists.

As indicated above, in Objective 1, self-censorship is commonplace. Editors-in-chief play the role of internal censor to ensure that nobody deviates from the direction desired by the Ministry of Information. Journalists practice self-censorship out of fear, according to panelists. However, the relationship between editors or owners and the Ministry, which leads to self-censorship, is based on mutual interest: each side receives something in return.

In terms of covering key events, journalists cover all events they are asked to. They cannot freely choose what to cover

or not, and might be threatened or banned from reporting if they disobey.

Al-Mahrooqi said, "Salaries are low and our profession is marginalized." However, journalists' salaries have risen slightly, which feeds hopes that the quality and number of those entering the field will increase. Panelists also voiced the hope that as journalists become more aware of their role in society, they will become more empowered to meet the still-constant challenges to their profession. The salaries in the government-owned media outlet are higher than those in the private sector, and salaries in the private media are low even in comparison with other professions.

Panelists felt that entertainment programs outnumber news and information programs. They also reported that media outlets usually own modern equipment that allows for high-quality production values.

Investigative journalism is almost absent from Omani media outlets. Journalists are asked sometimes not to conduct investigations because the media outlet does not want to face legal or other problems from the government. Panelist Faiza Al-Hemili, a reporter with *Al-Watan*, said, "I am thinking of quitting journalism because of our editors who abandon the profession for other benefits. Several times I wrote investigative stories, but I could not publish them."

### OBJECTIVE 3: PLURALITY OF NEWS SOURCES

#### Oman Objective Score: 1.71

Oman's score in this objective last year was 1.91, and it fell somewhat this year to 1.71. Since last year, panelists felt, there has been no progress regarding the plurality of news sources because the government still controls most of them either directly or indirectly. Most indicators scored close to the objective average, and only Indicator 2, citizen access to media, scored even marginally above a 2. Scoring at the bottom of all indicators in this objective was Indicator 3, state media reflect the views of the political spectrum; it received a score just over a half point lower than the overall average.

There are currently 36 print publications in Oman, including a new private Arabic newspaper launched in August 2007 called *Al-Zaman* ("Time"). A small number of private radio stations operate, the first being Radio Hala, which began broadcasting in May 2007. However, local news does not usually feature a wide range of views and opinions. Internet forums give local events more importance, and opinions are more freely expressed. Al-Hajiri commented, "In general,

media is an executive branch of higher government policies. Transparency and trust between readers and journalists is vague and formless." However, Al-Hasani added, "The independent media is very new in Oman. It needs time to perform differently from the mainstream media."

Al-Haqiqa, the only private television station in Oman, can be seen on satellite as well as through cable. It is owned by Mohammed Al-Hashimi, who has a background as an herbal medicine specialist. He appears in most programs giving advice to people in folk medicine. Bader Al-Nadabi said, "I don't know why the Ministry gave permission for those kinds of channels, because most programs are giving false information about herbs to people. If it was more serious and provided what people are really looking for, it would never get the permission."

People have access to media outlets generally, and can afford to subscribe to different local and international sources of news and information. Television is most widely used in Oman, followed by radio. The Internet is becoming popular and the number of people using it is increasing. Print media is less relied upon, as reflected by low circulation figures. The government and businesses are the main subscribers to local newspapers, so most readers come from those sectors. Most media establishments and stations are located in Muscat.

International publications are more popular and they are easily found at newsstands. However, they are subject to official censorship. Al-Hajiri noted, "The Ministry of Information might ban the distribution of any foreign

#### 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.

*Bader Al-Nadabi said, "I don't know why the Ministry gave permission for those kinds of channels, because most programs are giving false information about herbs to people. If it was more serious and provided what people are really looking for, it would never get the permission."*

publication in Oman if it criticizes the state or does not agree with the nature and the culture of the society."

State-owned media in Oman reflect the government's views and it is the dominant voice; privately owned media is in the minority. In general different points of view do not commonly appear in Oman's television and radio. Some panelists said that the views presented in state media reflect those of the people only when the two coincidentally intersect.

Panelist Al-Mawali mentioned that state broadcasting produces many programs to show the positive side of the Oman revolution since 1970, but no economic or political debates. It is all about the government's achievements. Panelist Zaher Al-Mahrooqi agreed, "Only the positive side that includes economic prosperity for Omani people is reported, but nothing about [the] negative side."

The Oman News Agency (ONA) is the only news agency in Oman, and it is owned by the state. All local media organizations have to use its news without alteration. ONA is considered the representative of the government, and any official news must be taken directly from it, especially the stories which include the Sultan or top government officials.

Private broadcasters do produce some of their own news and information programs. However, as the case with Hala's coverage Cyclone Guno, these independent broadcasts are subject to government pressure and are far from fully independent in the news they present.

Owners of media organizations are generally known by citizens, and most are either part of the government or powerful investors. Non-locals, mainly Indians, run most of the private sector media organizations. This situation often causes conflict between Omanis who do the reporting work and foreigners who have the last word on what should be published.

Regarding coverage of broad social interests and minority issues, Al-Hajiri noted that the media represent wide social interests but not so with minority issues. Minorities form about 23 percent of the population.

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Oman Objective Score: 1.75

Panelists' scores for business management this year resulted in a lower score, a 1.75 down from 2.05 last year. Panelists awarded relatively good scores to Indicators 2 and 4, multiple sources of revenue and advertising revenue in line with accepted standards; the latter received a score more than a point higher than the average. However, Indicators 6 and 7, market research and audience measurements, both scored more than half a point lower than the overall average.

The media business is apparently flourishing in Oman if one judges by the number of media outlets. The number of newspapers and magazines as well as broadcasting outlets has increased. For example, in 2007 the first Omani private radio stations opened for business.

However, management issues prevent better media performance, as, according to the panelists, many media establishments bring financial troubles upon themselves. They neither follow professional methods nor do they care about improving their products to address market needs. That is why, as Khalifa Al-Hijiri said, many professionals abandon the industry for other fields.

Bader Al-Nadabi, a reporter with *Al-Shabiba* experienced this situation: "I had to leave the magazine I used to work at because I felt I was used like a machine day and night for the wrong purposes. I could not reach a point where we had a common vision addressing such issues as low salary, professionalism, and the lack of understanding of Omanis' language or society or culture. I don't understand why Omani

#### 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.

investors trust and keep [people, referring to foreign managers] who don't know even the language to run their businesses."

Foreign ownership is aggravated by the fact that the owner-investors tend to place commercial considerations over editorial ones. Despite diverse revenue sources for media, Faiza Al-Hemili noted problems. "The private media gains much profit from advertisements; they can be independent financially but not editorially. They have the choice to be different but not to the extent of upsetting the government," he said.

Hamoud Al-Touqi stated that the minimum legal protections of freedom of expression are in place, but journalists choose to compromise their integrity in favor of sources of funding, such as large companies and powerful investors, especially in the private sector where media outlets depend on advertising revenue. In such situations the freedom of press becomes weak, he said. He explained, "I have my own magazine and sometimes I had to ignore professional standards in order to keep my resources. Some journalists would take the difficult road if they ignore the financial part of the industry."

Advertising is the main source of revenue for the private sector media. Mohammed Al-Bulushi noted, "Newspapers allow advertisement to occupy most or all [of] the front page. Newspapers don't balance between ads and editorial content." But as Al-Hasani explained, "Newspapers don't have other sources of support. The reader's power is weak. Ads are more important." Al-Bulushi replied, "The weakness is in the journalistic structure."

Until 1995 all private newspapers and magazines received government subsidies, but now the government provides only interest-free loans.

Panelists agreed that studies and research are not really used for strategic planning purposes. A few outlets are coming to realize the importance of research but have not yet conducted any to find out what the public wants. Panelists also noted that the journalist is a conduit for market research, but that nobody pays attention to their ideas. Modernizing and innovation are absent from the editors' minds. This is the reason behind low readership in Oman; print media do not look attractive.

No independent organization provides statistics about media in Oman, and reliable figures on ratings or distribution are not available. Outlets announce any figures they want without documentation. Some private media release false data, claiming experts compiled the information. Al-Hijiri said, "There is a need for research especially on the interior and remote towns; most [of] Oman's population is not in the big cities. Media companies should depend on professionals and experts in conducting research. Market research is important for both sides. Trust is needed between media and consumers."

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Oman Objective Score: 1.28

This objective's score is the lowest among the five MSI objectives again this year, and has fallen slightly to 1.28 from last year's score of 1.38. In fact, the average belies a situation that is worse than at first glance. Media-supporting associations and NGOs in Oman are practically absent; even the only relevant association, the Oman Journalists Association, does not pursue journalists' rights or protections and does not support media interests or media independence. As such, Indicators 1, 2, and 3 all received scores of about 0.5 or below. Indicator 4, formal journalism education programs, scored close to the average. Pulling up the average were Indicators 5, 6, and 7, short-term training opportunities, access to printing facilities, and media distribution, which all scored well above the average.

There are no trade associations representing the interests of media owners or media outlets. Similarly, panelists could not identify any NGOs working to support a free and independent media in Oman. Unions are not yet established in Oman, despite a 2006 law permitting them. This law was issued after a trade agreement was signed with the United States, which required that Oman allow the creation of unions as one of the conditions of the agreement.

Many journalists accuse the recently established Oman Journalists Association (OJA) of acting as a government body more than a professional association. The OJA is, like all other associations in Oman, under the direct supervision of the Ministry of Social Development, and under the indirect supervision of the Ministry of Information. The government

#### 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.

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must approve all activities and cooperative agreements with international organizations.

Issues such as freedom of press, journalists' rights, or changing the Publication Law are not favorable issues to the government; seeking approval from ministries to take up such activities is useless from OJA's point of view. Al-Mawali explained, "The law allows establishing NGOs under the supervision of the government. OJA cannot be outside this framework. It has unclear objectives, no influence, and can not apply pressure. The association is paralyzed vis-à-vis the government. Many violations are committed against journalists and OJA would not say a word. It isn't independent."

Al-Mahrooqi added, "OJA is just a decoration, not for real issues. Most good journalists are not members because they don't feel there is a benefit from membership. The communications organizing law, for example, includes a clear article criminalizing those who express 'unsavory' opinions in any communication media and device such as the Internet and cell phones. Why does OJA not do something about it?"

Al-Hijiri responded, "The OJA needs time to gain the experience to function independently. Being professional is essential for OJA to do what is expected of it in terms of protecting journalists and putting their demands as priority. The board of the association lacks the leadership and initiative to earn the trust of journalists, to raise awareness in society and to provide the legal support for those who need it. The association should benefit from the example of similar international organizations." Al-Hasani offered, "OJA is weak because it is young. Its staff and members need the support and education to learn more about how to be a professional association."

Al-Hemili said, "The OJA has been conducting some activities lately, but mostly for their staff and may include a few media people."

Panelists also criticized OJA for accepting members from all related fields, including those working in public relations.

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Journalists feel that the association is not committed to journalists only, and because of that it is not focusing on journalism issues.

Panelists certainly expressed the need for a strong, independent association or union dedicated to issues facing journalists. Al-Bulushi said, "Journalists should be stronger than the government, but here journalists are under the control of the government even if they work in the private sector." Fawziya Al-Ameri, senior editor with *Al-Shabiba*, cautioned, "The law does not protect us. If we need help we don't know where to go. If we don't take care of ourselves, nobody will."

Sultan Qaboos University (SQU), the only public university in Oman, is the only higher education institute that offers a degree in journalism and mass communications. The department was created in the College of Arts in 1986. The department accepts a small number of students annually. Sohar, a private university, opened a journalism department in 2003 but it was closed shortly thereafter. Al-Bayan private college offers a media class, but it is still in the experimentation stage. Panelist Al-Hasani explained that new journalism and media departments face several problems. One of them is getting the approval from the government, and another significant problem is attracting the students to fill classes. That does not encourage private colleges to offer this major.

Al-Hashimi added, "The Ministry of Higher Education does not allow private universities and colleges to offer journalism classes. Sometimes the Ministry directs applicants to ask for Sultan Qaboos University approval as a first step."

Bader Al-Nadabi graduated six years ago from SQU. He said, "After graduation it was very hard to find a job. As a journalism graduate, I felt it was useless to study four years to get a degree in this field." Khalfan Al-Abri graduated from the same department two years ago, and added, "It took me more than a year to find a job. I worked for a short period at a privately owned magazine. The salary was so low and the work environment so bad, it was difficult to continue without professional standards. Now I work as a public relations officer in a ministry."

Al-Hasani, who is a teacher at the journalism department in SQU, said, "Our graduates often complain about not finding suitable jobs. We know that the market does not accept them for several reasons, including lack of skills and poor English ability. We noticed other problems regarding students themselves. Few students really want to study and then work as a journalist. Most of them prefer a comfortable PR job in a ministry where salaries are higher and work is easier. Some students enter the department because they were transferred

from another department. Our department accepts students with the lowest grades and skills. The department teaches media and journalism without specialization in one major, so students have classes in all media fields. The market prefers specialized people."

The SQU Journalism and Mass Communication department now accepts between 40 and 50 new students annually, and is working on modernizing the curriculum, providing graduates with more practical skills, and teaching subjects in both Arabic and English. Another development is that students choose a specific major in media in the last two years of study.

Journalists also complain about not having professional development training opportunities after graduation or during employment. Short-term training centers or institutes are not available in Oman. Media organizations do not have their own training centers or departments for professional development. Panelist Al-Hemili said, "Training is the last thing our newspaper would think of." Some lucky journalists are nominated by their supervisors for the rare workshop held in Oman or something offered outside the country. Other panelists said that training is occasionally provided but less than is needed and not for all journalists in the media organization.

Al-Bulushi added, "A professional journalist is stronger and causes more trouble. That is why they don't want to train journalists." Al-Rajih pointed out, "The problem is that training makes a journalist more resistant and serious about his profession, and of course very difficult to deal with."

All daily newspapers in Oman have their own printing press and other printing equipment. Purchasing paper is cheap, but all printing houses must have licenses. Other publications must receive permission before printing. Printing and paper companies are otherwise treated as standard commercial investments, are well managed, and operate profitably. Print media generally handle distribution for themselves and sales are through independent kiosks and small shops.

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## List of Panel Participants

**Taiba Al-Mawali**, presenter, Radio of Oman, Muscat

**Zaher Al-Mahrooqi**, senior anchor, Radio of Oman, Muscat

**Hamoud Al-Touqi**, editor-in-chief, *Al-Waha* magazine, Muscat

**Abdulmoneim Al-Hasani**, journalism instructor, Sultan Qaboos University, Muscat

**Fawziya Al-Ameri**, senior editor, *Al-Shabiba*, Muscat

**Mohammed Al-Bulushi**, head of local news, *Al-Shabiba*, Muscat

**Bader Al-Nadabi**, reporter, *Al-Shabiba*, Muscat

**Basima Al-Rajihi**, presenter, Radio Hala, Muscat

**Khaled Al-Adawi**, reporter, *Oman Daily*, Muscat

**Khalifa Al-Hijiri**, correspondent, *Oman Daily*, Bediya, Alsharqiya Region

**Faiza Al-Hemili**, reporter, *Al-Watan*, Muscat

**Khafan Al-Abri**, freelancer, Muscat

**Nasser Al-Ghilani**, writer and correspondent, *Oman Daily*, Sur, Al-Sharqiya Region

**Saeed Al-Hashimi**, freelancer, Muscat

## Moderator

**Rafiah Al-Talei**, program director, Gulf Forum for Citizenship, Muscat

The Oman study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Oman.

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*Perhaps the most relevant and memorable event for the media community was the official launch of Al Jazeera English in November 2006. The 24-hour news and current affairs television channel became the first global news network originating from a developing country.*



QATAR

Over the past year, Qatar remained politically stable and awareness of democracy there has risen, though not at the same level of more politically active neighbors such as Kuwait and Bahrain. Qatar reportedly bypassed Indonesia and Malaysia in 2006 to become the world's largest liquid natural gas supplier. Its GDP per capita increased by 15.5 percent to reach a record high of \$57,350, and is estimated to increase to \$66,115 by the end of 2008. If this growth is maintained, economists predict Qatar could be the world's richest country in a few years. More good news came from London-based Transparency International, which ranked Qatar 32 among 163 countries in its Corruption Perceptions Index, in which higher ranks indicate less perceived corruption in a given country. Qatar ranked ahead of all Arab countries except the United Arab Emirates.

Perhaps the most relevant and memorable event for the media community was the official launch of Al Jazeera English in November 2006. The 24-hour news and current affairs television channel became the first global news network originating from a developing country. The channel claims a reach of 80 million viewers worldwide, placing it third after CNN International and BBC World.

Meanwhile, the gap between Al Jazeera's professional standards and those of local Qatari media may have grown even larger. The MSI panel cited this incongruity as one reason Qatar's score fell from 2.48 in 2005 to 2.36 this year. Qatar's local media sector, comprising the Qatar Radio and Television Corporation and four private newspaper publishing companies, has not lived up to its aspirations and seems to have lost interest in competing with the progressive Al Jazeera network, some MSI panelists noted. While Qatar's regime was more forward-looking in terms of press freedom compared to other Gulf Cooperation Council (GCC) countries, this vision was either not understood or embraced in the local media. Management of local media mostly remained loyal to their old, conservative styles of reporting.

The two weakest points in Qatar's media scene noted in this study have not changed since 2005. The total dependence on foreign journalists in covering domestic issues and the astonishingly low activity in civil society concerning media development held Qatar back from improving its ranking this year. MSI panelists stressed Qatar's need to develop a strategy to tackle those two issues and improve its media sustainability. In particular, Objective 3, plurality of news sources, Objective 4, business management, and Objective 5, supporting institutions, all fell noticeably compared to 2005. Significantly, Objective 5 fell to below 2 (1.83). These losses more than offset a modest gain in Objective 1, free speech.

# QATAR AT A GLANCE

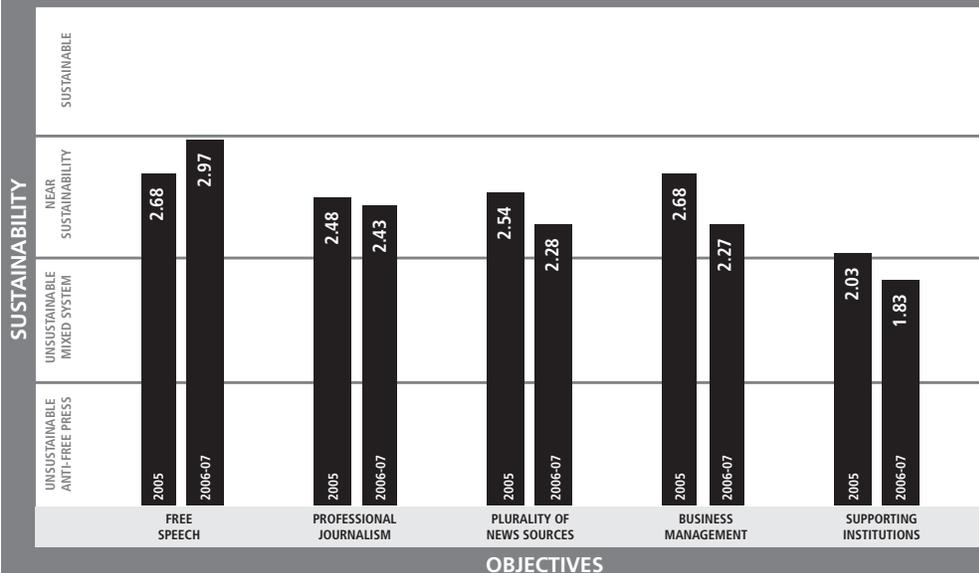
## GENERAL

- > **Population:** 928,635 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Doha
- > **Ethnic groups (% of population):** Arab 40%, Indian 18%, Pakistani 18%, Iranian 10%, other 14% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 77.5%, Christian 8.5%, other 14% (2004 census, *CIA World Factbook*)
- > **Languages (% of population):** Arabic (official), English commonly used as a second language (*CIA World Factbook*)
- > **GNI (2006-Atlas):** N/A (*World Bank Development Indicators*, 2007)
- > **GNI per capita (2006-PPP):** Exact figure N/A, but estimated to be in top five using Atlas method (*World Bank Development Indicators*, 2007)
- > **Literacy rate:** 89.0% (male 89.1%, female 88.6%) (2004 census, *CIA World Factbook*)
- > **President or top authority:** Amir Hamad bin Khalifa al-Thani (since June 27, 1995)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 15 (6 papers, 9 magazines); Radio: 3 main stations; Television Stations: 6 main stations
- > **Newspaper circulation statistics:** Top 3 by circulation: *Al-Raya* (private, circulation 18,000), *Gulf Times* (private, circulation 18,000), *The Peninsula* (private, circulation 18,000)
- > **Broadcast ratings:** N/A
- > **News agencies:** Qatar News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 289,900 (2006 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: QATAR



### 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: FREE SPEECH

### Qatar Objective Score: 2.97

Qatar is unique compared to other GCC countries when it comes to free speech. Despite having an obsolete and restrictive press law, Qatar is home to Al Jazeera, the freest pan-Arab news television channel in the world. The emergence of the global Al Jazeera English channel further raised the country's profile on freedom of expression. MSI panelists gave Qatar a boost in this objective by scoring it 2.97 this year from 2.68 in 2005. One panelist said it was the "Al Jazeera effect" that made them feel freer and secure when doing their job regardless of the old restrictive press law that is still in place.

