Libel Litigation in Nigeria: A New Threat To Press Freedom

There has emerged in the last few years a subtle but systematic assault on the freedom of the press to report and comment on matters of public concern – the phenomenon of libel suits which threaten the existence of media establishments.

Numerous media organizations currently face multi-million harassment libel suits which have dragged on for years, costing them huge sums of money, valuable editorial time and loss of confidence in the process of defending such suits.

Other media institutions have had frightening awards of damages made against them such that if paid, would completely ruin their operations as their entire capital would go into the payment.
Defamation laws, originally meant to protect the reputations of members of the public, have become a very potent threat to press freedom in the manner of their application. The present state of Nigerian defamation law, both in its civil and criminal aspects, renders media institutions vulnerable to harassment libel suits by public officers.

In its substantive contents, the law of defamation in Nigeria violates international human rights standards that are protective of the right to freedom of expression.

Thus, while in the jurisprudence of international human rights bodies as well as some national courts, limitations are placed on the circumstances in which public officers can successfully maintain libel suits against the news media in respect of reports or comments on matters of public concern, no such limitations exist under Nigerian law. On the contrary, awards of damages tend to be aggravated where public officers are concerned.

Again, by international human rights standards, it is violative of the right to free expression to require a libel defendant to prove the truth of opinions and value judgments contained in news reports or commentaries, and thus, severely limits the circumstances in which news media defendants can rely on the defence of “fair comment on matters of public interest.”

The common features of this spate of libel litigation that has, in the last few years, been instituted against newspapers and their editors, are:

The plaintiffs in such suits are usually public officers or former public officers, public figures and politicians;

Such suits are instituted against media institutions and their personnel (particularly newspapers, their reporters and editors);

The suits complain about alleged libels contained in media reports or comments on issues of public concern or interest; and

The suits claim excessive damages against their media defendants.

The effects of this phenomenon can sometimes be drastic. On one occasion, on December 27, 1990, a weekly news magazine, This Week, had all its valuable assets seized and its premises in Surulere, Lagos, sealed up. It went into de facto liquidation because of its inability to satisfy a N3.5 million award of damages made against it by a Kaduna State High Court judge, Justice Abubakar D. Yahaya, in a libel suit instituted against it by Alhaji Mohmoud Attah, the former chairman of the federal government-owned parastatals, the Ajaokuta Steel Company.

Attah had sued the magazine for N10 million over an article it published in its August 21 1989 edition: This Week has remained shut since the execution of that judgment.

Since the turn of the decade, the courts have tended to award exceedingly high damages against publishers found liable for libel. The critical issues is the fact that some of the damages awarded are such that threatened the very existence of the newspapers and magazines against which they are made since the survival of newspapers in Nigeria is largely dependent on their financial health.

Virtually all the very awards have been made to either serving or former public officers. The trend portends even more intimidating awards in future with the result that many newspapers and magazines tend to avoid venturing into stories which could result in actions for libel against them, even when such stories are true, or carrying opinion articles which public interest benefits.

Other high damages awards includes one made by Justice James Oduneye of the Ikeja High Court on May 28, 1993 against Classique magazine, which he ordered to pay N10 million to Brigadier-General Haliry Akilu, then Director-General of the National Intelligence Agency for libel. In December 1996, an Ikeja High court judge, Justice Eniola Longe, ordered the Vanguard newspaper to pay a former Mushin Council Chairman, Mr. M. O. Odele, N5 million as damages for libel.

On March 20, 1989, Justice Kayode Ibidapo-Obe of the Ibadan High Court ordered Nigerian Tribune, the Daily Times and Newswatch magazine to pay N1 million each as damages
for libel to Profession Dupe Olatunbosun, formerly of the Nigerian Institute of Scientific and Economic Research (NISER) in Ibadan over their report of a press conference addressed by the former Governor of Gongola State, Colonel Yohanna Madaki, whom the court also ordered to pay N5 million to Olatunbosun.

Only last month, A Warri High Court judge, Justice M.E. Akpiyoroh, ordered the Daily Times and a columnist for the newspaper, Dr. C.S. Momoh, to pay former Petroleum Resources minister, Professor Tam David-West, N5 million as damages for libel contained in an article published in the October 6, 1996 issue of the newspaper.

In the same month, an Ikeja High Court judge, Justice Afolabi Adeyinka made a N67 million damages award for libel to former Federal Commissioner for Finance, Major-General James Oluleye, against the British author, Jeffrey Archer; his publishers, Hodder and Stoughton Limited, and Express Newspapers Plc, publishers of the British newspaper, Sunday Express.

The court held that Archer’s book, A Twist in The Tale, and the October 28, 1988 issue of the Sunday Express, which published excerpts of it, libelled Oluleye.

Besides the pattern of high damages which are awarded to successful plaintiffs, many newspapers and their owners incur enormous cost in defending libel suits whose only purpose is to harass them and, whether they win or lose such cases, their costs are not recoverable. Such costs arise from lawyers’ fees, the expenses associated with frequently bringing witness to court and paying their transportation and accommodation costs, securing relevant documents and other incidental expenses.

Newspapers and magazine publishers are frequently embroiled in defending harassments suits, many of them with incredibly high claims. Claims for damages in Nigeria are at large and have been as high as N500 million such as a suit filed by a former External Affairs Minister, Major General Ike Nwachukwu against Fame magazine.