Panelists acknowledged that the government is not directly interfering in or otherwise restricting press freedom, but also said that journalists are not using their freedom effectively. Another panelist, however, said that the lack of a political opposition meant that Qatar's commitment to freedom of expression has not yet been tested in any real way. Therefore, reforms in the press law, libel law and broadcast regulation remain an urgent priority. This was reflected in the scoring; while most indicators scored above a 3 in Objective 1, those for Indicator 1, legal and social protections for free speech, Indicator 6, libel laws, and Indicator 7, access to public information, all scored below 3. Indicator 2, broadcast licensing, scored nearly a point and a half less than the overall objective score.

Even though Qatar's constitution guarantees freedom of expression, the press law constrains this freedom. Qatar's law 8 of 1979 for Printing and Publishing is extremely restrictive, containing 15 prohibitions that range from criticizing the emir to publishing false facts. The penalties for such crimes could be based on the Penal Code and/or press law, which allows the imprisonment of journalists and may also result in the closure of the newspapers that employ them. One panelist noted that the law may punish a journalist "for anything, even in cases of suspicion."

On the other hand, the law is so obsolete that many of its articles are impossible to implement, particularly those that deal with the Ministry of Information, which was eliminated more than a decade ago. Furthermore, some panelists noted that no journalist had ever been imprisoned and that maximum fines do not exceed QAR 3,000 (\$820).

Most panelists agreed on the urgent need to replace the outdated press law with one that is compatible with the country's pace of development. The plan to establish a media city, where media enterprises can flourish and develop, may

have put efforts to reform the press law on hold, one panelist said. Panelist Jaber Al-Harami, the deputy editor-in-chief of *Al-Sharq* daily newspaper, said efforts are being made to speed up the drafting and approval of a new press law that would be less restrictive and promote press freedom and professionalism. Al-Harami also noted that the old press law is not being strictly applied because the regime had issued general instructions to the judiciary and executive branch to treat the media "in a special way until the new press law is issued."

However Al Jazeera's deputy editor-in-chief Aiman Gaballah stressed that his 24-hour Arabic television channel is an exception. "When Qatar established Al Jazeera, it granted it a high level [of freedom]," he said, adding that Al Jazeera was "never treated as a local media organ."

Society, on the other hand, may have held press freedom back due to deeply rooted traditions entrenched in the minds of older generations. The issue of press freedom for many elders is seen as incompatible with social traditions, which in some ways cause further delays to Qatar's ongoing transformation. Mohammed Al-Musfir, a lecturer at Qatar University, said the society is divided into three groups: one demanding high levels of press freedom, a second accepting press freedom that limits coverage to issues that do not deal with sensitive social problems, and a third that wants to abolish the press altogether.

The emir of Qatar, Hamad bin Khalifa Al Thani, acknowledged the need for time to change popular perceptions about democracy and press freedom. "We do not plan to wave a magic wand to carry out the changes that we need overnight," he said in a lecture he gave at Georgetown University in 1997, explaining that the country's traditions and values need to be preserved while transforming the country politically and economically.

Panelist Mohamed Hijji, the assistant editor-in-chief of *Al-Arab*, a newly founded daily newspaper, noted with irony that the emir and government are more open-minded about press freedom than society itself. He joined a few other panelists who felt the emir may have been too forward-looking, resulting in a wide gap between him and the rest of society. Gradually, society is beginning to accept press freedom as a fact of life, according to panelist Hashim Karrar, head of the foreign news department of *Al-Watan* daily newspaper. "Society has started pushing the press towards a greater level of press freedom," he said.

Obtaining a license for a new media enterprise is extremely difficult, if not impossible, most panelists agreed. The law names the Ministry of Information as the licensing authority for media outlets, but the Ministry was abolished in 1995, creating legal and procedural confusion. Although current

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media establishments can easily start new magazines and newspapers, licenses to establish a new newspaper have not been granted for years. One panelist went further in saying that “there is no right for any person to issue a [new] publication today,” but added that this may change in the near future. Licenses for broadcast media were also out of the question, at least until the establishment of the media city.

*Al-Arab*, which was re-launched in November 2007 to be the fourth daily Arabic newspaper in Qatar, is itself not a new newspaper. Its original license dates back to the early 1970s but was recently sold to a new company. Panelist Ahmed Abdul Malik, a media expert and researcher, said that there were a few new licenses issued for a number of magazines. But, he added, they were only granted based on “social and political factors” and were subject to preferential treatment. “As an example, a citizen applied to open a media office five years ago but was never given a license, while another

person working for the emir applied for a license to produce a magazine and was given a license within just one month,” he said.

Once a specific media outlet is licensed however, it enjoys the benefits of operating in a tax-free country where profit is easily attainable and with infrastructure and other investment-friendly features favoring business. Apart from some extra zoning conditions that may be set by municipalities where newspapers are to be established, there are no obstacles facing media companies’ entry into the market, said panelist Jaber Al-Harami. Other panelists noted that established newspapers in Qatar have been running smoothly for more than two decades and have been able to take advantage of the tax-friendly environment.

When it comes to crimes against journalists, all panelists agreed that conventional crimes such as physical attacks, unlawful detentions or threats are extremely rare in Qatar. Al-Musfir went on to say that “there have been no crimes committed against journalists during the last twenty years except for one case, which was due to a personal matter that had nothing to do with journalistic work.” Al-Musfir was referring to the 2001 attack against the editor-in-chief of *Al-Watan*, Ahmed Ali. The assault was widely reported in the Qatari press and condemned by local journalists and international advocacy institutions such as Paris-based Reporters sans Frontières. The authorities investigated the matter and three people were detained in relation to the attack, but they were later released upon reaching an informal settlement.

Occasionally however, some journalists may be unduly fired from their jobs while others could be summoned for questioning by police or prosecuted in the courts. However, there was consensus that most expatriate journalists, who constitute about 98 percent of journalists in Qatar according to panelist Al-Musfir, tend not to publish what could be deemed as offensive to any person or entity. Because there are only four daily newspapers, expatriate journalists who are fired may have difficulty finding another job and thus face deportation due to Qatar’s strict guest worker rules.

There was also agreement among panelists that the government does not interfere in internal affairs of the private media. But according to panelist Abdul Malik, state-owned media are sometimes subjected to meddling by government officials, who may be involved in the appointment or dismissal of heads of departments, managers and even anchors.

Libel is considered a criminal offense in Qatar and is punishable under the press law and Penal Code, which may include imprisonment. Prosecutions of journalists is limited

#### 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.

compared to other countries in the region, but the reason behind that, according to one panelist, is due to Qatar's high number of expatriate journalists. They tend to avoid using any language that may be considered libelous so as not to jeopardize their careers and risk deportation.

One panelist said because libel is a criminal offense, journalists and editors-in-chief may be summoned to a police station for the simplest of reasons and upon the request by anyone at all. He then recalled a case when he was called to a police station based on a complaint by a citizen for publishing accounts of an incident, which was also reported in other newspapers. But upon asking why he was summoned to the police station, the policeman told him "you published the story in four columns, while it should have been published in one just like other newspapers did." "Imagine when anybody could complain to the police against journalists for the stupidest of things," he said.

Access to information is still a challenge for journalists, panelists said. Others noted some progress in this respect during the last few years. There is no reference in the constitution or the press law to the right to access information, making it possible for officials to reject calls for interviews and deprive the press from accessing specific documents and information. On many occasions, information provided by the national Qatar News Agency (QNA) becomes the only available data for journalists, who often struggle to get statements and detailed facts from governmental officials.

One panelist noted that the difficulty in accessing information, particularly from government sources, does not lie in the laws but is a result of an inherited culture that evolved over decades of working in a restrictive environment. He explained that there is a feeling of fear and wariness among officials when dealing with the press. Hence, what officials end up doing is simply instructing "the public relations department to print a bulletin describing the activities of the establishment and that is basically it."

Access to international news, on the other hand, is extremely easy. Internet penetration in Qatar is very high; about half of the households using the Internet have broadband access, making international news online quite common and accessible. Furthermore, there is no political censorship of websites, making access to the most controversial political content possible. Panelists also noted that Qatar may be the only Arab country that does not block political publications from entering the country even if those publications contain harsh criticism or even insults against the government, the royal family or the emir himself.

Panelists agreed that anyone who is at least 21 years old is allowed to enter the media profession and, in fact, Qatari

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nationals are often encouraged to do so. This is the case despite article 10 of the 1979 press law stipulating that a license must be issued by the Ministry of Information before entering the profession. But given that the Ministry itself was dissolved years ago, this article was deemed inapplicable. There are also a few conditions that should be met according to the press law. But panelist Ahmed Abdul Malik noted that he has never seen article 10 implemented, engendering a sense in the media community that some, if not all, of the articles of the press law are disregarded by the authorities.

Panelist Jaber Al-Harami of *Al-Sharq* daily newspaper pointed out that his newspaper offered free training courses and on-the-job training to encourage young Qataris to join its staff. "We even allocate cash prizes!" he said. Despite such attempts however, the number of Qataris applying for jobs in the private media sector remains quite low.

There are, however, some regulations concerning foreign media correspondents, who need to register at the Foreign Information Agency. Panelist Mohammed Hijji said that such a move should not be seen as an obstacle but as a useful measure to keep correspondents informed about various activities and announcements that may be of interest to them. But most panelists said the government usually grants permission to all correspondents and does not interfere in their appointments in any way.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Qatar Objective Score: 2.43

As in many other GCC countries, most journalists working in the Qatari media are non-Qatari. Some of those expatriates have low professional standards, while others are more qualified. Locals usually hold senior managerial positions. Panelists scored this objective 2.43, nearly unchanged from 2005's score of 2.48. Most indicators scored close to this average, with two exceptions. Salaries of journalists are generally low and unattractive to young Qatari graduates, who prefer better paying posts with the government.

*Some newspapers tend to hire journalists without properly assessing their credentials and qualifications. The process is repeated for most journalists resulting in cadres that are not well-qualified and that fail to produce high quality journalism.*

Indicator 5, therefore, scored more than a point lower than the average. Indicator 7, modern equipment, scored more than a point higher than the average.

MSI panelists agreed that the level of professionalism in Qatar's journalism industry is not satisfactory. Despite an overwhelming number of foreign journalists working in various newspapers, many of them do not approach all sources and do not tackle their stories from all angles. On the other hand, highly qualified journalists who seem to excel in their work tend to apply for higher paying posts with more prestigious media enterprises such as Al Jazeera.

Some newspapers tend to hire journalists without properly assessing their credentials and qualifications. The process is repeated for most journalists resulting in cadres that are not well-qualified and that fail to produce high quality journalism. One panelist noted that many of those journalists come from countries where there is a deficiency in democracy and no free press. When they come to Qatar, they bring with them baggage in the form of poor journalistic practices suited only for countries where there is little if any democracy, one panelist noted.

#### 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).

But many panelists acknowledged that this certainly does not apply to Al Jazeera, whose cadres are the cream of the crop and were brought in from renowned international media institutions such as the BBC. Panelist Aiman Gaballah, who started working for Al Jazeera in 1996, confirmed this view, noting that the channel's policy was to judge its journalists by their skills potential, not their nationality. But Gaballah also acknowledged the deficiency in the number of properly trained journalists in Qatar as well as in the wider Arab world. He noted that when the competing pan-Arab news channel Al-Arabiya emerged in 2003, about fifteen to twenty journalists left Al Jazeera to join the rival channel, underlining a severe shortage of skilled journalists in the region.

Similarly, panelist Mohamed Hijji noted that the emergence of Al Jazeera encouraged qualified journalists at *Al-Sharq*, where Hijji worked before, to leave the newspaper for the popular television channel for many reasons including higher pay, prestige, and a broader audience.

When it comes to the ethical standards of journalism in Qatar, many panelists were concerned about the lack of a common code of ethics. Although Al Jazeera does have such a code, journalists usually end up reacting to sensitive situations based on their personal understanding and judgments. Most expatriate journalists in particular fall in line with their manager's desires, even if it means writing reports that do not conform to the profession's standards.

Among all problems noted by panelists, the issue of self-censorship stood out as the biggest and most difficult to overcome. Panelist Ahmed Abdul Malik went as far as claiming that "self-censorship has become even stronger than the governmental censorship of the past," referring to the decision in 1995 by Emir Hamad bin Khalifa Al Thani to lift prepress censorship of publications. Panelist Al-Harami echoed this opinion, saying "journalists and media establishments suffer greater liability," and noted that journalists may be subject to prosecutions and summoning by the police for their writings.

Panelists noted that the problem of self-censorship is most severe in the case of expatriate journalists who have to ensure their articles do not anger the owners of their media corporation, their senior editors, the government, advertisers or society at large. One panelist said the government had given the private press total freedom, allowing managers to exercise full authority over employees who they may fire and thus subject to deportation for the simplest of reasons. Hence it is natural for most expatriate journalists to avoid critical reporting, investigative stories that involve influential individuals or entities, and strongly worded opinion pieces. The same does not apply to Qatari journalists, who are an extremely small percentage of the journalism community.

One panelist noted that the situation will remain stagnant unless locals take the initiative. "Expatriates look for a place where they could live, work in peace, and ultimately leave. But it is the national citizen whom we could rely on in achieving real change," he said.

Apart from self-censorship, journalists often find themselves lacking the initiative to tackle important stories that may be of interest to the public such as social problems such as divorce, crime, prostitution, corruption, government inefficiency and so on. Therefore, they usually end up accepting instructions from editors and other decision-makers on what to cover and what to avoid.

Furthermore, journalists working in countries with limited democracy often fail to serve the interests of the general public, one panelist said. Journalists in such countries usually put senior governmental officials on top of the list of people to impress with a story, followed by their editors and colleagues at work. The general public comes third in journalists' list of priorities, which is the case for many Arab countries including Qatar, the panelist said.

Panelists also agreed that, unlike Al Jazeera, local media in Qatar may not have the ability to offer attractive salaries for a variety of reasons. The fact that expatriate journalists willing to work for nominal salaries flock to the country helps make journalism a relatively low paying profession for Qatari nationals. Panelist Hipashie Roshdie of *Al-Watan* daily newspaper noted that the pay for journalists in the local media is extremely low. Many panelists expressed the need to raise salaries of journalists amid rising inflation and soaring prices.

But panelist Hashim Karrar said that despite those low wages, most journalists still have the minimum integrity that prevents them from succumbing to corruption. Agreeing with Karrar was panelist Abdulaziz Al-Sayed, who heads the anchors unit at the Qatar Broadcasting Corporation and has his own debate program on Qatar Radio. "Despite the low wages that have not risen to the needed and aspired level, I don't believe they have resulted in corruption," said Al-Sayed. However, he stressed that he cannot rule out instances of corruption by some reporters, as this ultimately depends on the "conscience of the journalists" concerned.

Some panelists noted that the habit of recruiting journalists who accept low salaries has backfired on some newspapers, whose editorial and news quality had fallen off the charts of acceptable standards. Ahmed Abdul Malik demonstrated the gap between state-owned Qatar TV news programming and that of Al Jazeera, both funded by the same government and even located in the same compound. While Al Jazeera journalists are paid handsomely, journalists working for Qatar TV are not. Consequently, Al Jazeera's news is of much higher

*Apart from self-censorship, journalists often find themselves lacking the initiative to tackle important stories that may be of interest to the public such as social problems such as divorce, crime, prostitution, corruption, government inefficiency and so on.*

quality. Similarly, the governmental Al-Kass sports channel pays journalists much higher salaries than Qatar TV, Abdul Malik said.

When it comes to entertainment programming, panelists agreed that newspapers are on the whole more balanced than Qatar TV, which, according to Abdul Malik, allows entertainment to make up most of the channel's programming. "Entertainment programming is dominant in all official media, especially in live coverage as they try to squeeze in as many songs as possible pointlessly," he said. Meanwhile, on the other side of the spectrum, Aiman Gaballah of Al Jazeera said his channel needs to allow entertainment content to appear more often. He compared his channel to Al-Arabiya, which he claims has allocated too much time for entertainment programming.

Most panelists agreed that Qatari media in general have the latest technical equipment. However, they also noted that there was obvious favoritism for Al Jazeera at the expense of Qatar TV, whose equipment, according to Ahmed Abdul Malik, is somewhat out of date. Furthermore, while some privately owned media have better facilities than others, none of the private newspapers have substandard equipment.

Panelists noted that Al Jazeera's productions have become superior to any other specialized production that local Qatari broadcast or printed media can afford to do. Whether due to its highly qualified media professionals or sizeable financial means, this gap exists and has been growing for several years. One panelist, however, said that despite the existence of modern technology, some media workers from poor countries continue to practice obsolete methods. "Some of the internal procedures are backward even in the case of designing layouts... A designer uses a pen and ruler to design the newspaper's pages." He said, noting that such mechanisms are obsolete and demonstrate the contradictions in the local media.

Regarding niche reporting, some newspapers do publish regular supplements covering different themes such as sports and family. The companies that produce those newspapers also publish specialized magazines and other publications, but

their quality is similar to that of the newspapers themselves because the journalists used to produce those supplements are the ones producing the newspaper's content. Panelist Jaber Al-Harami said his newspaper, *Al-Sharq*, appoints specialized journalists for the different supplements it issues based on their skills and experience.

### OBJECTIVE 3: PLURALITY OF NEWS SOURCES

#### Qatar Objective Score: 2.28

Plurality of news sources received a score of 2.28 from this year's MSI panel, noticeably lower than 2005's score of 2.54. Some panelists explained that the lack of diverse political views in the local media is partly to blame for this decline. Although Al Jazeera does bring various critical reports and confrontational open debates, its coverage remains focused on Arab and international affairs. Individual indicator scores were mostly spread out from the overall objective score. Indicators 1 and 2, number of news sources and public access to news sources, both scored solidly above 3. However, Indicators 4 and 5, independent news agencies and independent broadcasters produce their own news programming, both scored well below the average; panelists noted that Qatar's only news agency and national television and radio stations are all state-owned.

Local and international news can be accessed using a variety of sources including broadcast media, print media and the Internet, which has a very high penetration rate. However, private newspapers are unable to provide sufficient coverage

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

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

of issues relevant to sensitive social and political issues and give most of their coverage to pro-government and international news. There are no private broadcast media or news agencies covering domestic issues although international radio and news agencies are allowed open access.

Information is not easily obtainable from local sources due to low awareness of the media's role and the conservative social values. Because there are no political parties and no opposition, finding politically critical views of the government proves challenging. Owners of private newspapers are generally known to be close to the regime, but the public is generally not so keen to learn about the shareholders given that the various newspapers are similar in their government-friendly attitude.

There was total agreement among MSI panelists that residents in Qatar enjoy a host of news sources. They also noted that the costs are affordable even to the poorest segments of the society. However, accessing those sources does not necessarily mean that their content is of satisfactory standards. According to panelist Ahmed Abdul Malik, local news coverage lacks interviews and investigative stories that delve into important issues.

There are two television channels, Qatar Satellite TV and Al-Kass Sports, and two radio channels, Qatar General Radio and Sout Al-Khaleej entertainment channel targeting a domestic audience. Although panelists noted that Al-Kass and Sout Al-Khaleej are editorially independent, both stations are state-owned and do not produce political reports. Furthermore, there are three independent private publishing companies producing four Arabic dailies: *Al-Raya*, *Al-Sharq*, *Al-Watan* and *Al-Arab*. Complementing these are three English-language dailies: *Gulf Times*, *The Peninsula*, and *Qatar Tribune*. However, most panelists agreed that the owners of those newspapers are powerful individuals close to or even part of the regime.

The launch of Al Jazeera English (AJE) on November 15, 2006, was also a milestone for Qatar, which became the first developing country to create a global 24-hour English-language news channel. In a few months, AJE expanded its outreach to more than 100 million viewers worldwide. On its website, it states that it "will balance the information flow from South to North," which makes it unique compared to other global news networks such as CNN International and BBC World. Though AJE covers very little about Qatar, it is another source of pride for all Qataris, most panelists said.

Panelists noted however that even though Al Jazeera does not primarily target audiences inside Qatar, it remains an inspiration to journalists and citizens of the country as a whole.

Panelist Aiman Gaballah, an Egyptian journalist working with Al Jazeera but with experience in dealing with Qatari society, said Al Jazeera is watched in every home in Qatar. From his personal experience, Gaballah noted that Al Jazeera “succeeded in making Qataris feel that despite not being a domestic channel, Al Jazeera is a fine representative of Qatar.”

An MSI panelist said that Al Jazeera has also created what is often referred to as the “Al Jazeera effect,” a jolt to some media enterprises in the Arab world. Panelist Mohamed Hijji said, “Certainly, Al Jazeera’s effect was felt. It was felt in media across the Arab world, so you could imagine its influence on the Qatari media.” He and other panelists noted how Al Jazeera effectively pushed the limit of press freedom in the local media to unprecedented heights. Nevertheless, panelists acknowledged that the extra attention given to Al Jazeera and the ongoing shortage of human and financial resources in domestic media contributed to the widening gap between the two.

Given that Qatar is among the richest countries in the world, citizens can afford satellite television and Internet access, which has become the dominant news source for a growing percentage of the population. With an Internet penetration rate of 26.6 percent and growing, Qatar was second only to the United Arab Emirates. Internet accessibility is provided by mostly state-owned Qatar Telecom (QTel), which is the exclusive telecommunications provider in the country. Qatar is the only GCC country that does not filter websites for their political content. But websites that contained nudity or other similar offensive content are automatically blocked by QTel’s filtering software.

Arab periodicals and publications are allowed into the country freely and are not subject to inspection for political content, while foreign publications are usually blocked if they had culturally offensive content. All panelists agreed that the government ensured that publications that are critical of Qatar and its regime are allowed to the country and sold freely in the market, which is in total contrast to all other GCC countries.

Ironically, the government’s strategy in not blocking any Arabic publication has drawn criticism from within the country, some panelists noted. Panelist Jaber Al-Harami of *Al-Sharq* said that occasionally “we call upon the government to prevent those newspapers from entering because sometimes they interfere in personal issues,” referring to opinions published in non-Qatari dailies that contained “harsh and personal attacks” against the regime.

Most MSI panelists agreed that the state-owned media remain tilted in favor of the government but are slowly opening up to initiatives and live talk show programs that

may include criticism of the authorities. Some panelists noted that the editorial line of those media is not being influenced by the emir, who is known to encourage editorial independence in state-owned media. Enlightened and open-minded media professionals in the state media have started producing live debate programs on national television and radio discussing problems of concern to the public.

Another panelist noted that radio in particular is becoming more engaged with the public as it occasionally hosts senior officials to answer audience questions in live broadcasts. Such programs may occasionally be quite critical of some governmental agencies, but they rarely result in direct criticism of the emir or the royal family. One famous radio program that often includes views critical of governmental agencies is *My Beloved Country: Good Morning* and is produced by Ilhab Badr, an outspoken female pro-press freedom journalist. But panelist Hashim Karrar noted that the program mostly tackles day-to-day social and cultural issues concerning the public and mostly lacks critical political views.

Panelist Mohamed Hijji also noted that Qatar TV has started producing programs that have gained tangible public acclaim. Among them is a program entitled *The Decision is Yours*, which is a debate program between senior officials and a group of young Qatari students. There have been times when a confrontational debate would take place between officials as senior as the Crown Prince, who was asked blunt questions during the first episode of the program.

Given the unprecedented economic growth and problems that are associated with it, Qatar TV started producing debate programs concerning the economic sector. Hijji noted that some of the sessions were “extremely hot.” Among the themes discussed were the stock market, inflation, and price and rental fee hikes.

Whether to allow critical voices to be heard in state broadcast media is based on the personal judgment of the decision-makers in those institutions, some panelists noted. Therefore, it may occasionally be the case that an individual prevents a specific critical view to be broadcast or published, but this is essentially a personal decision, not a political move influenced by the government, panelist Al-Harami stressed.

Despite this, state-run broadcast media are still not showing enough voices critical of the government because there are in fact not many such voices, many panelists said. Even though the emir had explicitly encouraged the state media to open up, some panelists agreed that it is far too early for Qatar to have outspoken critical voices. This will only emerge over time when democracy and a multi-party system are established. Furthermore, individuals refrain from speaking out to the media because they fear the repercussions of

*Panelist Hapashie Roshdie of Al-Watan said his newspaper depends heavily on news feeds from foreign and local news agencies, which serve as a main source of news beyond the newspaper's journalists and correspondents. "It would not be impossible, but it will be difficult" for his newspaper to cope without news feeds from those agencies," Roshdie said.*

addressing sensitive cultural, religious and social issues. One panelist said there is a need to take the risk of matching Qatar's skyrocketing economic development with a similar degree of openness.

In contrast to the wealth of international news sources, there is only one news agency, Qatar News Agency (QNA), which is controlled by the state and usually disseminates information and footage to newspapers and national radio. According to panelist Ahmed Abdul Malik, the agency's operations and activities have slowed down in recent years as more alternative sources have become accessible.

There are, however, offices and correspondents for international news agencies such as Reuters, AFP and AP, whose correspondents operate freely. All media in Qatar depend heavily on the content provided by those agencies for international and regional news, but they depend more on their own reporters and on QNA for local news. Panelist Hapashie Roshdie of *Al-Watan* said his newspaper depends heavily on news feeds from foreign and local news agencies, which serve as a main source of news beyond the newspaper's journalists and correspondents. "It would not be impossible, but it will be difficult" for his newspaper to cope without news feeds from those agencies," Roshdie said.

Among the other international sources accessible in Qatar are Radio Monte Carlo, BBC Arabic, Radio Sawa and MBC Radio. Panelist Jaber Al-Harami noted that some of those stations were able to broadcast directly from Qatar, though their programs were usually produced outside the country.

There are no privately owned Qatari TV and radio stations. There was disagreement among panelists whether to consider Al Jazeera truly independent since it is funded by the state of Qatar. One panelist even contended that despite what is being said about its editorial independence, there is some truth in criticisms that the channel does not report critically about Qatar. Al Jazeera "does not criticize the state. This is obvious,"

he said. But he added that in general, the channel does not promote Qatar or praise its government. "Advertisements are another matter," he added, hinting to the fact that the bulk of advertisements appearing on Al Jazeera do promote the country and many of its state-owned companies.

On the other hand, there are times when the channel invites guests in debate programs to discuss issues related to Qatar even if those guests are known to have hostile opinions of the country's regime. Similarly, there were reports on Al Jazeera covering demonstrations against Qatar for allowing a U.S. base to be established in the country, or for once allowing the opening of an Israeli commercial office in Doha. Human rights reports criticizing Qatar's performance were also occasionally dealt with on Al Jazeera.

However, the bombing of Al Jazeera's offices in Kabul and Baghdad, the closure of its offices in a number of Arab and Islamic countries, and the harassments and violations committed against journalists across the world have stood as evidence of the channel's power and influence. The reasons behind those measures were mostly attributed to the high degree of freedom Al Jazeera enjoys in its reports and debate programs that often include harsh criticism of Arab leaders and regimes, which in the past were out of reach for the Arab media.

Countries upset with Al Jazeera's coverage have pressured the Qatari regime to alter the channel's policies in the past. But when those policies remained unchanged, the aggrieved countries took tough measures against the channel, affecting Qatar's relations with them. There were even claims that Saudi Arabia, which was one of the countries deeply aggrieved with Al Jazeera's coverage, helped establish rival Al-Arabiya, which has been steadily growing in outreach and popularity since it was launched about four years ago.

Despite the positive appeal of Al Jazeera, panelists agreed that it should not be seen as a local station. Some panelists expressed hope that the government would in the near future allow private broadcast media to emerge through the establishment of a free media city, where local, regional and international broadcast and print media could produce and disseminate their products and compete with the successful Dubai Media City in the United Arab Emirates.

In terms of transparency, most panelists agreed that it is relatively easy to access information about the shareholders of the private publishing companies operating in the country. But they also noted that their ownership is largely limited to a small group of individuals, some of whom are closely affiliated to the royal family and have significant influence in the country. Given that the country's system is not democratic in the sense that there are no political parties, readers find

very similar editorial biases among the different newspapers. Panelist Mohamed Al-Musfir noted this by saying, "If you examine any newspaper in Qatar, you'll find that they contain the same governmental news and the very same international news." He also added that only wealthy individuals with enough capital could afford to establish a private newspaper.

But because the one million-strong population of Qatar is composed of diverse ethnic groups, coverage of international news relevant to the countries where expatriates come from makes up a substantial portion of content. Only about 15 percent of the population is Qatari, while the remainder is mostly Arab and Indo-Pakistani residing as skilled guest workers. Given this diversity, newspapers ensure that expatriate community activities are covered regularly. The fact that journalists working for those newspapers come from those communities has also helped maintain a high level of coverage of interest to expatriates. But the amount of coverage of each community is not necessarily proportionate to its size.

Panelist Jaber Al-Harami said that private newspapers including his own, *Al-Sharq*, ensure that each and every activity of the expatriate communities is covered in a timely manner to keep readers' loyalty. "Even if that community does not have an assigned page in a specific edition, we may end up placing its news item in the local news section," he said.

There are three English-language dailies in Qatar, which makes it possible for English-speaking expatriates to learn of events and activities happening in Qatar as well as in their own home countries. Panelist Al-Harami noted that *Al-Sharq*, which issues *The Peninsula* English daily newspaper, also prints newspapers in other languages including one in Nepalese and another in Malayalam.

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Qatar Objective Score: 2.27

Being one of the richest countries in the world with a GDP per capita approaching \$60,000, media businesses are able to sustain a high level of profitability in Qatar. Several of the indicators received high scores. However, panelists gave low scores to three indicators, resulting in a score of 2.27, a significant drop from last year's level of 2.68. Panelists criticized the limited number of important advertising sources as well as a lack of both market research and reliable ratings or circulation figures. Therefore, they gave low scores to Indicators 2, 6 and 7.

Panelists had little doubt about the profitability of private newspapers but did not agree on whether they were run

*Panelist Jaber Al-Harami said Qatar's tremendous economic growth in recent years had increased commercial activity, which resulted in greater revenues for all Qatari media. He noted that profitability in his newspaper, Al-Sharq, had increased so high that the management decided to distribute a portion of the profit to all employees for the first time in the newspaper's history.*

effectively. Given that there are only four publishing houses, with each producing at least one Arabic and all but *Al-Arab* also publishing one English newspaper, panelists noted it is possible to split the advertising income between them to achieve high profitability. One panelist however questioned newspapers' efficiency, particularly as the market has been monopolized by those newspapers for many years, allowing them to generate tremendous profit without serious competition from newcomers.

Panelist Jaber Al-Harami said Qatar's tremendous economic growth in recent years had increased commercial activity, which resulted in greater revenues for all Qatari media. He noted that profitability in his newspaper, *Al-Sharq*, had increased so high that the management decided to distribute a portion of the profit to all employees for the first time in the newspaper's history. "The one that received the least was actually given twice his monthly salary," Al-Harami said.

In contrast to private newspapers, state-run broadcast media fail to achieve a high level of profitability. Advertising sold by television and radio stations is limited and would not be enough to sustain them. Panelists noted that broadcast media rely heavily on government funding, making them somewhat relaxed and indifferent toward new sources of income. However, panelist Abdul Malik said the reason may lie in the fact that senior decision-makers in the state-run media are inefficient and unqualified. He added that their abilities "do not match up to the country and its pace of development."

Al Jazeera's management, however, is seen as more efficiently run compared to local television and radio, but its income remains well below the threshold to make it financially independent due to a huge overhead budget, particularly given the massive budget allocated for Al Jazeera English. The channel depends on state funding to cover about half of its budget.

Panelist Jaber Al-Harami said there is a growing concern about the dominance of commercial content in his newspaper *Al-Sharq*. “We give priority to editorial content,” he said.

But according to its deputy editor, panelist Aiman Gaballah, Al Jazeera is trying to generate income through means other than advertising, most of which comes from Qatari state-owned companies. Among the other income sources are fees coming from the Al Jazeera Media Training and Development Centre. Some income also comes from selling documentary programs, footage, and video productions. But Gaballah believes the path towards self-sufficiency is long. He argues that there are no state-owned television stations “capable of sustaining themselves without governmental money.”

Given Qatar’s small population of less than one million, circulation of local newspapers is too low to produce substantial income from sales and subscriptions. The largest share of income is from advertising, panelists said. This is one of the vulnerabilities of the newspaper businesses in Qatar, particularly as advertisement levels fluctuate and cannot be guaranteed. If the licensing of new newspapers is allowed, this would probably result in spreading advertisement income more thinly.

Some panelists admitted the need for the newspaper industry to diversify its income sources. “Our dependence on advertisements is exactly like the dependence of oil-producing countries on their revenues from oil,” panelist

#### 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.

Jaber Al-Harami said, adding that *Al-Sharq* started to explore new sources to generate income. Commercial printing and training of journalists for a fee are two more sources that have contributed somewhat to generate more income for *Al-Sharq*. But overall, advertising remains the chief source of income for private media in Qatar. He noted that this is a risky situation because if a newspaper does not sell enough advertising, it will certainly have to close down. This has already happened for other smaller publications; panelist Ahmed Abdul Malik noted that three magazines died out because they could not garner enough advertisements.

But advertisements in private media often come through advertising agencies, of which privately-owned Qatar Media (QMedia) is the most prominent. QMedia is trying to seal exclusive agreements with most newspapers, panelist Mohamed Hijji noted. Panelist Abdul Malik said this agency is “exerting pressure to prevent the publishing of advertisements that do not go through it.”

Hijji acknowledged that advertising agencies concentrate on advertisements in the printed media because they are thought to be more effective than outdoor advertisements and commercials in the broadcast media. He argued that in Qatar, where the literacy rate is about 90 percent, newspapers make for effective advertising.

There was emphasis by some panelists on the need to reduce the number of advertisements in the printed media. Panelist Mohamed Al-Musfir, who used to be the editor-in-chief of *Al-Raya* daily newspaper, noted that advertisements occasionally make up about 45 percent of the newspaper’s contents. Mohamed Hijji went further, saying that advertisements sometimes constitute more than 50 percent of the newspaper’s content. He argued that there must be a set ceiling for commercial content in relation to editorial material in printed media. “This is because of newspaper’s excessive dependence on advertisements,” he said.

Meanwhile, panelist Jaber Al-Harami said there is a growing concern about the dominance of commercial content in his newspaper *Al-Sharq*. “We give priority to editorial content,” he said, adding that on occasions when a specific article needs to be published on a page that contains an advertisement, the newspaper calls the advertiser and lets them choose between moving it to another page, delaying or even canceling the advertisement altogether. Some panelists noted that on some occasions, newspapers may increase the number of pages to accommodate a higher number of advertisements.

Panelists agreed that the government does not give private newspapers any subsidies. Newspapers used to receive funding from the state more than a decade ago, panelist Hashim Karrar said. But since subsidies were suspended,

newspapers depend on their own sources of income to survive. Some ministries provide advertisements in the form of tenders and other official announcements, but these constitute only a small portion of the total volume, and the government does not use advertisements as a tool to pressure or persuade newspapers, panelists said.

Market research by Qatari media is not common, according to panelists. Occasionally, however, foreign companies may do some market research about media outreach in the region. In 2006, a French company did some market research for the whole Gulf region including Qatar, panelist Jaber Al-Harami noted. Al-Harami said *Al-Sharq* is planning to distribute a questionnaire in the newspaper. To encourage readers to participate, it will give away prizes to those who participate in the survey.

Furthermore, newspapers do not often measure their impact in the market or their readership levels, panelists agreed. There is also no transparency in terms of circulation of the different newspapers and no independent entity to confirm or refute circulation figures. A panelist said some newspapers claiming to be the most widely read may hire private research companies to prove their claims. Such attempts are often not transparent and biased in their results. "You can bring a company from abroad to do the market research. But when the company is brought by you, you will turn out to be the best," he said, noting how the public may be easily misguided by such surveys.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Qatar Objective Score: 1.83

The weakest point in the MSI evaluation of Qatar's media for this year, as was the case for last year, is in the role of supporting institutions. MSI panelists gave this objective a low score of 1.83, which is a noticeable decline compared to last year's score of 2.03. There are no unions in Qatar, and it is the only GCC member that does not have a journalists' association of any sort. There are also no independent NGOs dealing with the media. Applications to form them are rare and usually go through bureaucratic procedures that may take years. Journalism curriculum in general is substandard. Short-term training programs are useful to a certain degree but participation is limited, particularly by Qatari nationals. Meanwhile, panelists agreed that the liberal economic policies of the country allow newspapers to import printing and other material directly without governmental interference. Similarly, they can sell their products freely, but access to the Internet is only allowed through a mostly government-owned Internet service provider (ISP).

*There are no unions in Qatar, and it is the only GCC member that does not have a journalists' association of any sort. There are also no independent NGOs dealing with the media.*

As a result, Indicators 1 through 3, covering trade associations, professional associations and NGOs received poor scores. Indicators 4 and 5, dealing with academic journalism programs and short-term in-serve training received scores slightly above a 2. Indicators 6 and 7, which consider access to printing facilities and distribution channels, showed the only strength, scoring more than a point higher than the overall average.

No trade association has been formed for media owners and there are no plans in sight for such an association, panelists said. The small number of newspapers operating in the country makes such a move of little significance, some panelists noted. However, occasionally, editors-in-chief and general managers of different newspapers meet to coordinate their moves for the good of the newspaper industry, panelist Jaber Al-Harami said. But such coordination efforts are not done on an institutional level between the newspapers. Panelist Abdulaziz Al-Sayed confirmed such coordination, but he noted that they may take place "for raising prices," referring to the prices of advertisements and sales. Panelist Mohamed Hijji said that all Qatari newspapers are members of the Gulf Press Association (GPA). Established in 2005 in Bahrain, the GPA is a regional independent organization meant to develop and coordinate between newspapers in the GCC region.

## 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.

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The situation is not much better for the journalism community as a whole. Despite waiting for more than five years, the Qatari Journalists Association has not been given a license to operate despite the urgent need for such a body, panelists said. There are no obvious reasons for not allowing the formation of the association, whose role would be to protect journalists' rights and promote journalism practices and standards in the country. But panelist Mohamed Hijji said he believes the issuance of the license has been deliberately delayed to ensure that the association is allowed to operate only after the anticipated new press law is approved.

Despite this deficiency, panelist Aiman Gaballah noted that some of the expatriate journalists working in Qatar are members of their own country's journalists syndicate or regional advocacy groups.

Similarly, there are no NGOs supporting press freedom in the country. There are also no international or regional NGOs operating in Qatar, panelists said. The only body that may be relevant to press freedom is the National Human Rights Committee, which is a semi-independent organization financed by the government. Panelist Jaber Al-Harami said the Committee is striving to support human rights issues including press freedom, but he acknowledged the non-existence of an NGO that deals directly with the media.

Meanwhile, some panelists noted that the low level of activity in the civil society sector is due to the lack of local activists willing to move press freedom forward. Despite the fact that law 14 of 2004 allows the formation of independent assemblies and associations, apart from an association for journalists, no applications were submitted to form an association that would support the media. Panelist Mohamed Hijji summed up this issue by saying "I believe the biggest challenge is the lack of national cadres," meaning that most of the problems facing journalism in Qatar could be resolved if there were a sufficient number of locals involved in journalism.

At the academic level, bachelor degree graduates of the Mass Communication and Information Science Department of Qatar University are usually not ready to start working as journalists, most panelists said. A panelist noted that Qatar University seems to like hiring Western university scholars, particularly from the United States and the United Kingdom, but he believes that the university's media academicians are not sufficiently qualified. Some panelists did acknowledge that steps are being taken by the university to enhance the program's quality.

Another problem pointed out by a number of MSI panelists is the lack of enthusiasm and desire among Qatari students to work as journalists. According to panelist Abdul Malik, "only

20 percent of its graduates do enter the media profession." Many graduates tend to seek jobs at governmental agencies, preferably as employees in the public relations departments. Other weak points of the academic program are the lack of sufficient technical training and too much focus on theoretical classes, some panelists said.

Short-term training programs on the other hand, are helping in qualifying fresh university graduates. There are various programs and opportunities offered to young graduates willing to enhance their skills. Among the most popular are courses offered at the Al Jazeera Media Training and Development Centre, which focuses on providing training to potential and current Al Jazeera journalists and media workers. Meanwhile, Dar Al-Sharq Center for Information, Studies and Training focuses on trainees working for the local media. But not all panelists were satisfied with those training programs. Hashim Karrar of *Al-Watan* newspaper complained that the courses, which usually last from seven to ten days, are too short to develop substantial new skills. One panelist went as far as claiming that those training programs "never graduate journalists," noting that upon completing those courses, graduates do not pursue a career in journalism at all.

Panelists agreed however that newsprint and other printing material is imported directly through the publishing companies themselves and sometimes through private agencies that operate outside of governmental control. Each of the daily newspapers has its own printing press while smaller publications print at one of many private printing presses available.

Newspapers and other commercial periodicals are sold at points defined by the publishing company without governmental restrictions. However, the government banned selling papers at crossroads to protect salesmen from the potential health hazards caused by long hours of exposure to sunlight and extreme humidity, panelist Hashim Karrar said. When it comes to distributing newspapers, given Qatar's small area, each individual publishing company has its own distribution unit that covers the whole country, which is just over eleven square kilometers in area.

The only ISP in the country is Qatar Telecom, which allows its subscribers access without discrimination. Panelist Mohamed Hijji mentioned plans to allow new private companies to operate a separate ISP, giving more options to the general public. Meanwhile, some foreign privately-owned broadcast centers do exist and the content they broadcast is not monitored or filtered by the state.

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## List of Panel Participants

**Abdulaziz Al-Sayed**, presenter, Qatar Broadcasting Corporation, Doha

**Ahmed Abdul Malik**, media expert and researcher, Doha

**Mohammed Al-Musfir**, lecturer, Qatar University, Doha

**Hapashie Roshdie**, journalist, *Al-Watan*, Doha

**Hashim Karrar**, editor, *Al-Watan*, Doha

**Jaber Al-Haram**, deputy editor-in-chief, *Al-Sharq*, Doha

**Mohammed Hijji**, assistant editor-in-chief, *Al-Arab*, Doha

**Aiman Gaballah**, deputy editor-in-chief, Al Jazeera, Doha

*There were also two additional participants whose names were kept anonymous based upon their request.*

## Moderator

**Walid Al-Saqaf**, media consultant, Gulf Forum for Citizenship, Sana'a, Yemen

The Qatar study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat, Oman.

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*Whether in printed media, broadcast outlets, or online, any casual observer will notice topics and issues being discussed that were off-limits a decade ago. However, as the MSI panel noted, this newfound media freedom could be easily restrained at any moment due to unenforced journalist protection laws and media regulations.*



## SAUDI ARABIA

Since King Abdullah bin Abdul Aziz ascended to the throne in 2005, Saudi Arabia has made progress in a number of areas. Its political relationships internationally have taken on an added weight through diplomatic engagement on Middle East issues. Economically, the country is enjoying a boom due to high oil prices, using the revenue to diversify income sources, privatize many sectors, liberalize markets, and attract foreign investment. Socially, the king launched a series of national dialogues on issues that included educational reform, women's rights, and unemployment, which opened the door for more discussions on problems in society and encouraged the private sector and civil society to take an active role. The government also pursued terrorists and dealt with security issues inside and outside its borders.