Multi-million naira claims for damages are routinely made by plaintiffs in libel suits and increasingly, claims for damages now hardly ever fall below the million naira bracket. The size of such claims often has a negative psychological effect of media defendants and frequently results in a compromise in their editorial judgment.

But, perhaps, the highest claim for libel ever made in a Nigerian court is the one filed last month by Chief Oluwole Awolowo, son of the late elder statesman, Chief Obafemi Awolowo, at an Ibadan High Court in which he is claiming N5 billion as damages against a weekly publication, the Eastern Voice, for allegedly defaming him in its July 14 to 20, 1997 edition. He claimed that the publication maligned his integrity in his private life as well as public figure.

Others, though not as high, have been equally enormous. For instance, in August 1994, Dr. Olu Onagoruwa, then Attorney-General of the Federation and Minister of Justice, sued TELL Communications Limited, publishers of TELL magazine, for N100,000 for alleged libel in an article entitled: “A Junta’s Deadly Romance”, which appeared in the magazine’s August 29, 1994 edition.

A few weeks later, on October 30, 1994, the then Minister for Transport and Aviation, Chief Ebenezer Babatope, also sued TELL for N50 million over another article entitled: “Raising the States” published in the same edition.

In January 1994, nine justices of the Supreme Court, including then Chief Justice of Nigeria, Justice Mohammed Bello, and his successor, Justice Mohammadu Lawa Uwais, sued Concord Press Nigeria limited, publishers of the Weekend Concord for N450 million as damages for libel over an alleged defamatory publication in the December 11, 1993 issue of the newspaper entitled “Justice Mohammed Bello: Kick him out now! Lawyers Demand.”

There is no protection under Nigerian law for media defendants who are subject to the expense of defending frivolous or harassment defamation suits as there is no legal provision which obliges the courts to award compensation costs in favour of such media defendants when such suits are either withdrawn, abandoned or dismissed.
Recommendations:
1. Although the objectives of balancing the right to freedom of expression against the right of individuals to protect their reputations against unfair or inaccurate reporting is a legitimate one, there is need to review and revise the law of defamation to ensure that it meets the requirements of international standards in jurisprudence. Therefore, Nigerian defamation laws should be made to reflect the following broad principles:
   a) Media defendants should not be required to prove the truth of value judgments or opinions, statements reflecting public opinion or allegations based on statements made by others, particularly where these concern matters of public interest.
   b) Limitations should be placed on the circumstances in which public officers can successfully maintain libel suits against the news media in respect of reports or comments on matters of public concern such that where a public officer brings a defamation suit, he should be required to prove not only that he was defamed, but that the defamation was done maliciously.
   c) A claim for defamation should be weaker if the alleged defamatory statement was made in response to a statement by the plaintiff that was itself provocative of inflammatory.
   d) The limits of acceptable criticisms are wider as regards defamatory statement was made in response to a statement by the plaintiff that was itself provocative or inflammatory.
   e) The press has a pre-eminent role in informing public opinion on matters of public interest and in acting as a public watchdog, and that the press be accorded particular latitude when commenting on matters of political or other public interest.
2. The criminalisation of journalistic activities such as the use of criminal law to punish defamation should be abolished.
3. Frivolous and harassment defamation suits should be discouraged by enthroning a regime of awarding compensatory damages to media defendants against the plaintiffs in such suits or, at least, making them to bear the costs incurred by the media defendants.
4. The emphasis in defamation actions should be re-oriented towards vindicating the reputations of individuals who have been subjected to unfair or inaccurate reports rather than awarding exorbitant sums as damages or running the operations of the media defendants, which is not the intention of the law. As such, measures which will serve this purpose should be explored as against the excessive monetisation of defamation actions.

MRA, ARTICLE 19 Write UN Special Rapporteur on Nigeria, Request Meeting

The Media Rights Agenda (MRA) and Article 19, the London-based International Centre Against Censorship, wrote last month of the United Nations Special Rapporteur on Nigeria, Professor Tiyanjana Maluwa, requesting a meeting “to discuss our mutual concerns regarding Nigeria”.

Maluwa, a professor of law in the Department of Public Law at the University of Cape Town in South Africa, was appointed Special Rapporteur on Nigeria following a resolution by the UIN commission on Human Rights as its 53rd session in April.

His mandate is to establish direct contacts with the authorities and people of Nigeria and report to the General Assembly at its 52nd session and to the Commission on Human Rights and its 54th session next year “on the basis of any information which might be gathered.”

Following is the text of the joint letter written on July 10 by MRA’s legal director, Mr. Tunde Fagbohunlu, and the acting director of Article 19, Mr. Malcolm Smart:

“We are writing on behalf of ARTICLE 19, the International Centre Against Censorship, and Media Rights Agenda, a Nigeria human rights organization, to congratulate you on your
recent appointment as United Nations Special Rapporteur on Nigeria. It is certain to be a challenging job, but hopefully it will also be a rewarding one!