Naturally, these developments are creating a fertile ground for a more vibrant and competitive media. Whether in printed media, broadcast outlets, or online, any casual observer will notice topics and issues being discussed that were off-limits a decade ago. However, as the MSI panel noted, this newfound media freedom could be easily restrained at any moment due to unenforced journalist protection laws and media regulations.

Nevertheless, journalists and the general public feel encouraged by the trend of more and more issues being openly discussed, albeit with some self-censorship out of concern for social/tribal traditions, influential religious elements, or other considerations. Meanwhile, the public is finding ways to access and share information using modern communication technology. The panel described the current stage as the "spring of Saudi media," but to flourish the media require enforceable laws and professional standards.

Saudi Arabia's scores fell significantly compared to last year, but panelists cautioned that this should not be interpreted as a slide backward in Saudi media. On the contrary, they said, with the noted positive developments, media professionals are simply asking for more and are able to express their wishes more freely. Relatively, the objectives finished similar to last year. The panelists ranked Objective 4, business management, the highest at 1.67. The weakest by far was Objective 5, supporting institutions, which finished at 1.07.

# SAUDI ARABIA AT A GLANCE

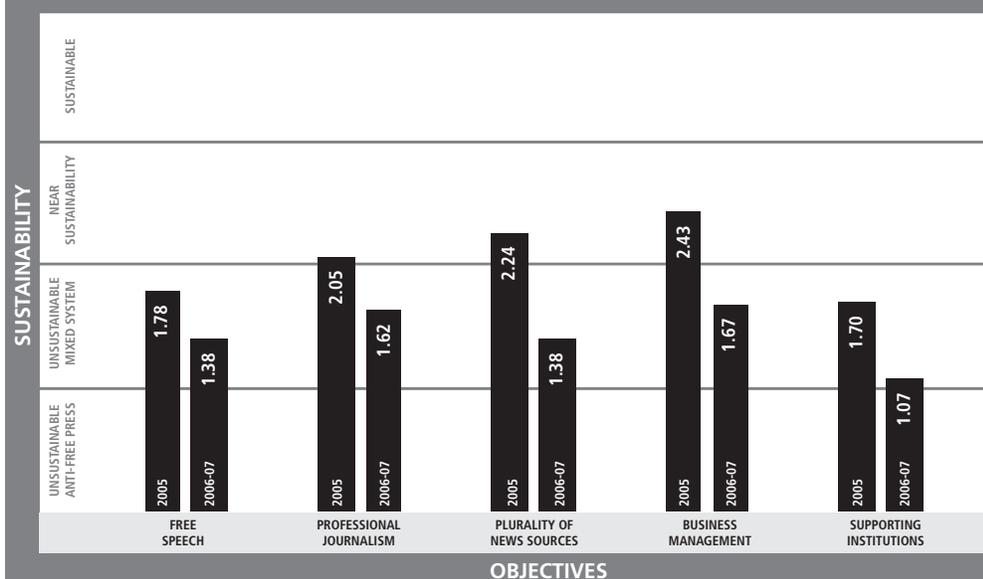
## GENERAL

- > **Population:** 28,161,417 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Riyadh
- > **Ethnic groups (% of population):** Arab 90%, Afro-Asian 10% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 100% (*CIA World Factbook*)
- > **Languages (% of population):** Arabic (*CIA World Factbook*)
- > **GNI (2006-Atlas):** \$331.0 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$22,300 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 78.8% (male 84.7%, female 70.8%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** King and Prime Minister Abdallah bin Abd al-Aziz Al Saud (since August 1, 2005)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 10 daily newspapers; Radio: 4; Television Stations: 117
- > **Newspaper circulation statistics:** Total daily circulation is 763,000
- > **Broadcast ratings:** Top 3: MBC, Al-Jazeera, Al-Arabiya
- > **News agencies:** Saudi Press Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 4,700,000 (2006 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: SAUDI ARABIA



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

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

### Unsustainable Mixed System (1-2):

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

### Near Sustainability (2-3):

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

### Sustainable (3-4):

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

## OBJECTIVE 1: FREEDOM OF SPEECH

### Saudi Arabia Objective Score: 1.38

Only a few indicators in this objective scored close to the average. The first three indicators, covering legal and social protections for free speech, broadcast licensing, and market entry all scored rather poorly. There are policies in the Basic Rules for Governance and the Print and Publishing Regulations that guarantee free speech rights, but they are not implemented, according to the MSI panelists. Panelists also agreed that licensing and market entry for the media is not easily attainable. Each indicator was at least a half point lower than the average, with Indicator 3, market entry, scoring more than a point lower. However, Indicators 4, 8, and 9, crimes against journalists, media access and use of foreign news sources, and free entry into the journalism profession, all scored a 2 or higher.

The Media Policy in Saudi Arabia provides the principles and goals for the media. These principles are based on Islam and aim at strengthening belief in God; raising the intellectual, cultural, and spiritual standards of the people; solving social and non-social problems; deepening the idea of submission to God, the Prophet Muhammad, and the guardian (king), and; advocating respect of the system and implementing it with conviction. It contains 30 articles that address various aspects of the media's goals, programs and, employees, but includes general statements that "free speech is guaranteed" and "the rights of individuals and groups are respected."

In 1982, the Council of Ministers and a Royal Decree approved the new Print and Publishing Regulations to replace the one issued in 1959. The new regulations cover licensing, publishing, copyrights, responsibilities, violations, and penalties. They also include an article guaranteeing free speech within the framework of Islamic and regulatory laws, and a statement that "local newspapers are not subject to censorship unless in exceptional circumstances determined by the Council of Ministers."

In 2001, the Council of Ministers replaced the 1964 System for Private Press Institutions that applies to independent private newspapers and magazines. This new system provides for and regulates the process for establishing, licensing, operating, and dissolving press institutions. All publications, whether state or private, have to be licensed by the Ministry of Culture and Information except those published by universities, academies, or schools, which still require Ministry approval. Ministry involvement extends to media leadership: the system clearly states in Article 11(e) that the nomination and dismissal of the editor-in-chief by the board of directors of the press institution requires the approval of the Ministry.

"There is no law that specifically protects or encourages freedom of speech, and there are no clearly and officially stated red lines," said Rania Salamah, founder and editor-in-chief of the Internet publication Arabiyat.com. The MSI panelists agreed that the recent surge in press freedom is mainly due to personal efforts.

The decision to publish a story belongs to the editor-in-chief who must weigh the risks of provoking the government with a report that "pushed the envelope." The editor would be held responsible and could be "relieved" of his or her duties by the Ministry of Culture and Information, which acts in response to complaints by government agencies, depending on who it is and how serious the offense is. In addition, the journalist or columnist would be suspended from writing in any local publication until further notice.

There are no taxes in Saudi Arabia, and licensing and market entry seem straightforward, according to the Print and Publishing Regulations, but in reality it is much more complicated. "The laws and regulations are so old and the process is slow with discrepancies in implementing the rules depending on the clerk processing the papers," said Salamah. The regulations seem to be particularly disadvantageous to women. She noted, for example, that some licensing laws require the applicant to be a mass communications college professor, and there is no mass communications college for women in the Kingdom (men and women have segregated educational and work facilities); or that the applicant has worked for a local publication more than 10 years when

#### 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.

few newspapers have had women's sections for that long. Meanwhile, she said electronic publications are not licensed and not regulated by the Ministry of Information, the Communication and Information Technology Commission, or the Ministry of Commerce (her site is registered in the United States). However, sites are monitored and sometimes blocked by the King Abdul Aziz City for Science and Technology if a government agency requests the site or certain pages be censored.

It is generally understood that it is very difficult to start a newspaper without the backing of a prominent person with significant financial resources, preferably a high member of the royal family. Two new newspapers, *Al-Sabah* and *Al-Arabiya*, were licensed over a year ago. All local radio and television broadcasting is state-owned and operated, although the Minister of Culture and Information Iyad Madani announced that private radio stations would be allowed soon. All fully or partially owned Saudi satellite channels and private radio stations are based outside Saudi Arabia but have local offices, and there are also Saudi-owned publications that are sold locally but published abroad because of simpler licensing procedures.

Crimes and threats against journalists or media outlets are rare. If there is any complaint about a report, the editor-in-chief usually questions the journalist about sources and proof, but some editors might allow the complaining agency to question the journalist.

The Ministry of Culture and Information is supposed to be the ultimate recourse for disputes or complaints within the media as well as for libel cases against any journalist or writer. But some cases have been filed directly with the court, such as that against university professor and columnist Hamzah Al-Muzeini who was sentenced to four months in jail and 200 lashes in 2005 for allegedly offending an Islamist professor.

The court should not have accepted the case because, according to a 2001 regulation by the Council of Ministers, all issues concerning the media are the prerogative of the Ministry of Culture and Information, which, the panelists say, poses a conflict of interest. Dealing with the Ministry, however, is preferable to going to court, they say. Eventually in the case of Al-Muzeini, then-Crown Prince Abdullah overturned the ruling and redirected the case to the Ministry. Meanwhile, newspapers protect themselves from libel cases—or more importantly the withdrawal of advertisements—by not naming the person or institution referred to in the story.

The Saudi Press Agency (SPA) distributes all official news and announcements, which cannot be published by newspapers until SPA releases them, even if the newspaper had the

information. Saudi television channels (there are four) usually have better access to officials and information. The panelists complained about the difficulty in accessing information, which usually depends on personal contacts with officials. "It is possible to get the information but it will take long because it is not readily available. Some officials refuse to mention their name and therefore the story does not get published," said Manal Alsharif, head of the women's section at the *Al-Madinah* newspaper.

There are no restrictions on local media accessing international news sources, but using the accessed information is a different matter. Entry into the journalism profession is also unrestricted. Anyone can be a journalist without licensing, special identification card, or even an aptitude test or training; all they need is a business card.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Saudi Arabia Objective Score: 1.62

Most of the indicators in this objective scored relatively near the overall average. The two exceptions were Indicator 5, pay levels for journalists, which scored about three-quarters of a point lower, and Indicator 7, modern facilities and equipment, which scored about three-quarters of a point higher.

The panelists criticized the general standards of journalism, training, salaries, and facilities, but commended some individual efforts for improvement. Reporting is not always fair, objective, and well-sourced; some journalists are neither well-trained nor follow ethical standards. "There is no professionalism in reporting. I started working in the

#### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

##### PROFESSIONAL JOURNALISM INDICATORS:

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

media in 1982, first in newspapers and then broadcast, and I didn't take a single training course. I learned on the job," said Kamal Abdelqader, a former journalist and current host of *From the Inside* on the Ein satellite channel (part of ART Company channels). Most journalists do not have the qualifications or training to be in the field, especially part-time journalists who sometimes have another job and might even use a pseudonym. Few press institutions offer training courses for their employees either in Saudi Arabia or abroad.

It is very common for a sponsor of an event to distribute inexpensive gifts to the journalists after covering a press conference. The panelists did not see a problem with gifts, although some individuals distribute cash after an interview or after a favorable piece is published, which they considered problematic. "Our social system is paternal and that has many downsides. It might be acceptable to receive cash awards from the king or crown prince but they should be refused from any other person. These matters have to be completely clarified," said Badr Al-Motawa, deputy managing editor of *Al-Hayat* newspaper's Saudi Arabia office.

Panelists felt that the main problem in the Saudi media is self-censorship practiced by journalists and editors practice, generally for fear of losing their jobs. The degree of self-censorship differs from one publication to another depending on the publication's general policy and affiliations. Nevertheless, during the past two years all local newspapers have addressed previously unreported controversial issues in their own way, such as religious issues, permitting women to drive, child abuse in all its forms, and runaway girls. The case of the forced divorce of Fatima and Mansour Al-Timani, which was pressed by her half-brothers through the court because of "incompatible lineage," and other similar forced divorce cases, were followed up on for more than a year by the press.

Recently, two government agencies that were previously untouchable by the press have been getting top headlines. One is the Commission for the Promotion of Virtue and the Prevention of Vice (the "morality police") for its sometimes-unacceptable rude behavior and overstepping of authority, especially after causing the death of two men in its custody. The other agency is the country's justice system, which has been criticized for its inefficiency and discrepancies. Saudi-owned or influenced satellite channels have also been discussing controversial issues more aggressively. The panelists are optimistic that this trend of opening discussion, including in the state-controlled media outlets such as Al-Ekhabariya news channel, will continue slowly.

The level of pay for journalists is a major issue. Although more and more young people are entering the field because

of the demand for talented and qualified staff, the same high demand means that most of these young applicants are hired despite their lack of qualifications and are often exploited by employers. Salaries for full-time journalists start at around \$1,300 per month and for part-time journalists at \$300 per month. This makes continuing in the field unappealing if a better job opportunity comes along. Many part-time journalists are merely supplementing their main income from another job. Editors-in-chief, on the other hand, get a monthly salary starting near \$19,000, and they are eager not to lose their jobs.

Opinions differed on whether there is a balance between entertainment programming and news and information programming. Some panelists thought the programs were balanced and that there is an effort toward having an even greater balance. Others said that there was more entertainment than information programming. Still others said there were no entertainment pages or programming in the cultural sense and sports is the only entertainment there is.

Technical facilities and equipment at newspapers are generally modern and efficient, although journalists sometimes have to buy their own equipment such as cameras or tape recorders. The facilities and equipment in the radio and television stations in some locations are very old and inefficient, but the Minister of Culture and Information, Iyad Madani, said that there is a plan to renovate facilities and upgrade equipment.

There is some quality niche reporting and programming of various degrees, less so in state media, but it is mostly due to individual efforts and not necessarily an executive editorial mission to raise the standard of reporting.

### OBJECTIVE 3: PLURALITY OF NEWS SOURCES

#### Saudi Arabia Objective Score: 1.38

There is plurality of news sources, but the diversity and spectrum of news and views that reach the audience is limited due to filtering. It is up to the audience to seek and circumvent the restrictions, which is getting easier with the advances in communication technology. Local media consumers have become adept at getting information from different sources. Because of this, panelists rated Indicator 1, plurality of news sources, a full point higher than the overall average. The rest of the indicators fell within a half point or less of the overall average. It should be noted, however, that Indicators 4 and 7, independent news agencies and coverage of broad social and minority affairs, both received scores below 1.

Satellite dishes are relatively inexpensive, even for limited-income households. Internet access is also affordable but the connection is slow, and web sites deemed immoral, sexually indecent, anti-government, or offensive to Islam are blocked by the King Abdul Aziz City for Science and Technology, which monitors all sites. The Council of Ministers issued a resolution in 2001 on the guidelines, restrictions, and mechanisms for Internet use. Internet use seems to be most popular among youth, who represent over 60 percent of the population. For additional fees, a wider range of satellite channels, including foreign channels, can be received, and accessing blocked or restricted Internet sites can be done through satellite Internet services.

There are only 10 daily newspapers, which the panelists consider not enough for a country the size and population of Saudi Arabia (another two have been licensed and are gearing up for publication). Some provinces and small communities outside the main cities are underserved by the current print and broadcast outlets, except, perhaps, by radio. Foreign publications are scanned for revealing pictures of women, which get blackened or torn out, before becoming available for sale in major bookstores. Arabic versions of some foreign publications such as *Newsweek*, *Forbes*, and *Foreign Policy* are also available.

There are no political parties in Saudi Arabia, but the views expressed in the local papers and in satellite channels reflect relatively diverse opinions. Not all government policies or actions can be criticized or analyzed objectively, but it might

#### 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.

be possible to do so indirectly depending on the vocabulary used. The reader and audience can find a wide range of views and opinions but within certain and known boundaries. However, people have found an outlet for expressing their opinions in blogs, web sites, and forums, but these get monitored and blocked when they go too far.

"Professional journalists have to realize that they have to censor themselves to avoid being not published or face the influential powers in the country. There are two main influential power groups in the country: members of the royal family and the religious scholars and their students. They are followed by the influence of tribal traditions and then the businessmen who control the large companies," said Badr Al-Motawa. Nevertheless, he said that there is broader interest to have the press play a bolder role in addressing issues, especially corruption and holding officials accountable, but that would depend on professional training and ethics and a greater social awareness of rights and responsibilities.

There are no independent news agencies. The only news agency is the Saudi Press Agency, which gathers and distributes official news and features for print and broadcast media. There is also the Islamic Press Agency, but it focuses only on Islamic events and issues. International journalists and wire service reporters are allowed to cover press conferences and file any stories they want without censorship. Local publications have access to international press agencies and use them as sources of information.

There are no independent broadcasters within the kingdom, but independent broadcast media based outside Saudi Arabia produce their own programs abroad. Competition pushes them to produce professional quality programs.

Media ownership is transparent but it is concentrated in a few companies, most of them headed by members of the royal family. "Media outlets are owned one way or another by members of the royal family; that's why a large sector of the community does not trust the media," said Ebtihal Mubarak, a journalist at *Arab News*. Media ownership and the licensing process, regulations, and management affect perceptions of an outlet's credibility, objectivity and independence.

The media try to reflect and represent different social interests but they do not purposely advocate a certain policy or stand. There are no minority languages; therefore there are no minority-language media except those for expatriates who speak languages such as Urdu and Tagalog. On the other hand, the media does not address specific issues of minorities such as Shiites.

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Saudi Arabia Objective Score: 1.67

Panelists pointed to some relative strengths and weaknesses in the operations of media. On the one hand, they rated Indicator 3, the advertising market, and Indicator 4, proportion of advertising income generated by media outlets, as fairly strong. The former scored three-quarters of a point higher, and the latter more than a point higher, than the overall objective average. However, the use of market research and existence of reliable circulation and audience measurements, Indicators 6 and 7, both scored below a 1.

Private media outlets make money and they are very competitive, but their sources of revenue are mainly from advertisements and sales, which are interlinked. The government stopped subsidizing the newspapers years ago, but a prince or the king might intervene to save a newspaper from closure. King Abdullah recently gave SAR 10 million (\$3.3 million) from his private account to *Al-Nadwah* newspaper, the first Saudi newspaper and the only one published in Makkah, but which has been having financial problems for the past three years and was unable to pay salaries for three months. Successful newspapers seem to be applying good business plans and marketing strategies to generate revenue but they do not publicize any details, so that cannot be verified.

Investment in the media is worthwhile and profitable. The last newspaper to be licensed was *Al-Watan* in 2000; it made a profit and distributed a five percent dividend to its stockholders six years later. The main problem remains

#### 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.

the unattractive investment laws and regulations that push potential investors to start their media companies abroad, whether a publication, an advertising company, a satellite channel, or a radio station. Some of the social restrictions also add to the expenses and fear of potential problems, especially with regard to employing women, who by law are required to be segregated from men in the workplace.

"Local media outlets depend on limited sources of revenue, mainly through advertisement," said Halima Muzaffar, columnist at *Al-Watan* newspaper and former head of the women's section in Jeddah of *Asharq Al-Awsat* newspaper. This puts pressure on editorial decisions. Although press institutions announce their annual profit, there is no breakdown of their revenues, expenses, or circulation.

Saudi Arabia is a huge advertising market (estimated at around \$2 billion per year), the largest in the region. Both local and international advertising companies operate in the country. Sponsorship of television shows and special events is a major source of revenue for broadcasters as well as partnerships between phone-in contest television shows and cell phone providers. Newspapers also earn extra advertising income during special occasions when members of the royal family, municipalities, chambers of commerce, private institutions, or rich individuals place congratulatory, condolence, or welcoming ads.

Publications have not yet managed to profit from Internet advertisement, although some of them already sell advertising space on their web sites. However, even though more and more readers are going to newspaper web sites, which are all available without subscription, newspaper managers are not focusing on improving their online presence. There is also increasing competition on the Internet for news sources, and the local newspapers are not on par with international standards to compete effectively.

Media management does presumably use in-house market research to enhance sales and advertising revenue because they care about the bottom line, sometimes at the expense of quality journalism and good reporting. A manager or editor is not going to risk losing a big advertising client for the sake of a story, panelists said.

There are no independent ratings or circulation figures that give accurate and reliable information. "Each newspaper claims that it has the highest circulation or readership based on statistics by some research company or another, so we don't know who is telling the truth," said Hasan Baswaid, journalist at *Okaz* newspaper. The same applies for television ratings. Advertisers try to do their own market research on viewers of satellite programs because the only source otherwise is the broadcasters themselves.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Saudi Arabia Objective Score: 1.07

Supporting institutions received the lowest rating by the MSI panel because they have not been present or effective. The concept of free speech, and freedom in general, is misunderstood by many people in society and is absent from their daily lives. The panelists thought that there is “negative freedom,” meaning that people practice the freedom to restrict others or to use their freedom against others. Most of the indicators received scores similarly low as the overall average, and Indicators 1 through 4 received scores below 1. The only strength, according to panelists, is access to printing facilities and newsprint, as Indicator 6 received a score in excess of 2.

There are no trade associations. The National Society for Human Rights, the only related NGO, did point out in a recent report the need to protect freedom of speech and does try to support journalists in their issues. However, advocating freedom of speech and free press issues are not its central function.

The biggest disappointment for journalists is the Saudi Journalists Association (SJA), which was formed in 2003 as an independent association to protect, advance, and support journalists. It held its first election to seat a board of directors in 2004. “Until now it has not done its job as it should. It did not act on implementing the requirements and needs of the journalists or give them job security by guaranteeing them the right to free speech. This led some of its members to refuse renewing their membership,” said Halima Muzaffar.

Ebtihal Mubarak, a journalist at *Arab News*, elaborates further on the inefficiency and ineptness of SJA: “Since its establishment in 2003, the board was unable to articulate a code of ethics for journalists so that both journalists and officials would know their rights and obligations. The board does not issue any letters or statements to officials who do not cooperate with journalists in providing information. Also, the board, since its establishment, has not defended any case filed against a journalist or opinion writer. An example is that of columnist, former editor-in-chief of *Al-Watan*, and SJA board member Qenan Al-Ghamdi, who has been suspended from writing since the end of last year. The SJA board didn’t even issue a statement about that,” she said.