Allow us also to take this opportunity to enclose a copy of a report on Nigeria published today jointly by ARTICLE 19 and Media Rights Agenda. Entitled “Unshackling the Nigerian Media: An Agenda for reform”, the report begins by detailing the patterns of official harassment of the media since the present military regime came to power in November 1993. There are powerful interviews with the wives of two imprisoned journalists, George Mbah and Kunle Ajibade. The report goes on to survey the state of the law as it affects the media today in Nigeria. There then follow sections on broadcasting freedom and freedom of information.

Next, the report outlines the further steps which the international community should now take to establish respect for human rights, including media freedom, in Nigeria. The report concludes with a summary of recommended actions by the Nigerian Government and the international community include specific recommendations for action by the UN Commission on Human Rights and the UN country Special Rapporteur on Nigeria. ARTICLE 19 and Media Rights Agenda hope that you will give these recommendations your serious consideration.

ARTICLE 19 and Media Rights Agenda hope that you will find this joint report useful. We would be grateful to receive any comments which you might wish to make in response to this report.

We also enclose copies of other reports on Nigeria which ARTICLE 19 has published. We hope they will prove useful for briefing purposes.

Looking ahead, both organizations would be delighted for an opportunity to meet you to discuss our mutual concerns regarding Nigeria. If you are passing through London at any time during the coming months, please contact ARTICLE 19 so that a time and date can be arranged for a meeting. ARTICLE 19 is located in the same building as Human Rights Watch/Africa; it is also in close proximity of Amnesty International too, just so a joint meeting might be possible if that was your preference. For its part, Media Rights Agenda extend you and invitation to meet with its representatives when you visit Nigeria. Its address in Nigeria is as follows…

ARTICLE 19 and Media Rights Agenda would be happy to help with any questions that may arise with regard to freedom of expression issues in the course of your work.”

*Media Rights Monitor* is published by the Media Rights Agenda (MRA), a non-governmental organisation established for the purpose of promoting and protecting press freedom and freedom of expression in Nigeria. The MRA has observer status with the African Commission on Human and People’s Rights and is a component of the FEDERC FOUNDATION which is registered under Nigeria law.

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EDITORIAL COMMENT

It is sometimes tempting to speak of a conspiracy among the various organs of government, including the Judiciary, to undermine the press. This is because although no legal or institutional framework exists in aid to accurate reporting by the press in the performance of its duties, it is frequently made to pay dearly for any mistake, without consideration of the environment under which it operates.

Although there is no regime of access to official information in Nigeria, when press reports on the activities of public offices or public figures, even in matters of public interest, contain inaccuracies, the concerned media organization is routinely vilified and almost invariably slammed with a defamation suit. On the aggregate, the courts remain ready to award crippling damages against a media institution found liable for libel.

We do not believe that unfair or inaccurate reporting should be condoned. But we recognize that other institutions which perform public interest functions also make mistakes for which they are not made to bear pecuniary responsibility or, in many cases, any responsibility at all. The courts, for instance, frequently make mistakes in their decisions in both criminal and civil cases resulting, sometimes, in considerable physical, psychological or materials hardships for individuals. Although such errors may be corrected at appellate levels of the judicial system, the courts responsible are not made to bear any burden for the decisions.

While we concede that it is important to balance the right of the press to report freely against the right of individuals not to have their reputations unfairly maligned, we find it to be one of the imponderables of the Nigerian Judiciary that in all other cases of abuses of human rights and personal liberties, the courts are often loath to award substantial or meaningful damages to remedy the injury done. Even in proven cases of unlawful or illegal taking of life by agents of the state, the courts hardly ever award damages exceeding a few thousands of naira. But in defamation cases, they are quick to make multi-million naira awards as damages.

Our cover report in this issue focuses on this trend which poses a new threat to press freedom in Nigeria and proposals for reform. It is our view that it is unnecessary to attack the economic foundation of media organizations and, therefore, their existence in order to vindicate the reputations of individuals.

The issue also carries a rich mix of other reports on free speech issues from the local and international scenes.

Austin Agbonsuremi
ACKNOWLEDGMENT

Media Rights Agenda (MRA) would like to acknowledge the support of various individuals and organisations in the production of this newsletter, and in particular, the European Human Rights Foundation which provided the grant for the publication.

LETTERS

Good Job, MRA!

Kindly accept my commendation for your efforts. I speak of the good job you’re doing at Media Rights Monitor.

If our nation can assist on free discourse of her affairs, new and innovative ideas are bound to emerge. History convinces us beyond proof, that development is freedom dependent. I therefore, feel the sacrifice you make for the ideal of press freedom is worthy of commendation.

Please keep up the valiant effort as our liberty can only be secured through vigilance.

Yours truly,
Dr. Olatunji O. Abayomi
Chair, Founder’s Council,
Human Rights Africa (HRA).

Magazine Reporter Arrested

The Abuja Bureau Chief of the African Concord magazine, Mohammed Adamu, was arrested by security agents of the Federal Military Government at his residence in Abuja on Sunday, July 27.

Adamu was arrested at about 3.20pm at his Montgomery Close, Garki apartment by three security agents who said he was being invited to the Presidency for a “chat”, an euphemism of interrogation. No other reason was given for his arrest.

He was later taken away in a green Peugeot 504 saloon car with registration number AA911KWL to an undisclosed location.