There are journalism and mass communications colleges for men but not for women, which hinders women’s employment and career advancement in the media. Imam Muhammad ibn Saud Islamic University in Riyadh launched a post-graduate program in mass communications for

women this year that aims to graduate female teachers. The plan is that once the university opens a department in mass communication for female students, they can teach the classes. King Abdul Aziz University in Jeddah announced that it would open a mass communications and journalism department for women next year.

Only a few press institutions offer short-term training and in-service training programs for their journalists to upgrade their skills, and these programs are mostly offered to the men. “Short- and long-term training programs are not available in all local media institutions. They are still limited in few newspapers and not all journalists receive them,” said Halima Muzaffar.

Sources of newsprint and printing facilities are private, apolitical, and unrestricted as long as the publishing company has the proper licensing and paperwork. Printing facilities are required to abide by the rules of the Print and Publishing Regulations on the types of material they can print.

Channels of media distribution are private and apolitical as well. Nonetheless, the Internet is monitored and can be restricted if deemed necessary by the government. Otherwise most restrictions are confined to licensing approvals and having the correct paperwork. As for satellite channels, since they are based outside Saudi Arabia, they are not required to obtain licenses or approvals to transmit their programs. While satellite dishes are “officially” illegal, they are sold publicly all over the kingdom and can be found on the rooftop of almost every building. Reception of satellite channels is not monitored, so Saudis can receive all kinds of channels and unhampered access to information.

There are only two print media distribution companies that cover the entire country. Most publications are unavailable

#### 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.

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in the small cities and villages because the only carrier that delivers them is Saudi Airlines and it only travels to 22 domestic destinations. "Media outlets and support firms for printing and distribution are still limited in number," said Muzaffar.

## List of Panel Participants

**Kamal Abdulqader**, host, *From the Inside* satellite television program, Jeddah.

**Rania Salamah**, founder and editor-in-chief, *Arabiyat.com*; columnist, *Okaz* newspaper, Jeddah.

**Badr Al-Motawa**, deputy managing editor in Saudi Arabia, *Al-Hayat* newspaper, Jeddah

**Manal Al-Sharif**, managing editor of the women's section, *Almadinah* newspaper, Jeddah.

**Halima Muzaffar**, columnist, *Alwatan* newspaper, Jeddah.

**Hasan Baswaid**, journalist, *Okaz* newspaper, Jeddah.

**Ebtihal Mubarak**, journalist, *Arab News* newspaper, Jeddah

Participated online:

**Abdullah Al-Alami**, columnist, *Al-Eqtisadiya* newspaper, Dammam.

**Somayya Jabarti**, executive editor, *Arab News* newspaper, Jeddah.

**Faiza Ambah**, Gulf correspondent, *Washington Post*, Jeddah.

## Moderator

**Maha Akeel**, consultant, Gulf Forum for Citizenship, Jeddah

The Saudi Arabia study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat, Oman.

*Panelists acknowledged minor progress in media sustainability, namely in broader accessibility and the thriving of UAE media businesses, contributing to this year's score of 2.09 compared to 1.87 in 2005. However, Objective 1, free speech, and Objective 5, supporting institutions, remained in the "unsustainable mixed system" category, receiving respective scores of 1.92 and 1.74.*



UNITED ARAB EMIRATES

The United Arab Emirates made history in December 2006 when it held its first parliamentary elections. Though turnout was low, and the elections filled only half of the 40-member Federal National Council, the event in itself was favorably received as an emblem of the reforms promised by the country's new leadership.

The country witnessed impressive real GDP growth of about 10 percent in 2006, one of the fastest in the Arab world. Dubai is continuing its fast-paced transformation into a global commercial hub with a rapid infrastructure development plan that includes the building of the Dubai Tower, which will be the tallest building in the world.

However, some observers criticized lack of progress in other areas. For example, Human Rights Watch issued one of its harshest reports on human rights conditions in the country. Titled "Building Towers, Cheating Workers," the New York-based organization urged the country to improve conditions for the hundreds of thousands of poorly paid workers brought in mostly from the Indian subcontinent.

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Unlike last year, this year's MSI panel comprised mostly Emiratis. They were critical of the state of press freedom on the ground when compared to reforms promised by leaders including Sheikh Mohamed al-Maktoum, the ruler of Dubai who is also the UAE's prime minister and vice president.

Although there were no noticeable crimes committed against journalists, stringent laws continue to put them at risk, panelists said. Firing, prosecution, high fines, suspension of advertisements and other means of punishment constitute daily threats to media professionals and owners. The panelists agreed on the need to encourage more critical reporting, but noted that this would require an overhaul of the 1980 Printing and Press Law.

It is worth noting that the moderator of this year's study, a Yemeni national, was subjected to an inspection at the airport while leaving Dubai after completing the panel discussion. His luggage was returned to him more than an hour after it was requested for inspection, but without the completed questionnaires of all UAE MSI panelists. Repeated requests by the moderator for an investigation into the missing questionnaires and an official explanation have gone unanswered by UAE authorities.

# UAE AT A GLANCE

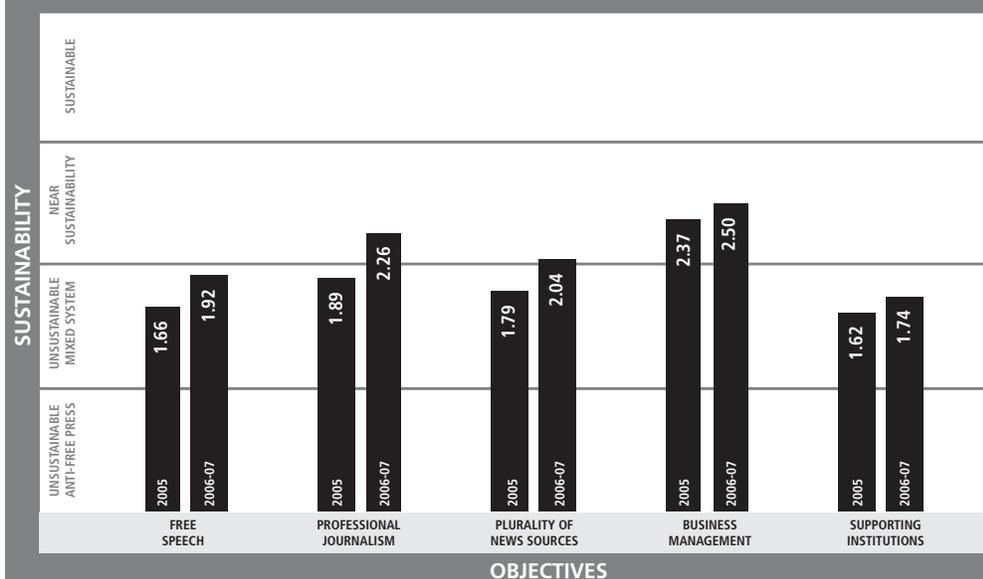
## GENERAL

- > **Population:** 4,621,399 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Abu Dhabi
- > **Ethnic groups (% of population):** Emirati 19%, other Arab and Iranian 23%, South Asian 50%, other expatriates 8% (1982 est., *CIA World Factbook*)
- > **Religions (% of population):** Sunni Muslim 80% Shi'a Muslim 16%, other 4% (*CIA World Factbook*)
- > **Languages (% of population):** Arabic (official), Persian, English, Hindi, Urdu (*CIA World Factbook*)
- > **GNI (2006-Atlas):** \$103.5 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$31,190 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 77.9% (male 76.1%, female 81.7%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Khalifa bin Zayid al-Nahyayan (since November 3, 2004)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 10 daily newspapers, dozens of magazines and periodicals; Radio: 22; Television stations: 40+, most based in Dubai Media City
- > **Newspaper circulation statistics:** Top 3 by circulation: *Al-Emarat Al-Yaum* (state-owned, circulation 100,000), *Gulf News* (private, circulation 91,000), *Al-Khaleej* (private, circulation 85,000) (source: *Arab Press Network*, arabpressnetwork.org)
- > **Broadcast ratings:** Top 3: Emirates Media Inc (state-owned), Dubai Radio Network (state-owned), Arabian Radio Network (state-owned) (source: indexuae.com)
- > **News agencies:** Emirates News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 1,709,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: UNITED ARAB EMIRATES



### 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: FREE SPEECH

### UAE Objective Score: 1.92

The government of Dubai eased restrictions on media licensing in the Dubai Media City (DMC) free zone, which was established in 2001 to encourage media corporations to establish a presence there. Citing this development, panelists gave this objective a score of 1.92, which is noticeably higher than last year's figure of 1.66. But they also expressed frustration that developments in press freedom remain lower than anticipated. Panelists rated most of the individual indicators rather differently than the overall objective score. On the low end, Indicators 2, 6, and 7, related to licensing, libel laws, and freedom of information, all scored about a point or more lower than the average. On the high end, panelists recognized strength in Indicators 3, 4, 8, and 9, market entry and taxes, attacks on journalists, media access to international news sources, and entry into the journalism profession.

Panelists agreed that the present UAE Printing and Publishing Law (Law 15 of 1980), is restrictive, outdated and does not protect freedom of expression, which is clearly acknowledged in article 30 of the UAE constitution: "Freedom of opinion and expressing it verbally, in writing or by other means of expression shall be guaranteed within the limits of law." The law contains a full chapter (no. 7) listing 16 articles (70-85) that cover prohibitions from publishing anything that could be critical of the rulers of the emirates to printing stories that "could result in the befuddlement of ideas concerning the country's economy."

The same restrictive press law that regulates local media also applies to media in the free zone, but with some exceptions; for example, media in DMC have unfiltered access to the Internet, unlike outlets in the rest of the country. Responding to complaints of double standards, authorities in the UAE are considering applying more stringent laws for DMC instead of easing restrictions for media outside the free zone.

The Emirates Journalists Association undertook efforts to replace the law with a less restrictive one that could effectively promote freedom of expression. But panelist Moza Matar, a journalist with the state-owned *Al-Ittihad* daily newspaper, noted that the proposed changes were not publicly discussed and the opinion of stakeholders was not taken into consideration. Meanwhile, panelist Abdulhamid Al-Kumiti, a prominent lawyer with experience in media-related cases, argued that the law could be described as "backward" and updating it would be useless. "In my opinion, there should be total elimination [of the press law]," he said.

In 2006, a Cyber-Crime Law (no. 2/2006) was enacted, extending the prohibitions mentioned in the 1980 press law to the Internet. In addition to hacking, forgery, fraud and online theft crimes, speech "transcending family principles and values" or "calling for, facilitating and promoting ideas in breach of the general order and public decency" could result in penalties ranging from fines to prison.

In 2006, MSI panelist and prominent human rights advocate Mohamed Al-Roken was detained by UAE state security personnel for two days in July and three days in August, but released without charge both times. The U.S. State Department's 2006 Human Rights Report claimed he was detained because of his public lectures and speeches criticizing the human rights situation in the country.

A major hurdle in promoting press freedom and other human rights is the lack of a vibrant political and civil society. Because major cities such as Dubai and Abu Dhabi are home to large expatriate communities that have come to the country for economic reasons, their residents tend to be uninterested in social issues like freedom of expression. Even nationals seem to be unprepared to fully accept the notion of free speech, panelists said. Panelist Saeed Shalash, the UAE correspondent of the Cairo-based *Al-Ahram* daily newspaper, said he believes that civil society organizations are "nonexistent or ineffective," which further inhibits efforts to expand freedom of expression.

Media licensing in the UAE operates on two parallel systems: one in DMC free zone and the other in the rest of the country. Free zone media have more of a global or regional reach, while media outside DMC caters to nationals and expatriates within the country. This results in highly disparate barriers to entry. Obtaining a license for a media business in the free zone is relatively easy, while establishing a newspaper outside the free zone can be a frustrating bureaucratic ordeal.

Given that the panelists were more interested in domestic media, most agreed that licensing for media is restrictive and difficult. Panelist Mohamed al-Roken, a law instructor at UAE University, said that despite the abolition of the Ministry of Information in 2006 and the subsequent formation of the Media Council, obtaining a license remained an extremely challenging task, particularly for a daily newspaper. The Media Council, which is appointed by the president, is the only body with the authority to license publications. Al-Roken argued that "for the issue of licensing to have to reach to the top of the executive body in the state, which is the ministerial cabinet, signals the extreme level of sensitivity in this issue."

For those media business owners who successfully obtain a license, market entry is comparable to other types of

*Panelist Saeed Shalash, the UAE correspondent of the Cairo-based Al-Ahram daily newspaper, said he believes that civil society organizations are “nonexistent or ineffective,” which further inhibits efforts to expand freedom of expression.*

businesses. Given that operating a business in the country is tax-free, running a successful private media enterprise is a generally profitable and long-term success. Panelist Abdulhamid Ahmed, editor-in-chief of the *Gulf News* daily newspaper, said he supports the idea that the media should be treated with the same standards as all other businesses and should not be given any preferences that would make them vulnerable to pressure, unless such preferences are unconditional and based on the law.

Crimes against journalists are rarely heard of or reported, but authorities respond swiftly if they do happen, panelists said, contributing to the UAE’s being ranked second only to Kuwait by the Paris-based Reporters sans Frontières in its 2006 World Press Freedom Index. But panelists emphasized this was basically a consequence of the low number of critical reports that would raise the public’s ire; journalists shy away from sensitive issues for fear that the consequences could affect their careers, said the panelists.

**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.

Panelists said that despite the low number of crimes committed, journalists may be penalized for their critical writings in other ways. For example, powerful elites who own massive conglomerates in the country may easily withhold advertising from any outlet that attempts to report critically about them. And panelist Aysha Sultan, a writer and board member of the Emirati Human Rights Association, said that journalists face several ways of being “beaten without being touched.” Panelist Saeed Shalash, who is one of hundreds of expatriate journalists working in the UAE, described the firing of journalists as one of those methods. “There is no greater crime committed against a journalist than causing him to find himself, in an instant, outside his establishment and on the street,” he said, referring to a case of a journalist he would not name who was fired for making a typographical error relating to the business of a powerful entity.

Panelists agreed that state-owned media do not receive preferential treatment in courts of law. The case that was won against Jaber Obaid, manager of state-owned Abu Dhabi Radio Station, was cited as evidence of the government’s equitable treatment of public and private media, although the lawsuit itself was filed by a state-owned company. And panelists also emphasized that many private media owners, like state-owned media, have close ties to the ruling class. According to panelist Al-Roken, many of the privately owned newspapers belong to individuals with close ties to the authorities, and “some of them were ministers and officials in government bodies.”

Though panelists agreed that there is no preferential legal treatment, they did acknowledge that English-language newspapers appear to get away with more critical reporting than their Arabic-language counterparts. *Gulf News*, which is among the top English-language dailies in the UAE, has been subject to several legal battles. Its editor-in-chief, Abdulhamid Ahmed, said the newspaper won many of those cases. He added that he had been called by the police for questioning on a number of occasions. “When I’m called to the police I respond and do go to see them,” he acknowledged, adding that awareness among police forces of the role of journalists needs to be raised. “A couple of days ago, a policeman confiscated cameras of a female photographer who was taking photos... It was an act by a single policeman. But after we carried out some phone calls with police officials, they were released,” Ahmed said.

One of the biggest fears of journalists in the UAE is prosecution for libel, particularly if it involves government officials. Based on article 84 of the 1980 Printing and Publishing Law, defaming a public employee is a crime that is punishable with one to six months in prison and/or a fine between AED 1,000 and AED 5,000 (\$273 to \$1366). Apart

from the press law, the UAE Federal Penal Code of 1987 also carries with it a host of potential punishments for libel. In articles 372, 373 and 378, the punishment for publishing material that is considered libel could result in two years' imprisonment and a fine of AED 20,000.

Panelists stressed that although no journalists were sentenced to prison thus far for violating media laws, those laws still present a constant threat. According to panelist Abdulhamid Al-Kumiti, "several journalists were held and questioned in front of the court based on the libel and insult [laws]." According to the law, libel cases may be filed against both the writer and the writer's media outlet, potentially resulting in the temporary suspension or even revocation of the outlet's license. Panelist Aysha Sultan recalled a personal experience when she wrote articles criticizing a medical doctor and was called by police for questioning, after which her newspaper supplied a lawyer for her case.

Another problem of journalism in the UAE is the difficulty of obtaining reliable information from relevant sources. The right to access information is not mentioned in the country's laws, and journalists have limited options in retrieving needed information, particularly when it might be used in an investigative report tackling a religious, social or political problem. Access to information "may depend on the mood [of the source] and on 'kissing the noses,'" said panelist Abdulhamid Al-Kumiti, using an slang term for flattery. The difficulty in obtaining information may often result in the story being cut back or even dropped altogether. Panelists also mentioned that if a newspaper publishes accurate but sensitive information, it may be pressured to reveal its sources.

On the international level, news and sources are generally accessible, panelists said. However, Internet filtering in the country is widespread except in DMC. Panelist Helmi Noman noted that this lack of filtering in DMC gives an advantage to media there. Furthermore, the fact that Internet service is monopolized by a state-owned company (Etisalat), subscribers outside DMC face difficulties accessing filtered Web sites, some which are political or social in nature. This might change; Noman added that UAE's Telecommunications Regulatory Authority said in February 2007 that it will extend its nationwide Internet filtering to the free zones, including DMC and Dubai Internet City.

Panelist Al-Roken described a recent incident in which the authorities blocked a video clip posted by a subscriber who captured himself complaining of an unpaid debt that the government allegedly owed him. "Not the whole YouTube.com was blocked, but only this particular video clip," Al-Roken said. Panelists also added that foreign publications may occasionally be blocked from entering the country

*Entry into the profession of journalism is mostly unrestricted for the country's nationals. Because nationals can enter journalism without any experience or academic qualifications, about half of all UAE journalists come from non-journalistic backgrounds.*

because of content deemed unlawful based on article 20 of the 1980 press law.

Entry into the profession of journalism is mostly unrestricted for the country's nationals. Because nationals can enter journalism without any experience or academic qualifications, about half of all UAE journalists come from non-journalistic backgrounds. "This phenomenon, in my opinion, severely damages the UAE press because they commit practices that disgrace true media professionals," Shalash said. As is the case in most Arab countries, however, foreign correspondents require licenses that must be renewed annually. Non-nationals must meet several conditions to work in the country, including having a university degree or at least three years of experience, as well as being affiliated with a professional entity in their home country. Despite the panelists' general agreement that the 1980 press law applies to all journalists working in the UAE, those working in DMC seem to be treated differently and are given more leeway in practicing their profession.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### UAE Objective Score: 2.26

Like several other undemocratic countries in the region, the lack of political opposition parties in the UAE has affected the overall standards of journalism. To raise standards, many foreign journalists are brought in, boosting the average level of proficiency and giving a more professional touch to news reporting. This is particularly true for English-language newspapers such as *Gulf News* and *7Days*, which exhibit a higher level of professionalism than Arabic-language newspapers. MSI panelists gave this objective a score of 2.26, a noticeable increase over last year's score of 1.89. Most indicators scored close to the overall average, with two exceptions: Indicator 3, self-censorship, scored nearly a point lower than the average, and Indicator 7, use of modern equipment by media, received a strong score well above the average score.

*Panelists agreed that professional journalism in the country is below desired standards. Panelist Abdulhamid Al-Kumiti, who regularly reads daily newspapers, said that objectivity in most reports is nonexistent and reports are generally “used to serve a specific purpose.”*

Panelists agreed that professional journalism in the country is below desired standards. Panelist Abdulhamid Al-Kumiti, who regularly reads daily newspapers, said that objectivity in most reports is nonexistent and reports are generally “used to serve a specific purpose.” The politically restrictive, economically competitive environment is partly to blame, panelists concluded. Panelist Mohamed Al-Mutawa, senior supervisor at *Al-Bayan* daily newspaper, stressed that low salaries and excessive working hours, especially for expatriates, contribute to biased reports that serve an agenda, pointing to a case in which a journalist accepted money from a hospital to write a report criticizing a rival hospital. However, the much-criticized 1980 press law does have an article (no. 85) prohibiting writing reports that reference different parties without reaching out to each one involved.

One negative aspect of recruiting foreign journalists is the fact that local talent may be neglected or lost. And since foreign journalists tend to be more reluctant to tackle critical news, this results in generally non-critical media coverage that focuses more on official acts, foreign reports, and politically and socially innocuous reporting.

#### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

##### PROFESSIONAL JOURNALISM INDICATORS:

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

Panelists agreed that there is no common code of ethics for journalism in the UAE, but they acknowledged efforts by the Emirates Journalists Association to formulate such a code. Panelist Moza Matar, a founding member of the association, said she and other colleagues presented a draft Code of Ethics to the association, “but this code was never implemented,” she said. Aysha Sultan, who is also a founding member of the association, added that when authorities received the registration application for the association, they threw out the Code of Ethics, saying that “this is a segment that is irrelevant to the main charter or the license.”

Some panelists noted that individual media usually have their own set of ethical standards that are supposed to serve as a guidelines for journalists to follow. Some panelists suggested that foreign journalists need to take crash courses to make their ethical standards compatible with the conservative Muslim UAE, which is sensitive to certain issues that need to be considered before publishing. Some prominent newspapers such as *Gulf News* have an internal code of ethics to which its journalists must adhere, according to the paper’s editor-in-chief Abdulhamid Ahmed.

Perhaps one of the most striking examples of the cultural gap between Western expatriates, who constitute a significant portion of the journalists working for English-language media, and conservative UAE society, was the near-shutdown of *7Days*, a daily private newspaper with 60 percent of its shares owned by UK-based Associated Newspapers, publisher of the *Daily Mail* and *Metro*. *7Days*, which is known for its critical reporting and opinion pieces, avoided being closed in 2006 after it published an story about women’s assertiveness training in Russia under the headline “Bitch School.” The article was deemed offensive to UAE culture, subjecting the newspaper to immense pressure. Despite apologizing for the error, the newspaper suffered from a temporary decline in advertising revenues and its circulation shrunk considerably. Part of the blame for the crisis went to rival papers that called for a boycott of *7Days* by readers and advertisers.

As a natural result of its restrictive environment, the UAE suffers from a very high degree of self-censorship among its journalists and publishers. Panelist Saeed Shalash said “there is a censor within every journalist and every newspaper writer. He knows the line that he cannot cross,” he said, adding that “official statements given by some officials claiming that there is freedom of the press and expression is irrelevant to the reality on the ground.”

Journalists’ chief fear is the career damage that can result from writing something deemed offensive by the authorities or other powerful individuals, society at large or even a prominent advertiser. Journalists may not necessarily be prosecuted or physically harmed because of their writings, but

may suffer pay cuts, firing or other negative consequences. Prosecution is also an important factor behind self-censorship, and indicted journalists may find themselves sentenced to high fines that could take years to pay off.

Panelists disagreed, however, on whether expatriates or locals practice more self-censorship. Despite a general understanding among panelists that locals enjoy more freedom to be critical because they do not face the risk of deportation, panelist and Egyptian national Saeed Shalash said Arab and foreign journalists often tackle critical issues more than locals. But panelist Aysha Sultan, who is an Emirati national, argued that nationals fired from their media institutions have great difficulty finding a new job, while expatriates who are deported from the UAE can easily find work at one of the many media outlets in their homeland.

On the management level, panelists agreed that publishers and editors-in-chief of independent publications understand that their businesses depend on the flow of advertising from the UAE's powerful conglomerates. Angering those companies with critical reports could result in suspension of advertising, threatening the survival of the offending media outlet. A chain reaction could also be triggered if the affected company enjoys strong ties with other advertisers, who may in turn withdraw their ads in sympathy with their partner companies or shareholders. This complex and delicate situation results in multifaceted self-censorship that maintains a minimum of journalistic objectivity while avoiding provoking advertisers.

Panelist Helmi Noman, a researcher in online journalism and electronic media, noted that self-censorship has also extended to the Internet. "On several occasions, I notice that some sensitive posts are deleted the next day," he said, adding that he noticed this only in Arabic forums and not English ones.

Panelists also agreed on the need to better guide journalists on which issues to cover. Working in an economically booming country, journalists naturally narrow their focus to business news surrounding the various investments and commercial projects in the country. Furthermore, most expatriate journalists tend to avoid provocative issues, preferring instead to cover events and issues that further their personal gains. Apart from that, the definition of "important" is usually provided by the top editors and decision-makers at each outlet.

Journalist pay in the UAE is relatively high by the region's standards. Salaries vary widely between low-level field reporters and photographers to nationals holding senior positions. But for the same qualifications, local journalists are usually paid more than their foreign counterparts, though they basically perform essentially the same tasks. This may

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occasionally encourage corruption in certain situations. "When you have a journalist working for eight or twelve hours and you give him five thousand dirhams, he will look for other means to make a living," said panelist Mohamed Al-Mutawa, adding that while nationals may not experience financial pressure, expatriates probably would. But panelists noted that corruption also depends on the individual journalist, as some journalists with high salaries could still be corrupt, while expatriates with low salaries may shun bribes because they risk being prosecuted and deported if caught.

UAE media generally balance entertainment and news content. But some panelists noted an increasing tendency to feature more entertainment content, particularly when targeting young readers. An increasing number of entertainment-only media is emerging in the UAE, especially in DMC. Panelists said this phenomenon may not be unique to the UAE, as music- and contest-based television channels are spreading throughout the pan-Arab and global satellite networks. There was general agreement that the proportion of entertainment content in the UAE media depends on the UAE public.

"There is competition, so the commercial aspect has sometimes become more important than the media message," panelist Al-Mutawa said. The trend towards entertainment programming has also been noticed online according to panelist Helmi Noman, who said that a study he conducted showed that posts and contributions on Islamic and entertainment subjects topped other areas in Arabic-speaking Internet forums based in the UAE.

Regarding technology and modern journalism tools, panelists agreed that the UAE is home to the most technically well-equipped newspapers and media enterprises in the region. All major media enterprises, whether in DMC or other parts of the country, possess advanced technology to retrieve, compile, edit and disseminate information.

The sheer number of specialized magazines and publications published in the UAE is an indication of how niche reporting

has become part of the country's media spectrum. Panelists emphasized, however, that most of those publications exist mostly for their high profit potentials and may consist of syndicated content translated from other services. Panelist Saeed Shalash stood out among all panelists in requesting to limit the publication of such specialized publications, which he said "do not do the profession any good." This view, however, was opposed by other panelists who defended these publications, adding that it is the readers who decide which publications are worth continuing and which are not.

Extra supplements specializing in "light" content such as entertainment, sports and family affairs, have also become a common feature of most daily newspapers and are viewed as integral profit-generating sections with high popularity among the various groups they target.

### OBJECTIVE 3: PLURALITY OF NEWS SOURCES

#### UAE Objective Score: 2.04

As a regional economic and commercial hub, the UAE has slowly become an information hub as well. MSI panelists gave this objective a score of 2.04, citing the unprecedented expansion of DMC as a key factor for the score's increase from 1.79 last year. Most indicators scored close to the overall score. Indicators 1 and 2, multiple news sources and citizen access to news sources, scored noticeably higher than other indicators, with scores approaching 3. However, the score for Indicator 4, private news agencies, was almost three-quarters of a point less than the average, reflecting the lack of a local private agency.

#### 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.

The UAE's booming business environment enables the country to serve as a platform for various media in print, broadcast and other electronic forms. There are dozens of publications in various languages, affordable means of telecommunication and Internet services. However, most of those media do not cover local events adequately, particularly those based in DMC. An example was given by panelist Saeed Shalash, who said that the Al-Arabiya satellite news channel, which is owned by a Saudi firm, broadcasts from Dubai but does not critically cover any local issues and events. "For instance, the channel [Al-Arabiya] can criticize any regime in any country that has enmity towards the Kingdom of Saudi Arabia," Shalash said, explaining that because the UAE is on good terms with Saudi Arabia, it would not be covered critically by Al-Arabiya.

Residents are able to access international information freely by watching satellite television and browsing the Internet, whose penetration rate of 35 percent is the highest in the Arab world. However, the government still bans some publications from entering the country if they are found to have content that violates the country's laws. The government has banned Voice Over IP (VOIP) services, citing concerns that it may affect the government-controlled telecommunication sector, hence VOIP sites such as Skype are filtered. News reports are increasingly available on mobile phones, whose use among residents is very high.

With the exception of connection requests from within DMC, the government's sole Internet service provider Etisalat filters various Web sites that contain pornography or political, religious or cultural content thought to be in violation of the law. All Israeli web sites are also blocked. Some panelists noted that there are instances of over-filtering, which blocks out many Web sites and links that do not contain banned content. Some of the popular multimedia content-sharing and blogging Web sites are occasionally blocked by Etisalat. The Open Net Initiative described Etisalat's social filtering as pervasive.

In contrast to UAE media consumers with access to sources like the Internet, the UAE's poorly paid labor force—a significant portion of the population—does not usually purchase newspapers or have easy access to other news sources.

Coverage of diverse political opinions on domestic affairs is rarely observed in state-owned media, which does not allow voices critical of the government to be heard. Some panelists said this was natural due to the fact that the UAE's political system does not allow political parties, so there is no opposition activity that could have a say on local politics and events. Increasingly, however, there have been efforts by some journalists to push for more diversity of opinion in news and talk show programs broadcast in the official

media. Nonetheless, panelists noted that residents do not seem to miss opposing points of view as long as they are economically prosperous.

There are no independent news agencies in the UAE. Local media use content provided by the country's sole news agency Emirates News Agency (*Wakalat Anba'a al-Emarat* in Arabic, or WAM), which covers business, official news and other domestic news that usually does not contain critical reporting of the government. Though there are offices and representatives of independent international news agencies in the UAE, their coverage of local news is limited and follows lines similar to those of WAM, particularly since the 1980 press law applies to them just as they apply to all media outside DMC.

The UAE similarly lacks independent broadcast media. Some media companies have radio and television channels that are not purely state-owned, but that are also not purely independent. While there are independent media in DMC, they are restricted by the country's tough press law and rarely cover local news or do critical reports on the UAE. Panelists emphasized, however, that there have been no means to measure the government's response to independent critical reporting in any of the media corporations within DMC because none have issued noticeably critical coverage of domestic affairs thus far. Panelist Mohamed Al-Roken noted that local news programming in some DMC private media do tackle local news and analysis in sectors such as the economy and regional news that is essentially not critical of the UAE.

Despite the UAE's being an open market economy, panelists noted some difficulty in retrieving detailed information about shareholders and their interests, which also include the media. Furthermore, the fact that DMC has its own laws adds several more layers of bureaucracy to any such search. With such difficulty in discovering the individual owners of media corporations' parent companies, the public finds it difficult to assess the objectivity of those media, leaving much room for rumor and speculation. One good example is the case of the daily *Emirates Today*, which claims to be independent although its main shareholder is the government of Dubai.

Because the expatriate community in the UAE constitutes about 80 percent of the population, covering their news and activities has become a necessity for the country's media. There are English-language newspapers that give substantial coverage to the different communities, including expatriates from the Indian subcontinent, who constitute the bulk of the UAE's foreign work force. Panelists noted the availability of newspapers and periodicals in Persian, Hindi, Urdu and other foreign languages. Some television and radio

*To cope with an increasingly competitive market, UAE newspapers frequently hire specialized agencies to conduct market surveys and analyses. But panelist Saeed Shalash noted that doubts have been cast on those agencies, which have been accused of inventing or manipulating numbers in favor of the highest bidding newspaper at the expense of its rivals.*

programs are also broadcast in English and other non-Arabic languages. Furthermore, UAE media also give considerable coverage to events in the countries of origin of the majority of expatriates such as India, Pakistan, the Philippines, Iran, Iraq and so on.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### UAE Objective Score: 2.50

The UAE is known to be a land of opportunity for investors and entrepreneurs wishing to make tremendous profit, and independent media owners are no exception. Panelists agreed that media companies seem to do relatively well, particularly after their first few years of operation. Not surprisingly, this objective stood out with the highest score of 2.50, slightly higher than last year's score of 2.37. But they noted that the bulk of revenue for those companies comes from advertising, as other means of income remain limited. Most indicators scored close to the overall average, with Indicator 7, broadcast ratings and audited circulation figures, showing the only glaring weakness; that indicator scored more than a point lower than the overall average and was the only indicator scoring below a 2. Indicators 3 and 4, the role of advertising agencies and advertising revenue as a percentage of total revenue, showed particular strength; each scored solidly above a 3.

Most panelists agreed on independent media's profitability in the UAE, noting the favorable market conditions that allow media businesses to thrive. The conditions are suitable for media businesses with sufficient capital to grow and prosper, particularly as human resources are widely available. The fact that the importation of newsprint and other materials is tax-free only serves to increase media companies' profits. These conditions have allowed many commercial magazines and publications to emerge.

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Panelist Abdulhamid Al-Kumiti, however, said some newspapers that claim to be independent, such as *Emirates Today* and *Al-Emarat Al-Youm*, belong to companies that may be partially or totally owned by the government and thus are not profitable because they are mostly financed by the government.

Panelist Saeed Shalash said that newspaper owners and managers occasionally prefer advertising material over content, pushing profit even higher. "If you look at newspapers that have taken this approach [focusing on income generation only], you'll notice that they have failed editorially but succeeded commercially," he said. Because advertising is the biggest source of income for independent media, daily newspapers such as *Al-Khaleej* often expand beyond one hundred pages per edition to accommodate the massive amount of advertising. Despite Shalash's comments, most daily newspapers seem to have developed an understanding that the need for advertising should not result in shrinking the news content. Consequently, there are some massive daily newspapers with various editorial, advertising

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

##### **BUSINESS MANAGEMENT INDICATORS:**

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

and advertorial content along with quality specialized commercial and editorial supplements.

With the exception of state-owned media, privately owned media in the UAE failed to generate multiple sources of income, panelists agreed. State-owned media rely heavily on state funding and, increasingly, on advertising, resulting in a more balanced approach in funding their operations, while the bulk of private media's income comes from advertising. While the amount of advertising and advertising revenue is high, it is concentrated. Panelist Al-Roken underlined the potential damage that advertisers could have on newspapers in terms of objectivity and neutrality. He said, for example, that newspapers fear running anything critical of Dubai-based Emaar Properties, one of the world's largest real estate companies, because it has a massive advertising budget and may retaliate against adverse reporting by suspending its ad buys.

The vibrant economic activity in the country has naturally boosted the role of advertising agencies, which have become powerful institutions with links to various media corporations in the UAE and the region. Advertisements reach newspapers directly or through agencies, which have invented various ways to maneuver for discounts from newspapers, taking advantage of the tense competition in the market. Panelist Saeed Shalash added that advertisement agencies usually give the bulk of any advertising budget to the largest daily newspapers such as *Al-Khaleej*, *Gulf News*, *Al-Ittihad*, *Al-Bayan* or *Khaleej Times*, while newer, smaller outlets receive little, if any, advertising.

At first glance, it would appear that the split between advertising and other revenue are in line with international norms. Given the concentration of advertising, however, the reliance on such revenue comes with a price: self-censorship and pressure from advertisers. Panelists said sales and subscriptions are still too low to serve as an alternative income that could substitute for advertising. Panelist Abdulhamid Ahmed, who leads *Gulf News*, said his newspaper has expanded its circulation with the goal of developing alternative revenue streams. Such measures could potentially reduce advertiser pressure and enhance editorial independence and objectivity.

Panelists agreed that there is no official government subsidy for commercial media. But they also stressed there are various ways for the government to support and potentially influence the local media, notably by advertising for government tender announcements and state-owned businesses and institutions. They acknowledged that such support is healthy as long as it is used without practicing any sort of pressure and is distributed equally to the various media.

To cope with an increasingly competitive market, UAE newspapers frequently hire specialized agencies to conduct market surveys and analyses. But panelist Saeed Shalash noted that doubts have been cast on those agencies, which have been accused of inventing or manipulating numbers in favor of the highest bidding newspaper at the expense of its rivals. Panelist Helmi Noman also stressed the lack of credibility and transparency in the agencies and their methods.

Panelists also stated that newspapers carry out market research because of the lack of statistics on circulation and sales figures. No independent or governmental body compiles or verifies such statistics, and media owners are not legally required to disclose them to the public. Panelists noted that the lack of transparency in this respect confuses readers and advertisers, since multiple newspapers claim to be the leader in circulation and reach. Panelist Abdulhamid Ahmed went further by saying that when it comes to numbers, not only is there no transparency, there is also “deceit and cheating” in the process. He recommended that all newspapers publish all their figures.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### UAE Objective Score: 1.74

Despite the vibrant business activity in the UAE, civil society organizations supporting the media are weak. This was also clearly reflected in the MSI panel score, which rated this objective at 1.74, the lowest among all objectives. The score is slightly better than last year's score of 1.63, which may be attributed to the launch of the Emirates Human Rights Association in 2006. Panelists noted that there is no trade association representing independent media, and there was no initiative to establish one. Panelists did acknowledge that the Emirates Journalists Association made efforts to defend journalists and raise professional standards, but the panelists also noted that such efforts fall far below their aspirations. Panelists also pointed to a serious deficiency in NGO support for the media, but did not arrive at a conclusion as to why.

Most of the indicators scored close to the final objective score. However, Indicator 1, trade associations, scored nearly a point lower than the average. Indicators 6 and 7, access to printing facilities and newsprint, and media distribution, both scored well above the average.

Media corporations in the UAE have not established any form of union or association to promote their interests. The main reason is the inability of rival private newspapers to find

*Media corporations in the UAE have not established any form of union or association to promote their interests. The main reason is the inability of rival private newspapers to find common ground among themselves. Even if they were willing to do so, a series of cumbersome steps would have to be taken to obtain a license, making it a distant ambition.*

common ground among themselves. Even if they were willing to do so, a series of cumbersome steps would have to be taken to obtain a license, making it a distant ambition.

Unlike media owners, UAE journalists succeeded in establishing their own professional body, the Emirates Journalists Association (EJA). Panelist Ehab Mabrouk, who works as EJA's secretary, said it has more than six hundred members, about half of whom are nationals. It has also been working on a draft press law to replace the current 27-year-old law and remove the many restrictions that exist today. Panelists Aysha Sultan and Moza Matar, two of EJA's founders, noted that the association has its own volunteer lawyers to defend journalists in court and contributes positively in promoting the level of press freedom in the country. In March 2004, EJA declared a boycott of news coverage of the Ministry of Education after the ministry prevented journalists from entering its premises in Dubai. Though such efforts were appreciated by panelists, more was demanded of the association.

## 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.

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*Panelists agreed that the UAE's open market economy had allowed newspaper publishers to freely import and purchase newsprint directly and through private companies. They said that the government had no influence in the process.*

Panelist and lawyer Al-Roken reminded the panel that the EJA is not a syndicate and does not necessarily represent the interests of its members; rather, it is a service-oriented civil society organization with limited powers and influence bounded by the country's restrictive 1976 Federal Law No. 6 on Public Benefit Societies.

Amid the tremendous business activity in the UAE, civil society has been somewhat marginalized for a long time, panelists said. Despite the fact that there are about 100 registered NGOs, the laws governing them remain well below international standards, said panelist and legal expert Abdulhamid Al-Kumiti.

Established in early 2006, the Emirates Human Rights Association (EHRA) is attempting to fill the void by tackling issues dealing with human rights, including freedom of expression. Though panelists did not fully agree that the EHRA is a totally independent NGO, Aysha Sultan said the EHRA is "governmental" in terms of being confined by regulations set by the Ministry of Labor. However, unlike the government-subsidized Jurists' Association Human Rights Committee, the EHRA has "never received a single penny from the state," Sultan said.

Panelist Moza Matar noted that pressure from outside the country occasionally influenced the advocacy work of NGOs and professional associations. In response to a three-day conference organized by the EJA to call for the boycott of American goods, "the government was exposed to extreme pressures from the U.S. ambassador to ban the conference and stop it," she said. This view was supported by panelist Saeed Shalash, who said that the U.S. government indirectly or directly imposes restrictions on the activities of advocacy organizations if those activities are at odds with U.S. interests.

On the academic level, the few university departments that offer journalism studies are not up to international standards, panelists said. This opinion was not based on a lack of equipment or qualified professors so much as the deficiency in practical courses and excessive focus on theory. "There is a rift between what is taught at those universities and the local

reality," said panelist Saeed Shalash, adding that qualified local and expatriate journalists who could serve as instructors in local universities are intentionally ignored.

Panelists agreed that the divergence between reality and what students are taught at universities has had negative effects on graduates entering the job market. This explains why a large portion of new graduates fail tremendously when starting their careers. Panelists suggested that additional emphasis needs to be placed on practical courses, preferably in the form of on-the-job training.

The picture is not much brighter for short-term training courses despite a visible increase in the number of professional development opportunities for media professionals. More media institutions are now aware of the need for regular staff training, and many have established their own departments for this purpose. Such efforts have helped compensate for the deficiency in the academic curricula at UAE universities. Panelist Helmi Noman, who is also a trainer, said he realized that many new university graduates have poor Internet skills, which explains why it is important to have more frequent training courses.

But what is more important in the success of such training courses is the desire and motivation of journalists themselves, according to some panelists. The EJA has provided short-term training courses, but, according to its secretary Ehab Mabrouk, "out of the 635 members of the association, not even 20 people actually apply, and even when they do attend, only 15 end up attending the [whole] first day, and perhaps merely 10 remain on the second day."

Panelists agreed that the UAE's open market economy had allowed newspaper publishers to freely import and purchase newsprint directly and through private companies. They said that the government had no influence in the process.

Similarly, panelists acknowledged that the government does not dictate how and where newspapers and other media productions are sold. Broadcasting of live and recorded content via satellite is also unrestricted provided that it is done by a licensed broadcast media establishment and takes place inside the boundaries of the Dubai Media City.

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## List of Panel Participants

**Aysha Sultan**, representative, Emirates Human Rights Association, Dubai

**Helmi Noman**, new media researcher and trainer, Abu Dhabi

**Mohamed Al-Mutawa**, senior editor, *Al-Bayan*, Dubai

**Mohamed Al-Roken**, law instructor, Emirates University, Dubai

**Moza Matar**, journalist, *Al-Ittihad*, Dubai

**Abdulhamid Ahmed**, editor-in-chief, *Gulf News*, Dubai

**Saeed Shalash**, correspondent, *Al-Ahram*, Dubai

**Abdulhamid Al-Kumiti**, human rights and freedom of expression lawyer, Dubai

**Ehab Mabrouk**, secretary, Emirates Journalists Association, Dubai

## Moderator

**Walid Al-Saqaf**, media consultant, Gulf Forum for Citizenship, Sana'a, Yemen

The UAE study was coordinated by, and conducted in partnership with, the Gulf Forum for Citizenship, Muscat, Oman.