Adamu is believed to have been arrested over the cover story of the July 14, 1994 edition of the African Concord entitled: “Ali Mustapha: Ruthless Man Behind Abacha”, although there was no indication that the story was written by him since it carried on by line.

Newspaper vendors have reported been harassed by security men of displaying the magazine for sale.

Adamu was still being detained at the end of July.

In a statement condemning the arrest, the Media Rights Agenda (MRA) said it was disturbed by the continuing frequent resort by security agents of strong-arm tactics in dealing with journalists rather than having recourse to legal and institutional mechanisms established by the government itself for that purpose.

The MRA viewed Adamu’s arrest as illegal saying it was in breach of provisions of the Nigerian Constitution as well as international human rights instruments such as the African Charter on Human and People’s Rights and the International Covenant on Civil and Political Rights to which Nigeria has acceded.

It called on the government to order the immediate and unconditional release of Adamu and urged “the government once more to make a commitment towards respect for human rights, including media freedoms, as it prosecutes its much vaunted transition to civil rule programmed.”
In a letter to the Head of State, General Sani Abacha, the Paris-based free expression group, Reporters Sans Frontieres (RSF), asked him “to do everything in your power” to secure Adamu’s immediate and unconditional release.

The letter signed by its General Secretary, Robert Menard, said the RSF was also “most concerned about the plight of four other independent journalists who have been serving prison sentences since May 1995”. The journalists are Chris Anyanwu, publisher and editor-in-chief of The Sunday Magazine (TSM), Kunle Ajibade, editor of The News Magazine; Ben Charles Obi, editor of the Weekend Classique; and George Mbah, assistant editor of TELL magazine. Each of them is serving 15-year jail-term after being convicted of the offence of “accessory after the fact to treason” by a special military tribunal which subjected them to unfair secret trials.

RSF also asked General Abacha to secure the immediate and unconditional release of these four journalists “who have not committed any crime but their professional duties.”

**Court Orders Daily Times to Pay David-West N5m Libel**

A Warri High Court last month ordered the Daily Times newspaper to pay Nigeria’s former Petroleum Resources Minister, Professor Tam David West, N5 million as damages for libel.

The award followed a N50 million defamation suit instituted by the former minister last year against the newspaper and a columnist, Dr. C. S. Momoh, for alleged libel contained in an article entitled “Tam David-West – The Para-digmatic Scholar” published in the Daily Times of October 6, 1996.

Delivering judgment in the undefended suit, Justice M.E. Akpiroroh said although David-West’s solicitors wrote to the defendants after the publication, Momoh failed to reply when the Daily Times which responded “did nothing about retraction” of the article.

He noted that both defendants failed in filling their defences even after the former minister filed and served his statement of claim on them.

The judge held that the publication “has greatly injured [David-West] in the eyes of right thinking people within and outside Nigeria”.

Observing that although David-West testified in the case, his evidence was not challenged, the judge said he therefore had “no difficulty whatsoever in holding on the evidence before me that the publication is Exhibit A is false and libelous of the plaintiff” adding that “I accept and believe it in its entirely.”

He said in cases of this nature, the publication of the libel is presumed and needs no further proof” adding that in awarding damages, he took into consideration the former minister’s position in the society and “whether the defendant was reckless in publishing the libel, conduct of the defendant from the time of the publication to the time of judgment, volume of circulation of the newspaper, pecuniary loss or social disadvantages and injury and the retraction of apology made.”

The judge therefore awarded N5 million naira as well as costs of N3,000 against Daily Times and Momoh jointly and severally.

He also issued an order of injunction restraining them from further publishing and circulating the libelous materials.

**Lagos Court Orders Destruction of Jeffrey Archer’s Book**

A n Ikeja High Court in Lagos last month ordered British author, Jeffrey Archer, and his publishers to pay Nigeria’s former Federal Commission for Finance, Major-General James Oluleye, 500,000 pounds Sterling (about N67 million) as damages for libel contained in his book, A Twist in the Tale.

The court also ordered that the book, which it held to be defamatory of Oluleye, should be withdrawn from circulation and destroyed.
Oluleye, Nigeria’s finance commission for from March 1997 to September 1979 under former Head of State, General Olusegun Obasanjo, filed the suit five years ago claiming N300 million as exemplary and aggravated damages for libel against Archer and his publishers, Hodder and Stoughton Limited as well as Express Newspapers Plc, publishers, of the British newspaper, Sunday Express. He claimed that Cleansweep Ignatius, one of the 12 stories in the book, and the October 28, 1998 issue of Sunday Express defamed him.

He also asked the court to make and order of perpetual injunction restraining Archer and the publishers, their servants or agents from further publishing or circulating the story in Nigeria and other parts of the world. He urged to court to order them to destroy or withdraw from circulation the alleged offensive publication.

Delivering judgment on July 18 in the undefended suit, Justice Alabi Adeyinka noted that while Archer and Express Newspapers Plc filed no defence, Hodder and Stoughton Limited filed a memorandum of appearance on protest through its lawyer, Bankole Shodipo. He described Archer’s conduct as reprehensible saying he not only refused to file his statement of defence, but also threatened in a letter to Oluleye that he would deal with him if he (Oluleye) ever stepped into London.

The judge held that Oluleye proved all his claims and convinced the court that the words written in the book and newspaper related to him. He ruled that he publication was false, malicious and portrayed Oluleye as a saboteur in the eyes of right-thinking persons.

He said in awarding damages, he took into consideration Oluleye’s status in the society. He said: “The plaintiff, as a minister of finance, had his duty covering the whole country and he is also a member of many international associations. He has represented the country on many occasions with international honours to this credit. He bags the highest honour in the land, Commander of the Federal Republic (CFR). The nature of the libel is not only a letter but in a permanent form as a book and newspaper. He was emotionally disturbed.”

Saying that the only inference to be drawn from the conduct of the defendants is that they have no defence, the judge held it was a proper case in which exemplary damages must be awarded.

He therefore ordered the defendants to pay Oluleye N65 million or 500,000 pounds as damages and N135,000 or 1,000 pounds as costs. He issued a perpetual injunction restraining Archer and the publishers, their servants or agents from further publishing or circulating the story in Nigeria and other parts of the world and directed that the defamatory publication be withdrawn from circulation and destroyed.

Oluwole Awolowo Sues Newspaper for N5 billion

Chief Oluwole Awolowo, son of the late elder statesman, Chief Obafemi Awolow, filed a N5 billion defamation suit at an Ibadan High Court last month against a weekly publication, the Eastern Voice, for allegedly libeling him in its July 14 to 20 edition.

Joined as defendants in the multi-billion naira suit, which is possibly the highest claim for defamation ever made in Nigeria’s legal history, are Chief Godwin Daboh-Adzuana and International Voice Communications Limited, publishers of the Eastern Voice.

Awolowo, who is the publisher of the Nigerian Tribune, alleged that the publication in the newspaper damaged his character and maligned his integrity in his private life as well as a public figure adding that it had brought him into public scandal, odium and contempt.

Awolowo claimed that since the publication, his family has been bothered with anxious and distressful enquiries from within and outside the country.

Besides the claim for N5 billion as aggravated damages, he is also seeking an injunction restraining the defendants, their servants or agents from further publishing or causing to be published the story or any similar words defamatory to him.
Dr. Olatunji Dare is a respected Nigerian Journalist and critical writer. He left the University of Lagos where he taught journalism to join one of Nigeria’s most respected tabloid, The Guardian. But after ten years on The Guardian, he resigned as Chairman of the newspapers Editorial Board.

The resignation came at the peak of the media crisis of 1994/95 During which period The Guardian Group and a host of other newspapers were shut down by the General Sani Abacha’s administration.

It was reported that Dr. Dare’s exit from The Guardian was because he declined to join the newspaper’s management on an apology trip to Abuja to beg Head of State General Sani Abacha to reopen The Guardian which was under lock for over one year.

Soon after, Dr. Dare left Nigeria for the US where he picked up a teaching job. On June 2, Dr. Dare, now a visiting professor of journalism at the Bradley University in Illinois in the United States since last year, was returning to Nigeria when his passport was seized by security agents at the Murtala Muhammed Airport in Lagos. He spoke with Edetaen Ojo, Executive Director of the Media Rights Agenda (MRA), and Austin Agbonsuremi, Director of Publications on the incident. Here are excerpts from the interview:

**There seems to be some confusion over the seizure of your passport. Could you tell us what actually happened?**

On arrival at the Murtala Muhammed Airport, I presented my passport and I think they punched my name into their computer and it must have given the appropriate signal because they held unto my passport and I saw them gesturing to each other and I suspected that something was amiss.

After about 15 minutes, I said “please gentlemen, I am still waiting for my passport, can I have it? They said “well, there are certain things we are trying to clear with our head office. Please hold on, sir” Another 15 minutes, I asked again: “is there a problem? Can I help?” They said there were still trying to reach their head office and that if I had any luggage, I should go and clear my luggage, they will be with me at the baggage section. So I went there.

The plane touched down at around 6 O’clock and at around 8.30, one of the guys holding my passport comes and says “which media house do you work for, sir?” And I said I don’t work for any media house. He said it says on your passport that you are a journalist. I said I was a journalist. He said so what do you do now and I said, well for the past year, I have been a visiting professor at an American college. He said do I have any evidence to that effect. So I showed him my faculty I.D. card. So he took it and said well they were still trying to reach their head office.

Meanwhile, the arrival hall was so hot and steamy and he offered if I could come to their office and relax there, that it was far more comfortable there and I thanked him politely and refused. So 10 O’clock, 11 O’clock, no sign of anybody again.

**When did this start?**

This started shortly after 6.00pm.

**Do you remember the exact date?**

It was June 2nd, I believe. So 10 O’clock, 11 O’clock, by then the arrival has had become empty. Only a few cleaners and stragglers remained there. At 12 O’clock, there was still no sign of anybody, then around 1 O’clock, somebody says they have finally been able to reach their head office and that his instruction is that he should hold on to my passport, give me a receipt for it and ask me to report the day after or as soon as possible thereafter at their Awolowo Road (Ikoyi, Lagos) offices.
The guy also offered to find me a taxi to take me home and I said no, having spent this long at the airport, I might as well spend the night there. I thanked him politely and left.