*Panelists concluded that the government needs to do more to reverse deteriorating media conditions and implement necessary reforms to raise the standards of journalism in the country. They underscored the fact that without political will from the highest post in the regime, no important changes could happen.*



YEMEN

Emerging victorious from Yemen's relatively competitive presidential elections in September 2006, President Ali Abdullah Saleh was confronted by a number of challenges. The most daunting was dealing with the armed rebellion that started to threaten stability in the northern province of Sa'ada. The growing threat of terrorism had reached alarming levels, particularly after authorities failed to arrest Al-Qaeda prisoners who had escaped from a jail in Aden. However, growing public discontent with the government because of a failing economy was perhaps the topic that the media were more interested in. Strikes, protests, sit-ins, and other activities demanding improvements in the income of citizens became regular events that found their way into the headlines of most opposition and independent newspapers. To tackle these problems, President Saleh assigned Dr. Ali Mujawwar to lead a new Cabinet with the main objective of reviving the economy and implementing the many ambitious promises the president had made during his campaign.

The opposition and independent media steadily raised their level of criticism of the regime. Subjects that were once taboo became headlines, including singling out the president for criticism. Newspapers also challenged the grooming of the president's son, Ahmed, to be his successor. This new openness in turn led to an unprecedented wave of intimidation and attacks against the press, according to media freedom advocates. Crimes against journalists increased in number, and journalists became frequent visitors to police stations and courts.

The 2006-2007 MSI delivered an overall score of 1.12, a slight decline from last year's score of 1.27. The panelists determined the most worrisome objective was plurality of news sources, which received a score of 0.75. Many panel members said they believe the information vacuum that resulted from limiting access of journalists to the Sa'ada war was to blame for this poor ranking. On the brighter side, the period witnessed a boom in the number of new news websites. But with the rapid increase in the use of the Internet in Yemen, the government resorted to blocking some of the opposition websites, triggering protests by local and international advocacy organizations. Activists were also wary of governmental attempts to "regulate" electronic news sources through a new press law, the first draft of which was introduced in 2004. MSI panelists expressed their concern that a law hampering press freedom even more could be presented.

Panelists concluded that the government needs to do more to reverse deteriorating media conditions and implement necessary reforms to raise the standards of journalism in the country. They underscored the fact that without political will from the highest post in the regime, no important changes could happen.

# YEMEN AT A GLANCE

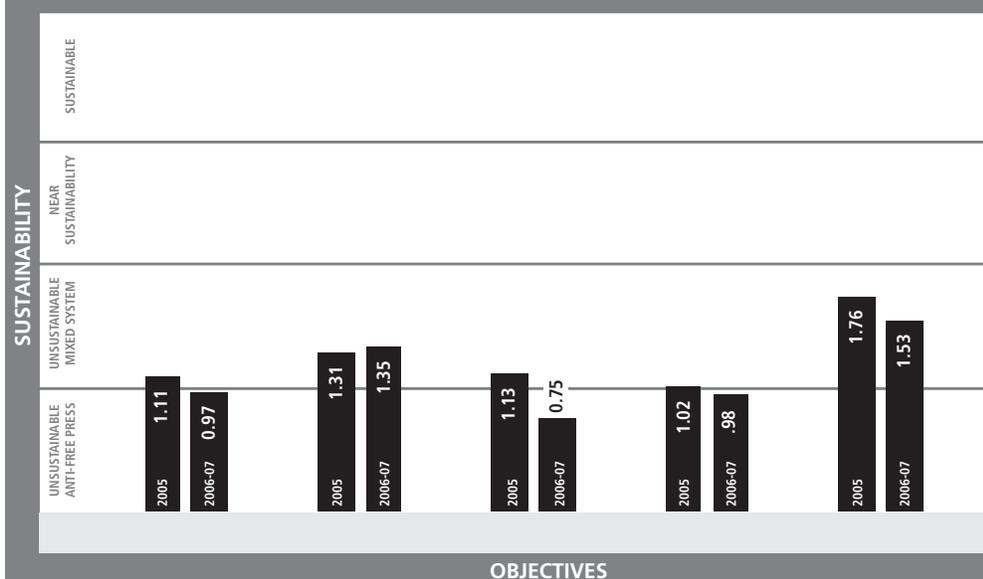
## GENERAL

- > **Population:** 22,230,531 (July 2007 est., *CIA World Factbook*)
- > **Capital city:** Sana'a
- > **Ethnic groups:** predominantly Arab; but also Afro-Arab, South Asians, Europeans (*CIA World Factbook*)
- > **Religions:** Muslim including Shaf'i (Sunni) and Zaydi (Shi'a), small numbers of Jewish, Christian, and Hindu (*CIA World Factbook*)
- > **Languages:** Arabic
- > **GNI (2006-Atlas):** \$16.444 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$920 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 50.2% (male 70.5%, female 30.0%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Ali Abdallah Salih (since May 22, 1990)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 10 radio stations [(2 nationwide: Sana'a (General Program) and Aden (Second Program)], 2 television stations (Sana'a and 22-May TV), at least 150 newspapers and magazines licensed by the Ministry of Information (statistic until 2003). Among them are 54 official publications. (*Ministry of Information*)
- > **Newspaper circulation statistics:** top three: *Al-Thowra* (official daily), *Al-Ayyam* (independent daily), and *26 September* (weekly; mouthpiece of the Moral Guidance – Ministry of Defense). Circulation statistics unavailable. (*Ministry of Information*)
- > **Broadcast ratings:** N/A
- > **News agencies:** Saba News Agency – Sana'a (state owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 300,000+ (2005 est., *Ministry of Telecommunication and Information Technology*)

## MEDIA SUSTAINABILITY INDEX: YEMEN



### 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: FREE SPEECH

### Yemen Objective Score: 0.97

Like the previous year, free-speech protections continued to get poor scores from MSI panelists. Giving the objective an overall score of 0.97, compared with 1.11 during the previous year, panelists underline the lack of political will to ease restrictions. Despite the regime's pledges of the past to liberate television and radio, both remained under the strict monopoly of the state. Several crimes against journalists were reported and various lawsuits were filed, resulting in some convictions. Meanwhile, attacks and violations reported the previous year remained uninvestigated. This, according to panelists, demonstrated an ongoing state of impunity for the attackers who, in some cases, were alleged to be affiliated with the security apparatus.<sup>1</sup>

Fear in the journalism community hindered the level of press freedom in general, the panelists said. However, reports in the opposition and independent press reflected increasing criticism of the regime, possibly due to the relatively competitive presidential elections. While panelists acknowledged an alarming rise in the number of violations against journalists, they noted that many journalists crossed the presumed "red lines" and hence exposed themselves to the wrath of the authorities.

MSI panelists argued that despite the constitution's explicit mention of the right of citizens in the freedom of thought and expression in Article 41, it constrained this right through the Press and Publications Law 25 of 1990, which most panelists view as highly restrictive. Dr. Abdulmalik Al-Motawakkil, a writer and academic at Sana'a University, said the constitution does grant the right for press freedom but that laws are to blame for the restrictions. He, along with the other panelists, concluded that the current laws do not protect journalists but are used by the authorities to restrict press freedom.

In contrast, panelist Mohammed Al-Ariqi, secretary editor of the official *Al-Howra* daily newspaper, said it is not the laws but their implementation on the ground that should be corrected. He noted that the Ministry of Information and others use the law articles selectively to restrict journalists. "Everyone is trying to exploit the press law to serve his interests," Al-Ariqi said.

Most panelists said the public is generally unaware of the value of the freedom of expression and hence does not care much about it. Some panelists went further in claiming that

<sup>1</sup> This allegation made by panelists is echoed in the Committee to Protect Journalists Yemen chapter of "Attacks on the Press in 2006." See <http://www.cpj.org/attacks06/mideast06/yem06.html> for more details.

at times it is the society itself that hinders press freedom. On some occasions, for example, the society calls for the punishment of journalists, who may intentionally or accidentally tackle sensitive religious issues. After Yemeni newspapers republished cartoons of Prophet Mohammad that had become highly controversial in the region, some prominent religious figures called for the execution of the journalists and editors-in-chief who were responsible. Among the journalists who were prosecuted for republishing the cartoons was Mohammed Al-Asaadi, editor-in-chief of the English-language *Yemen Observer*. He said the government-run media introduced him and his newspaper to the public as offenders. As a result of this action, "mosque preachers and religious fanatics launched severe attacks against us. Many of our relatives and friends boycotted us, believing we really were offenders," Al-Asaadi said in an article he published in *Yemen Observer*.

However, panelist Tawakkul Karman, a writer and chair of Women Journalists without Chains, said there is an enlightened segment of the society that is aware of its right to information. She said that when the government suspended her mobile news service, Belaquood Mobile, citizens who had benefited from the service staged protests and sit-ins demanding its resumption.

Panelists rated media licensing procedures poorly, mainly because of the government's monopoly of the broadcast media and for its allegedly selective treatment of applications filed for print publications. Broadcast media are of particular

## 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.

*Panelist Mohammed Al-Ariqi, secretary editor of the official Al-Thowra daily newspaper, said it is not the laws but their implementation on the ground that should be corrected.*

influence in Yemen due to the high illiteracy rate, which is estimated to be about 50 percent. Article 42 of the constitution says, "The state shall guarantee freedom of thought and expression of opinion in speech, writing, and photography within the limits of the law." However, because the constitution itself limited the right to speech, writing, and photography, which is different from video, it could be interpreted as also depriving citizens of the right to establish their own broadcast media. Hence, the constitution as well as laws may need to be amended to allow privately owned broadcast media to emerge, panelists noted.

Although the law does grant citizens the right to establish print media, some restrictions are not mentioned, according to panelist Tawakkul Karman, who contended that licenses need to be approved by the security apparatus before they could be granted. She said the Ministry of Information rejected her application for a license of a newspaper but only because "the security apparatus refused to grant approval." The Ministry said the license was rejected for not meeting the requirements according to the law. Article 78 of the 1990 press law gives the right for an applicant whose request is rejected to appeal to the courts, though in this case Karman chose not to do so.

When it comes to entering the market, media outlets do not have to be commercial corporations. There are no profit taxes on media, unlike all other industries. Although these exemptions would appear to be encouragement to private media, panelist Khaled Al-Anisi, a lawyer and director of the National Organization to Defend Rights and Freedoms, saw this as a maneuver to ensure that privately owned media remain weak in the market and unable to compete strongly with the governmental media because management teams are not compelled to grow their companies to meet tax demands.

The number and level of crimes committed against journalists, particularly against those critical of the state, witnessed an increase over the period. In its "Attacks on the Press in 2006" report, the New York-based Committee to Protect Journalists (CPJ) described legal and criminal acts against journalists, ranging from beatings to illegal detention and a host of other means of pressure.

Describing the situation facing journalists, panelist Jamal Amer, editor-in-chief of *Al-Wasat* independent weekly newspaper, said in accepting the CPJ 2006 International Press Freedom Award: "Sadly, in my country, Yemen, assaults against journalists have become commonplace while journalists are constantly terrorized and prevented from doing their jobs by corrupt sheikhs, politicians, and military officials."

Several statements and appeals were sent to President Saleh urging him to order the authorities to bring press attackers to justice and to put an end to the escalating state of intimidation against journalists. Despite those calls, attacks and legal cases against journalists continued to occur frequently, the panel members said. Furthermore, crimes committed against journalists prior to 2006 were not investigated, resulting in a widespread belief that anti-press attacks enjoy impunity by the state. Despite promises made to international advocacy organizations, the state refused to denounce the attacks, let alone investigate them or bring the attackers to justice.

Panelists also noted the high number of lawsuits filed against journalists and their media institutions. Most of those cases were filed by the authorities or those closely affiliated with them against opposition or independent newspapers, citing violations to the press law, they said. Some panelists also said there was bias in the legal system against opposition and some independent newspapers. In Yemen, the judiciary is not financially independent, and judges are appointed by the Ministry of Justice, making their objectivity in treating media cases questionable, according to MSI panelist Khaled Al-Anisi. "When you apply for postponing the verdict in a case of a journalist working for an opposition newspaper, you barely get one or two days, but if a state media organ is in the same position, it gets two to three weeks," said Al-Anisi, who frequently defends journalists in cases.

Panelist Mohammed Al-Ariqi, however, said it is difficult to judge whether there is preferential treatment because governmental media usually do not include critical reporting and do not cross the red lines. He agreed, however, that unlike in cases filed against opposition and independent media, those against official media mostly end up with reconciliatory procedures.

Libel in Yemen is both a criminal and civil offense that can result in imprisonment, fines, suspension from the profession, closure of a newspaper, and other penalties. Journalists can be prosecuted on the basis of the press and publication law, the penal code, and the crimes and punishments law. Moreover, preferential treatment in libel cases is not unheard of in Yemen, according to some panelists. "For example, when a journalist for the *26 September* newspaper [the

military organ] defamed Abdulrahman Al-Baidhani, his case was filed as a case of 'insult' rather than 'libel,'" he said.

Panelist Abdulaheem Mohsin, a freelance journalist, said there is an extra degree of difficulty in criticizing some officials because of a law dedicated to senior state officials. This view was supported by Khaled Al-Anisi, who recalled a recent decision by a judge who prevented the media from covering the trial of a senior official because "having the media cover this trial would be considered libel."

The third article of the press law clearly stipulates that "freedom of knowledge, thought, the press, expression, communication, and access to information are rights of the citizen." Yet despite this law, panelists agreed that access to information, regardless of its level of sensitivity, is one of the most difficult tasks for journalists in Yemen. However, panelist Khaled Al-Anisi blamed journalists for not using this law to demand their right to information when being deprived of it.

Panelist Mohammed Al-Qadhi, correspondent of Saudi *Al-Riyadh* daily newspaper, stated that some state-owned media are favored over other governmental media. "For example, *26 September* is given information more often than the Saba News Agency," Al-Qadhi said.

Panelists agreed that the difficulty to access information is not unique to journalists. According to panelist Ahmed Saif Hashed, a parliamentarian and the publisher of *Al-Mostakela* weekly newspaper, even parliamentarians find great difficulty in accessing information. Referring to a personal encounter at the Passport and Immigration Authority premises, Hashed said he was denied information about detained foreigners who had reportedly died of starvation and also had been beaten and briefly detained. He also noted that parliament drafted new instructions to prevent parliamentarians from accessing sources without prior permission from the parliament's chairman and the minister concerned. "Even though the constitution guarantees this right, it is now being confiscated," Hashed said.

Panelist Tawakkul Karman said journalists are occasionally prevented from accessing information at the Central Organization for Control and Audit, which audits accounts of governmental institutions and releases its findings to the public periodically. She said one of her requests for information was denied on grounds that she had requested "classified documents" and that some information is not even accessible to governmental media other than those from the security services newspaper, *26 September*.

Panelist Khaled Al-Anisi, on the other hand, noted that officials occasionally deny information that they themselves provided to the press earlier, possibly because of pressure

*According to panelist Abdulbari Tahir, a journalist and researcher at the Studies and Researches Center, another problem facing journalists is that "information is monopolized by the most senior official and is also configured and disseminated in a politicized manner."*

from higher authorities. He cited an accusation of having classified information made against Abdulkarim Al-Khaiwani, a journalist who was detained a number of times for his critical writings, saying that the authorities, including the judiciary, wrongly brand documents that are in the public domain as "classified." According to panelist Abdulbari Tahir, a journalist and researcher at the Studies and Researches Center, another problem facing journalists is that "information is monopolized by the most senior official and is also configured and disseminated in a politicized manner."

When it comes to international news, the picture is a bit brighter. Panelists agreed that information coming from abroad is easily accessible and that access is granted equally to all journalists in the country. However, some panelists did complain about Internet website filtering. According to the Open Net Initiative, which monitors levels of website filtering in some countries, Yemen's filtering level in 2006 was mostly selective. It was a conclusion based on the government's action in "blocking of oppositional media sites during the 2006 presidential elections."

Furthermore, external media products, including film, audio, and print, are allowed to the country for public access only if they pass the vigorous censorship procedures based on Article 57 of the press law, which grants the government the right "to prohibit the circulation of any newspaper, magazine, or publication whose contents contravene the provisions of this law." Panelists said the authorities may interpret the laws in a way that may prevent arguably legitimate content from entering into the country. Panelist Khaled Al-Anisi gave as an example authorities' preventing a publication from entering into the country simply for carrying an interview with the Faisal bin Shamlan, a presidential challenger in the 2006 elections.

Entry into the field of journalism as a profession in Yemeni media is granted based on a set of conditions, including the need to have a university diploma or sufficient work experience. Article 10 of the press law explicitly states that the Ministry of Information "shall issue press facility cards,"

which were initially planned to become an essential ID that must be shown to the authorities before requesting information. However, the Ministry did not issue the cards regularly, and hence journalists do not have them. Though most panelists did not think that not having those cards would hinder their work, lawyer Khaled Al-Anisi believed otherwise: "The law mentioned the press facility card and linked everything to it... Given that it is not implemented or that some see it not being implemented does not suggest [an obstruction] doesn't exist."

Non-Yemenis, however, must apply for accreditation before they can work as journalists or correspondents. Furthermore, the government can cancel their accreditation without giving any reason and, hence, could deprive expatriate journalists from the right to reside in the country. Furthermore and regardless of nationality, media correspondents for foreign media must apply for a license at the Ministry of Information and must have it renewed annually.

Panelists said that having the right to become a journalist is incomplete unless journalists can move freely. Panelist Mohammed Al-Ghobari, who works as a correspondent for the Dubai-based *Al-Bayan* daily newspaper, described his situation as a correspondent: "When the regional manager of Reuters comes, depending on my personal relations with them [the authorities], they may or may not allow us to visit Aden for coverage." He said the authorities sometimes allow only foreign journalists to visit certain areas if they pay \$100 daily to an accompanying person appointed by the Ministry of Information. Panelist Tawakkul Karman added that the person assigned to accompany foreign journalists in the country represents the security services and that prior approval may be necessary for foreign journalists to bring cameras and other recording equipment into the country.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Yemen Objective Score: 1.35

Panelists agreed that despite relative progress in the level of professionalism in the media, particularly at independent outlets, standards remain well below aspirations. The progress in this objective resulted in a score of 1.35, compared with 1.31 last year. According to the panel, the objectivity of journalists and use of all relevant sources is not yet satisfactory, and ethical standards are not yet accepted or practiced widely. Meanwhile, they said, self-censorship remains high among journalists and media owners largely because of the number of attacks and lawsuits targeting media.

Journalists are increasingly aware of the key issues and events that need coverage but are often restricted by their managements' decisions, particularly among government-owned media, panel members said. Due to the poor income levels of the media institutions, journalist wages are extremely low, triggering a significant level of corruption. This also explains why journalists are usually poorly equipped, particularly in terms of technology and recording facilities. Political news and analysis coverage dominated media content, leaving little space for specialized reports on issues such as the economy, society, etc.

Panelists agreed that journalists lack the necessary training, skills, and equipment to do proper, fair, and balanced reporting, whether due to the limited finances of their institutions or a disregard for training. Journalists frequently are unable to properly assess the right sources and suitable questions, said panelist Abdulraheem Mohsin, adding, "They [journalists] neither have the mechanisms nor do they have the knowledge in asking for information."

An urgently needed code of ethics for journalism has been lacking for far too long, panelists said. Dr. Saadaddeen Talib, a member of the recently formed Anti-Corruption Commission, recalled reading an article in *Al-Gomhoriya* official daily in which all members of the Commission were accused of being "corrupt." He invited panelists to evaluate "whether this is an ethical or non-ethical approach" and asked, "How could such a thing appear in an official newspaper?"

Journalists working for opposition newspapers are also lacking ethical practices, panelist Khaled Al-Anisi said. He said that when he is interviewed by opposition newspapers,

## 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).

he ensures that he gives a balance view on all aspects but what is published is the part in which he criticized the state or authorities. Al-Anisi also described how journalists of some newspapers occasionally blackmail certain individuals or companies to extract money or advertisements. He explained how newspapers threaten companies by putting a headline in a specific issue stating, "We will start an investigation about Company X." "But when advertisements come, this pledge is abandoned," Al-Anisi said.

At the same time, self-censorship remained one of the biggest problems facing journalists in Yemen, panelists said. Panelist Mohammed bin Sallam, a journalist with the English semi-weekly *Yemen Times*, said the three basic "red lines" that journalists are told they must not cross are "the person of the president, the army, and Yemen's unity." He said he self-censored his own stories concerning the Sa'ada war. "I try to avoid mentioning the number of deaths in the army," Sallam explained, even when those figures were confirmed and had come from reliable sources such as the morgues.

Abdulraheem Mohsin put himself "among the journalists who suffer the most from the self-censorship that editors-in-chief practice" because harsh criticism in his columns is often viewed with concern by editors for potentially harming their interests. Khaled Al-Anisi added that self-censorship for media owners also emerges when dealing with news that may concern one of the advertising companies. He said that in some advertisement contracts, there is a condition that automatically annuls the contract if the newspaper writes any negative news or stories about the company.

Panelist Jamal Amer, who was kidnapped, beaten up, and threatened to be killed in 2005 by a yet-to-be-prosecuted mob, said that one needs to fight censorship, but "how far someone goes depends on his personal strength." Asked if what he went through led him to censor himself, he said: "When you are punished, the issue ends there and you gain strength...but there is something much worse than physical punishment. There are other things that are not observed, such as blackmail, etc." According to the CPJ, in April 2006 the political security "asked Amer's neighbors to identify Amer's apartment, provide the phone numbers of his children, name the schools his children attended, and provide the license plate of his car... The visit came while Amer was traveling in the United States." The CPJ report was based on Amer's comments at the time.

When it comes to journalists' ability to judge what is more important to cover, many fail to do so because of restrictions imposed by their upper managements, panelists said. This is particularly the case for hundreds of journalists who work for the governmental media, and it includes covering activities that target the government, such as protest rallies.