This was the height of the fuel crisis and I had all kinds of problems to contend with and didn’t go there until the 17th of June. Meanwhile, there had been all kinds of publicity at home and abroad. I understand the thing got on the Internet and all kinds of organizations at home and abroad issued statements and by the time I got to Awolowo Road, this was their concern that there had been unnecessary publicity. That if only I had come a day after my arrival as they advised, they just wanted to asked me a few routine questions at the end of which they would have returned my passport. And now there had been all this embarrassing publicity at home and abroad.

And I said well I too had been embarrassed. That I wanted to return to Nigeria quietly but now the whole world knows what has happened. That I too was embarrassed. As for the publicity, I had nothing to do with it. If I had anything to do with the publicity, you can be sure that I will give out what actually happened.

There were two versions. One version said my passport was seized at the airport and that I was detained overnight. One other version said I was arrested while given a lecture to mark the anniversary of Kudirat’s (Abiola, wife of Chief Moshood Abiola, who was killed by unknown gunmen on June, 1996) assassination.

Obviously, if I was responsible for the publicity, at least, it would have been uniform. I will tell them what happened. I won’t tell lie against myself. Even if I was going to lie against others, at least, I won’t tell a lie against myself.

They said okay and they asked all kinds of questions – they asked what I was doing abroad, how I left, by what means, who are my political associates abroad, who was I talking to and routine questions generally and I answered them and at the end, they gave me back my passport and expressed regret for the misunderstanding. They were all very courteous and polite actually, both at the airport and at the interrogation center. They were very courteous and polite.

So at the end I said “gentlemen, can this happen again?” That suppose I was traveling with members of my family, my children or even a business partner or a professional colleague and this happened at the airport, what impression would they have of me? That I am a person unworthy to be associated with in my own country. Well, they said, left to them, they did not think it could happen again, but that you known when orders come from above, they have to be executed. Then they gave me back my passport.

Did they give you any reason why the passport was seized in the first place?

No. They never gave any reason. At the airport, they just said orders from above. That they were executing orders.

What do you think? If you are going out now, would you feel comfortable passing through that airport?

No,

But you traveled through the airport when you were leaving?

When I was leaving, I traveled through Benin Republic. I had some programme with Friedrich Ebert Foundation in Benin. Yes, and Sabena Airline advised me that I could take the flight Cotonou rather than come to Lagos again before leaving, so I availed myself of that option. After completing my programme in Benin, I just took the Sabena flight from there to Brussels and then to the United States.

At the border to Cotonou, at the Seme border, did you encounter any problem?

No, no.

So I return to the earlier question: If you are passing through the airport now, what will you do?
It will be a prayer on my heart and on my lips because I don’t know. Signals get crossed, you don’t know who is doing what it is with a prayer.

**What kind of links can you draw? What crossed your mind after all this while? You were working with The Guardian?**

I was surprised because I did say to they guys at the airport, for 10 years when I was working journalist, I was never interrogated, never invited for questioning, never harassed or molested in anyway and then three or four years after I have given up journalism, this is happening to me, that I find it very puzzling indeed.

**Have you been able to find some traces of what could have been responsible?**

No, I don’t know. I suspect it is just my journalistic past because even while I was in the United States, I minded my own business. It is a small private university where I teach. There is virtually no Nigerian community to speak to there. If is far away from all the important places and I have the chance to be myself and I kept rigidly to myself. So, I don’t know what could have been responsible for it.

**Let us now try to find out by tracing your footsteps back. You left The Guardian in circumstances which people saw as rebellious, that you left because you were not ready to agree to certain things. Is this the possible reason?**

Well, I don’t see why it should be a source of my problem. I resigned on a matter of principle. I did not dramatise my resignation.

**But it was publicised.**

It was publicised matter-of-factly. People asked for copies of my letter of resignation, I refused to give it to them. People wanted to interview me on my resignation, I refused to be interviewed. So it was reported matter-of-factly. I refrained from dramatising it in any manner, plus I resigned from a private organization, not from a government or public institution. So why should officialdom show any interest in the way and manner in which I resigned from a private organization?

**When will you be ready to discuss why you actually left The Guardian?**

Not yet. Perhaps, in my memoirs. In my memoirs. I hope I live long enough to write them, but I have been making notes towards the memoirs. Yes, in my memoirs. But considering the circumstances at the time, I just felt that if I returned to The Guardian, I will not be able to do the kinds of things I had been doing before it was closed down and that may be it was time to move on to something else.

**Do you miss journalism?**

I do. Yes, I do. I mean, you know working on daily deadlines, confronting a task early in the morning, completing it, seeing the result out in the paper the next day, I mean, there is nothing more satisfying than that. The rewards are immediate rather than delayed. It is like you are taking a test, everyday and when you hear comments from the public about what you have done, it makes you feel that you have not been wasting your time and that you have touched so many lives in so many ways. Yes, I do miss it.

**Are you thinking of a comeback?**

At some point in the future yes.

**MRA Condemns Seizure of Dare’s Passport**

Shortly after the reported seizure of Dr. Olatunji Dare’s passport, the Media Rights Agenda (MRA) issued the following statement calling for its release.
“The Media Rights Agenda (MRA) is deeply concerned by the continued harassment of journalists by security agents of the Federal Military Government as exemplified by the seizure if the International Passport of Dr. Olatunji Dare, former chairman of the Editorial Board of The Guardian, upon his return from the United States.

The MRA is further concerned that the seizure has taken place in the face of a subsisting judgment of the Court of Appeal (in Olisa Agbakoba v. he Director, State Security Service, delivered on June 23, 1993) which renders such a seizure illegal and unconstitutional.

We view the seizure as a breach of Nigeria’s international treaty obligations which it has voluntarily taken on under the African Charter on Human and People’s Rights, the International Covenant on Civil and Political Rights and other such human rights instruments.

The MRA demands the immediate release of Dr. Dare’s passport and requests the Military Government to commit itself to a programme of respect for human rights consistent with a programme of ‘transition’ to democratic rule.

It is only by so doing that it can persuade the international community to allow it re-enter the fold of civilized nations as it prepares to face further international tests before the Commonwealth Ministerial Action Group (CMAG) meeting in July and the Commonwealth Heads of Government Meeting (CHOGM) in October in the United Kingdom.”

**Authority Restricts Journalists’ Access to Kano Airport**

The Federal Airports Authority of Nigeria (FAAN) last month banned journalists from areas in the Mallam Aminu Kano International Airport in Kano following complaints by airport staff of alleged unfavourable reports published in the press.

Airport officials reportedly complained that the press coverage they received after an unscheduled visit to the airport by the Minister of Internal Affairs, Alhaji Baba Gana Kingibe, was unfriendly.

Press reports said that during the visit, the Minister ordered the arrest of security official allegedly caught extorting money from passengers. The reports were said to have annoyed security agents at the airport who subsequently claimed that journalists were being given unrestricted access to sensitive areas in the premises with the result that the ban was introduced.

The FAAN has also introduced on-duty identity cards for staff which is suspected to be aimed at restricting access to certain areas of the airport to some airport workers believed to be providing journalists with information.

But the FAAN has denied that the measures were motivated by the unfavourable press reports. It said it was implementing the “Access Control” plan designed and approved by the airport’s Presidential Task Force to reduce the number of security agents and staff of the airport’s arrival halls.

**Lagos Court Summons Three Editors for Contempt**

Lagos High Court last month ordered the editors of three newspapers and two columnists to appear before it on September 9 on charges of contempt of court for commenting on a suit pending before it.

The editors are Frank Aigbogun of the Vanguard, Fola Arogundade of *Sunday Vanguard* and Dele Alake of the *National Concord*. The two columnists are Dele Sobowale and Obi Nwakanma who write for *the Sunday Vanguard*.

They were summoned by Justice Bode Rhodes-Vivour to show cause why they should not to committed to prison for contempt of court for publishing comments on a suit instituted by Miss June Ofudu against a former military governor on Ondo State, Commodore Olabode George, which is still pending before the court.
In the suit, Ofodu is seeking a declaration that she is the owner of two properties at Park View Estate in Ikoyi, Lagos and two cars – a BMW and a Honda Accord – which George is also claiming as his. She is asking the court to restrain the former military governor from interfering with her right to enjoy and use the properties.

Justice Rhodes-Vivour issued the summons following complaints by Ofodu’s lawyer, Mr. Kehinde Sofola (SAN) and counsel to George, Mr. Adebambo Adesanya. Sofola complained about publication in the Sunday Vanguard of July 13, 1997 on the matter saying “it is very serious thing for a journalist to comment on a matter before the court”. He said although the journalist could comment after judgment has been delivered or report the proceedings before judgment, “it is wrong to comment on proceedings”.

Sofola insisted that “Unless this trend is checked, a great deal of embarrassment will be caused to the judiciary. Under the law, it is only the judge who can decide disputes between parties.” He therefore urged to court to summon Sobowale, the writer of the article, and the editor of *Sunday Vanguard* to show cause why they should not be committed to prison for contempt.

Adesanya also complained about another publication in the July 15, 1997 edition of the *Vanguard* as well as an article in the May 30, 1997 issue of the *National Concord*, which he alleged were also contemptuous of the court. He said “the issue of contempt is not a personal matter but an affront to the court and the judicial system” and also asked the judge to summon the editors of the two newspapers and Nwakanma, the writer of the July 15 article in the *Vanguard*.

**Call for the Release of “The Innocent Four”!**

- Chris Anyanwu, publisher and editor-in-chief of The Sunday Magazine (TSM), held in Kaduna Prison, Kaduna State.
- Kunle Ajibade, editor of The News magazine, held in Makurdi Prison, in Benue State.
- George Mbah, assistant editor of Tell magazine, held in Biu Prison, in Yobe State.
- Ben Charles Obi, editor of the Weekend Classique, held in Agod Prison in Ibadan, Oyo State.

Each of these four journalists is serving a 15-year jail term following their conviction in July 1995 by a special military tribunal after unfair secret trials on charges of treason arising from stories published by their news magazines.

You can help secure their release by asking the Nigerian Government to free them.

**More Honours for Wole Soyinka**

Nigeria’s Nobel laureate for literature, Professor Wole Soyinka, was on July 11 made an honorary member of the Scottish Centre of International Pen, a non-governmental organization which works for freedom of expression for writers worldwide. It was the fourth honour being conferred on the self-exiled pro-democracy activist in two weeks.