*Journalists working for opposition newspapers are also lacking ethical practices, panelist Khaled Al-Anisi said. He said that when he is interviewed by opposition newspapers, he ensures that he gives a balance view on all aspects but what is published is the part in which he criticized the state or authorities.*

Similarly, journalists working for opposition newspapers usually avoid important stories that may be positive to the government. Panelists agreed, however, that most journalists working for independent newspapers do cover important events and strive to do their best in the coverage. Hassan Zaid, a writer and general secretary of the Al-Haq opposition party, wondered how journalists could cover the events of the Sa'ada war when they are prevented from entering the region. Other panelists agreed that journalists could do only so much as long as the environment is restrictive.

MSI panelists agreed that the poor economic conditions of journalists in Yemen exposed them to corruption, damaged their reputation, and limited their potential role in objective reporting. Wages that may be as low as YR 20,000, or \$100 per month, have encouraged some journalists to accept bribes in the form of money or gifts and to consequently do favorable coverage and avoid critical reporting. On other occasions, media institutions themselves may be warned not to publish critical reports about a specific sponsor who pays for advertisement space.

Entertainment in the media is extremely limited and confined to specific pages in newspapers and to specific periods, such as the holy month of Ramadan. Panelists said newspapers are concerned with serious issues such as poverty, public services, corruption, and other political issues. Hence, entertainment does not take a noticeable space in the independent media.

However, some panelists said the young population seems to be inclined more than ever to watch entertainment television channels that broadcast music and live contests. This trend is sweeping throughout the Arab world, as viewers seem to favor entertainment programs over serious news as a form of escapism, one panelist said.

Yemen's poor economic conditions overall had their clear marks on the media's hardware capabilities, panelists agreed. The poor income levels of media institutions resulted in fewer investments in the equipment and tools necessary for

carrying out journalistic duties. There is an extreme shortage of cameras, telephones, transport vehicles, computers, printing units, etc. One obvious outcome was poorly printed newspapers with limited editorial quality and low circulation figures. Panelist Mohammed Al-Ghobari said the conditions of independent newspapers in terms of equipment are often pathetic: "Only one single computer is used for all operations in some newspapers. And only one single camera is used for all the staff."

In general, niche reporting in Yemeni media is also poor due to the limited financial capacity of most newspapers, which are operating with minimal budgets necessary for survival. The government allocated funds for some ministries to establish their own publications in fields such as telecommunication and trade. The opposition and independent media, however, have not yet moved to the stage of having their own niche reports and publications. Panelist Khaled Al-Anisi said it is impossible for most newspapers in the country to produce such high-quality reports because of the lack of staff and funds. In many newspapers, he said, "you find only two or three journalists."

### OBJECTIVE 3: PLURALITY OF NEWS SOURCES

#### Yemen Objective Score: 0.75

The most visible decline in the score sheet for this year's MSI report on Yemen was in the status of plurality of news sources, which got a score of 0.75. Panelists said the government's failure to allow full coverage of the Sa'ada rebellion in the north was the main factor behind a fall from a score of 1.13 in the previous period. Panelists agreed that even though the public does have access to public and private media, citizens were deprived of their right to know what was going on in many parts of the country, such as the northern province of Sa'ada. As the conflict escalated in 2006, the government sealed off the whole province from journalists and even travelers, panelists said. This left the official media as the only source of information, and they produced mainly biased coverage in favor of the government, according to the panel. "How could a journalist write an objective, neutral, and accurate story [about the war] if he cannot enter Sa'ada and cannot meet with people there?" asked panelist Abdulraheem Mohsin. Similarly, panelists said, coverage of the 2006 presidential elections in the governmental media was also imbalanced.

With the public media reflecting a purely governmental viewpoint, the public had to read opposition and independent newspapers to learn other opinions. The lack of independent news agencies made the official news agency

the main source of news in official media. Similarly, the lack of privately owned broadcast media confined the coverage of television and radio to reflections of the authorities' standpoint. Private newspapers are family owned and not conglomerates, making it easy to judge the objectivity of their coverage. As Yemen is home to a relatively homogenous society with small pockets of minorities scattered throughout the country, coverage of minorities and various social groups was viewed as acceptable.

Citizens in cities do have access to newspapers, Internet services, and broadcast media. However, in most rural areas, where more than 60 percent of the population lives, neither newspapers nor Internet services are accessible, making television and radio the only media that could be used to access domestic and international news. Despite a rise in the percentage of satellite television dish usage, this medium remains far beyond the reach of millions of Yemenis living in poverty. Furthermore, regional television channels provide very little coverage of domestic events in the country.

Nongovernmental newspapers are accessible only to a small portion of the population because of two main limitations: the limited distribution of newspapers in rural areas and the high illiteracy rate, estimated at 50 percent.

With a gross domestic product of about \$1,000 per capita annually, Yemen is among the poorest countries in the world. This has naturally resulted in low newspaper readership figures. Despite this, readers have options to read dozens of periodicals, including three daily official newspapers: *Al-Thowra*, *Al-Gomhoriya*, *14 October*, and two independent dailies: *Al-Ayyam* and *Akhbar Al-Youm*.

### 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.

Internet dial-up costs are extremely expensive, and all the more so because poor infrastructure makes download times very long. Panelists said this prevents users from accessing rich multimedia content that is easily available to the public in many developing countries. "The [Internet] service is presented in such a way that makes you fed up waiting while seeking information, as you end up wasting a lot of time," panelist Khaled Al-Anisi said. Nonetheless, there is a steady increase in the number of Internet cafés allowing affordable Internet accessibility, which could be as cheap as YR 2 (\$0.01) per minute. A report released in 2006 by the Ministry of Telecommunication and Information Technology showed an increase in the number of Internet cafés from 753 in 2005 to 836 in 2006. The report also noted a significant increase in the number of registered Internet subscribers to about 160,000 in 2006.

In general, citizens are able to access international media, mostly television satellite channels, but some newspapers' and magazines' editions may be prevented from entering if they contain material that may be viewed by the authorities as potentially damaging to the "national security" or in violation of the country's press laws. Panelist Khaled Al-Anisi stated that on some occasions, publications are not allowed in the country until "the information loses its value."

Furthermore, blocking websites that contain "inappropriate content" is common. Occasionally, however, some news and political Internet websites are also blocked by one or both of the Internet service providers in Yemen, Teleyemen and Y.net. The blocking of some news websites run by the opposition started before the presidential elections in 2006, the panelists said.

The official media, which include the three daily newspapers, two television channels, and two national and four regional radio channels, have a limited coverage scope that includes news and analysis that represent a predominantly pro-governmental opinion, panelists agreed. Mohammed Al-Qadhi noted that the media are "either an official media, where objectivity is lost because their aim is propaganda to promote a specific government, or an oppositional media, whose aim is to defend its interest."

The fact that the government monopolizes broadcast media makes it almost impossible for the opposition and critical viewpoints to make it to the television screen or radio airwaves. Panelist Abdulraheem Mohsin described the official media as "biased and not representing the whole society even though those media are public property."

The government has also been in control of the only domestic news agency in the country, Saba, which is a governmental mouthpiece that does not usually cover opposition or

*Citizens in cities do have access to newspapers, Internet services, and broadcast media. However, in most rural areas, where more than 60 percent of the population lives, neither newspapers nor Internet services are accessible.*

anti-governmental views. Panelist Mohammed Al-Ghobari mentioned an attempt by a popular Yemeni website, newsyemen.net, to register its own news agency at the Ministry of Information. "However, it was rejected because the Ministry said there is no law to regulate private news agencies," Al-Ghobari said.

Similarly, there are also no independent broadcast media in Yemen. Panelists agreed that the government's main justification in not allowing broadcast media to emerge is the lack of laws to regulate them. However, panelist Khaled Al-Anisi said a more profound reason is that "the government understands that the public would not be brainwashed except through radio and television, which are the media that connect with the people." Most panelists agreed that the government would not allow the private broadcast media to emerge because it understands the danger in allowing the opposition parties to have their own radio and television stations, which may grant them passage to millions of people.

The state monopoly of broadcast media was most effective during the 2006 presidential and local elections, panelists said. A report released by the Taiz-based Human Rights Information and Training Center had clearly demonstrated a bias in favor of the government and its candidates in the election campaign coverage. The report noted that there was a merger between coverage of the president's activities and his campaign message. It concluded that this was systematically used in all state-controlled media.

On the issue of media ownership, independent newspapers in Yemen are family businesses, which makes it easier for the public to judge their perspectives, panelists said. Similarly, opposition newspapers are owned by political parties, whose affiliations and objectives are also well known. There are no laws that guarantee the transparency of media ownership, but panelists said they saw no need for such a law because there are no media corporations in Yemen thus far.

When it comes to the transparency of financial information of the different media, panelist Khaled Al-Anisi said powerful pro-government newspapers would never reveal their budgets. "Even the parliament cannot uncover the budget

of a newspaper such as [the military and security forces] 26 September," he said.

Due to the fact that the Yemeni society is mostly homogenous, with more than 99 percent of the population speaking Arabic, all newspapers are in Arabic except two that are in English—*Yemen Times* and *Yemen Observer*, which predominantly target foreigners. There is also news programming in English on television and radio. There are reports published in the press and broadcast on television of various social groups, such as Yemenis of African origin, which are locally referred to as "Al-Akhdam." There are also small pockets of Jews who receive media publicity occasionally. Immigrants and asylum seekers from the Horn of Africa, along with a small expatriate community of skilled workers and their families, also exist, but coverage of their activities is rare.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### Yemen Objective Score: 0.98

Expert assessments show that the economy of Yemen is deteriorating, with a direct impact on an already struggling media sector. This objective received a low score of 0.98, essentially the same as last year's score of 1.02. A limited increase in advertising spending has not had much impact on media as business entities. Foreign investment in media institutions is virtually nonexistent, and private media are continuously struggling for survival. Panelists said that governmental media would be doomed if it were not for the financial support from the national budget. Instability and threats of closure due to potential lawsuits, along with the population's low purchasing power and a variety of other factors, have discouraged foreign investment in the local media industry. Meanwhile, advertisements remained the major source of revenue that kept independent media afloat despite aggressive competition by the governmental media, which panelists said have been constantly favored by advertisement agencies and business owners.

Income from commercial advertisements is barely enough for the survival of independent media, but on national and religious occasions, paid congratulatory messages do compensate. Though some subsidies are provided to independent media, the amounts are extremely low and hence make no significant difference. Market research is not common in the media scene, and broadcast and circulation numbers are not publicly available or easily verifiable.

Economic instability in Yemen has hurt all sectors, including the media. Corruption in the state-owned media is also to blame for inefficiency in managing those institutions,

according to the panel. Reform efforts have been attempted, but results are yet to be seen. Panelist Khaled Al-Anisi said investors are not ready to risk their money in establishing a private newspaper in Yemen because of the many economic, political, and cultural obstacles and restrictions their investment is likely to face.

For private newspapers, the problem lies in weak income due to low circulation and advertising levels. Only a few private newspapers have been relatively successful in attaining a significant income that helped them expand their businesses and invest in their facilities and cadres.

Independent newspapers depend on advertisement to generate the bulk of their income. Sales and subscriptions also modestly contribute, but because of increasing costs of printing and paper, the sale price of a newspaper does not even cover the printing cost. If the flow of advertisements is affected, there could be devastating results for the private media. In contrast, state-owned media have their budgets assigned annually, and they can be adjusted to compensate for any shortage in advertising income. Furthermore, they receive a significant portion of commercial advertisements. Most advertisements coming from governmental institutions go to state-owned media. "The government advertisements are totally blocked from the opposition newspapers," said panelist Mohammed Al-Ghobari.

There was an agreement among panelists that some private newspapers with high levels of popularity and outreach occasionally get some advertisements from advertising agencies, but their amount is much smaller than that received by the state-owned media. Advertising agencies in Yemen are mostly locally grown and are not branches of multinational

#### 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.

agencies. They are far smaller than those in Gulf Cooperation Council countries but are not affiliated with any political parties. Most of the advertising agencies operate in the capital city, Sana'a, with representatives in smaller cities, but a few have their main headquarters in Taiz and Aden. Panelists noted that the agencies are driven by making money and hence would focus on the newspapers with the highest circulation. This concentrated the distribution of their advertisements on the broadcast media and a small segment of the print media. When taken from a pure business perspective, the professional standards of those agencies were well perceived by the panelists.

Some panelists said they observed an increase in advertising activity in 2006 as more businesses started to emerge in the country. Many advertisement packages are arranged through the main advertisement agencies. However, the tense competition among the top newspapers left very little for the small newspapers.

A substantial percentage of income comes from congratulatory messages often published on national and religious occasions to congratulate the president of Yemen and his aides. This tradition is an opportunity for the independent media to compensate for their earlier losses and serves as extra income used for future investments. Advertisements could also come in the form of condolences to powerful or popular personalities, such as ministers or powerful businessmen.

Panelist Mohammed Al-Ghobari said that even though the press law clearly states that the overall advertisement content in any medium should not exceed 40 percent, advertisements occasionally do take over. Some panelists excused newspapers for doing so because of their low income level. But panelist Khaled Al-Anisi complained that on many occasions, advertisements overwhelm the newspaper to a degree that repels the reader. "Even when dealing with advertisements, professionalism is not the norm," Al-Anisi said.

Government subsidies are provided to nongovernmental newspapers based on their circulation and frequency in publishing. The total amount, which may be as low as \$30 monthly, is insignificant and does not affect the overall financial standing of the media. However, newspapers still receive them annually without exception and do not see this as a means to influence their stance. Panelist Mohammed Al-Ghobari noted, however, that occasionally subsidies are provided to newspapers in an "unofficial way" to affect their stance. Those amounts are not standard and do not go to all media; they can also be higher in value than regular subsidies.

Market research and scientific methodologies to enhance circulation and outreach are not common practice in the

*Panelist Mohammed Al-Ghobari noted, however, that occasionally subsidies are provided to newspapers in an "unofficial way" to affect their stance. Those amounts are not standard and do not go to all media; they can also be higher in value than regular subsidies.*

Yemeni media. Some newspapers occasionally develop innovative means to attract advertisers, but this does not necessarily imply enhancing the newspaper's quality. Appeasing clients by providing them with gifts and occasionally blackmailing other companies to provide advertisements are among the methods used, panelists said.

There are no reliable methods to obtain circulation and outreach figures for the Yemeni media, panelists agreed. It is common to find contradictory numbers on the circulation of newspapers, whose owners may provide exaggerated figures. A panelist said that some newspaper owners go as far as multiplying their real number of printed copies by a factor of 10. He noted that the maximum circulation figure conceivable for a Yemeni newspaper would be around 30,000 copies per edition. Similarly, the audience of national television and radio is not surveyed, and the outreach of broadcast media in Yemen remains a mystery. However, panelists agreed that Yemen's national television satellite channel ranked very low among other Arab channels.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Yemen Objective Score: 1.53

Panelists agreed that supporting institutions for the media in Yemen are alive and active, but they stressed the need for improvement. This objective's score of 1.53 was the highest among the five but was well below last year's score of 1.76, signaling the need for more training and collaboration with international media-development bodies.

Efforts to assemble a media owners' industry association were thwarted by the government and the lack of enthusiasm of some media owners. The Yemeni Journalists Syndicate (YJS), which is the only professional association for journalists, is doing relatively well though not working to its full potential, panelists said. On the other hand, panelists said, nongovernmental organizations (NGOs) in Yemen are thriving, and many are directly supporting the independent media and promoting freedom of expression.

*Panelists agreed that newsprint and printing facilities are mostly in private hands, as there are tens of printing-press companies throughout the country, but some newspapers with broadsheet size could be printed only at large-scale, government-owned printing presses.*

Panelists noted that the academic teaching of journalists in Yemeni universities is not up to desired standards. They said that short-term workshops sponsored by international organizations and donors have great potential for growth, particularly because of the rich nature of the Yemeni media arena and the vast number of journalists. Sources of newsprint and printing facilities are mostly in private hands, although there are occasions when private newspapers end up being printed at governmental facilities. Distribution channels and sale points are also in private hands, and the government has no direct influence.

There was a move in 2004 to establish the first Yemeni Newspaper Publishers Association, which would have been an association protecting the interests of private media owners. However, panel members said attempts to get a license to form the association met excessive bureaucracy from the state and, in any event, was not fully endorsed by all media owners and was opposed by the YJS. Panelist Mohammed Al-Ghobari signaled the need for such a body and said that publishers should not be members of the YJS because their interests clash directly with the interests of journalists.

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

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

The YJS has been actively involved in supporting causes of journalists in the form of press releases, protests, direct mediations, and other activities. Though panelists acknowledged the syndicate's role, they expressed dissatisfaction with its current influence in the overall arena. Panelist Abdulbari Tahir, who himself was once the chairman of the journalists' syndicate in former South Yemen, said the YJS is still in its early stages of development and is also facing tremendous challenges. Among those challenges, he said, are "regulatory constraints, the non-independence of syndicate work, the instability of civil-society organizations, the fact that the state throws all its weight against the work of newly founded syndicates, along with the lack of experience and skills in advocacy work."

Panelist Mohammed Al-Ghobari said that despite its drawbacks, the YJS is still an important institution with some balanced representation of members between state and opposition outlets. Panelist Khaled Al-Anisi disagreed, saying that the YJS is politicized and can be manipulated by the state because it relies on government funding because it lacks means to generate sufficient operating funds.

Some NGOs, according to panelists, have shown a tremendous level of influence and effectiveness in dealing with media-related issues. A number of active NGOs led by female journalists, such as Yemeni Women Journalists without Chains, have proven to outmatch the syndicate in being outspoken in confronting the authorities in crimes and legal cases targeting journalists. "Such organizations compensate for the deficit caused by the YJS, which is doing only a part of what it is supposed to do," panelist Mohammed Al-Ghobari said. Panelist Khaled Al-Anisi, who runs the National Organization to Defend Rights and Freedoms, a press-freedom organization, said he hopes the YJS will become stronger in order to reduce the burden on his organization in terms of defending press freedom.

On the academic level, however, panelists were concerned that the journalism faculties at Sana'a and Aden universities are not up to the desired standards. Panelist Mohammed Al-Ghobari said the need to reform the academic standards of the university's media college has resulted in a joint Danish-Yemeni program to train academics and reform the curriculum. Panelists complained that the material taught to students is out-of-date and that the equipment used is not of adequate quality. They also noted that too much theory and little practice is applied in those courses. The low pay to university teachers is also another factor behind the overall low quality level of the academic program.

In comparison with academic training, short-term training is more relevant and up-to-date in terms of the educational needs of journalists to deal with the real world. However, the

training programs are not targeted and do not necessarily have an immediate and direct effect on journalists. This is partly due, panelists said, to financial constraints, as many of those training programs require the use of technology such as the Internet and digital cameras, which may not be available to the journalists once they graduate. Panelists also emphasized the need for each media outlet to have its own internal human resource development unit that gives more on-the-job training and collaborates with international organizations and NGOs to provide professional development. Many training courses are done at the Mass Communication Training and Qualifying, which is affiliated with the Ministry of Information.

Donors and international organizations have been expressing greater interest in supporting the independent media in the country through training. Some panelists said donors need to be more assertive in terms of demanding results from counterparts benefiting from the training and other capacity-strengthening programs while also being more transparent in developing programs by dealing with stakeholders directly to know their needs. Panelist Khaled Al-Anisi said some donor-funded short-term training programs are done without proper studies. He said he heard that one program had a budget of \$600,000, but "if they had given me this \$600,000, I would have built a media academy in Yemen."

Panelists agreed that newsprint and printing facilities are mostly in private hands, as there are tens of printing-press companies throughout the country, but some newspapers with broadsheet size could be printed only at large-scale, government-owned printing presses. This creates the possibility of instructions not to print certain editions, and panelists said that on rare occasions even privately owned printing presses may receive orders by a governmental body not to print a specific newspaper.

Importing of massive amounts of paper requires licensing, and this market is held by several powerful businessmen who re-sell to media outlets, according to panelist Abdulbari Tahir. Panelists agreed that distribution and sale points are all unrestricted and in private hands. There are no regulations concerned with the way newspapers distribute or sell the papers.

Because of the state monopoly on the airwaves, broadcasting live from Yemen for a regional or international television channel requires prior permission from the authorities. Similarly, videotapes of documentaries or movies taken on Yemeni soil need to pass through the Ministry of Information before released to the public. Similarly, the only two Internet service providers, Teleyemen and Y.net, are controlled by the government, allowing it to filter websites.

## Panel Participants

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**Abdulraheem Mohsin**, columnist and writer, Sana'a

**Ahmed Saif Hashed**, publisher, *Al-Mostakela* newspaper, Sana'a

**Ali Al-Sarari**, spokesman, Joint Meeting Parties, Sana'a

**Dr. Mohammed Al-Motawakkil**, lecturer, Sana'a University, Sana'a

**Dr. Saadeddeen Talib**, member, Anti-Corruption Commission, Sana'a; former MP, Hadhramout

**Hassan Zaid**, general secretary, *Al-Haq* party, Sana'a

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**Khaled Al-Anisi**, director, National Organization to Defend Rights and Freedoms, Sana'a

**Mohammed Al-Ariqi**, secretary editor, *Al-Thowra*, Sana'a

**Mohammed Al-Ghobari**, correspondent, *Al-Bayan*, Sana'a

**Mohammed Al-Qadhi**, correspondent, *Al-Riyadh*, Sana'a

**Mohammed bin Sallam**, journalist, *Yemen Times*, Sana'a

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The Yemen study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat, Oman.