Earlier that week, Soyinka was made a member of the William Wilberforce Society in Hull in the United Kingdom. The society was formed in honour of the renowned anti-slave trade campaigner, William Wilberforce.

On July 10, the Edinburgh University, also in the United Kingdom, conferred on Soyinka an honorary degree of Doctor of Science in Social Science. In a citation during the conferment ceremony, the Director of the University Centre of Africa Studies, Professor Kenneth King, said the award was to foster Soyinka’s “most fundamental beliefs about justice, humanity and our common obligation to speak out.”
On June 30, Soyinka jointly received the Norwegian Authors Union’s “Freedom of Expression Prize 1997” with the Turkish writer, Yasar Kemal, for their outstanding efforts towards freedom of expression and human understanding. By the award, Soyinka became a Knight of the Order of Bjornsonsalln.

**CPJ Holds Press Freedom Awards Dinner in October**

The Seventh Annual International Press Freedom Awards Dinner of the New York-based Committee to Protect Journalists (CPJ) comes up on Thursday, October 23, 1997. The ceremony will take place at the Grand Ballroom of the prestigious hotel, The Waldorf-Astoria, in New York City in the United States. The ceremony will be chaired by Mr. Michael D. Eisner, Chairman and Chief Executive Officer of the United States.

The International Press Freedom Awards are given annually by CPJ to honour journalists from around the world who have courageously provided independent news coverage and viewpoints under difficult circumstances. Award recipients usually fall into the category of those who have risked arrest, imprisonment, violence against themselves and their families, and even death to defend press freedom.

The dinner is a major gathering of media companies and journalists and it raises more than half of the CPJ’s operating funds through the purchase of tables at the ceremony.

Last year’s award recipients were Yusuf Jameel of India; Jesus Blancornelas of Mexico, Daoud Kuttab of the Palenstinian Authority; and the jailed Turkish newspaper editor, Ocak Isik Yurtcu.

**Foundation Seeks Listing for Resource Guide**

The International Women’s Media Foundation (IWMF) is working on its 1997 Resource Guide for Women in the Media and would like to list any journalists or media organizations or women in the field.

Those interested in being listed should send their names, affiliation, telephone and fax numbers as well as e-mail addresses immediately to Gloria Kilburn at gloriaiwmf@aol.com.

Member groups of the International Freedom of Expression (IFEX) will be automatically listed in the press freedom/media organizations category, but if women specialists from particular groups would like to be noted as contact persons, they may also send in their names.

**State Orders Govt Agencies to Advertise with its Newspaper**

The Plateau State Government has ordered all government departments and parastatals in the state to be placing their advertisements with the state-owned newspaper, The Nigeria Standard, to shore up its revenue sources.

The sole administrator of the Plateau Publishing Company (PPC), Mr. Joseph Ari, said last month at a press briefing marking the 25th anniversary of the newspaper that efforts were being made to persuade the State Government to revert the status of the company to that of a corporation to provide its staff the benefits accruing to their counterparts in other corporations.

Ari blamed the company’s financial problems over the years on over-dependence on government funding saying the vernacular version of the newspaper, Yabcub Dab Adan (The Voice of the people), collapsed due to lack of funds.
Federal Government to Amend, Enforce Decree 43

The controversial Newspapers Decree No. 43 of 1993 is being amended by the Federal Government and will be enforced soon, the Minister for Information and Culture, Dr. Walter Ofonagoro, said last month in Lagos.

Speaking at the opening ceremony of the third forum of the Nigerian Guild of Editors (NGE), Ofonagoro said his ministry has proposed amendments to the decree and was waiting for approval, stressing that “when the decree comes out, we shall enforce it.”

He accused the Newspapers Proprietors Association of Nigeria (NPAN) of reneging on its promise to submits proposals for amendments to decree during a meeting he held with representatives of the body in September 1995.

The minister claimed that but for his intervention, security agents would have shut down The Guardian and the Daily Times newspapers last year for non-compliance with the provisions of the decree as a warning to other newspapers and magazines.

But the NPAN has denied ever promising to send proposals for amending the decree to the government. NPAN President, Ismaila Isa Funtua, said “That law (Decree 43) is bad and we have rejected it. If we send any amendment, that means we accepted it.”

By Decree 43, the Federal Military Government radically altered the tradition of newspaper control and regulation in Nigeria and imposed stringent new registration and operational guidelines for newspapers and magazines.

Although released by the government on August 16, 1993, it gave the decree a retroactive commencement date of June 23, 1993. Persons intending to own, print or publish newspapers and magazines in Nigeria given three weeks from the commencement date of the decree (June 23, 1993) to apply for registration (that is by July 14, 1993) after compliance with the pre-registration requirements.

The implication of this is that upon the release of the Decree on August 16, 1993, all newspapers and magazines in Nigeria immediately became “illegal” and their owners, printers and publishers automatically liable to be arrested and detained, prosecuted and convicted even when the structures to effect the registration exercise had not been established by the government.

By virtue of Section 7 of the Decree, it is an offence, punishable with either a fine of N250,000 or imprisonment for a term of seven years or both for a person to own, publish or print a newspaper or magazine not registered under the decree. The registration of existing newspapers and magazines under previously subsisting laws, was extinguished by the decree.

The decision, whether or not, to register a newspaper or magazine is vested exclusively in the Newspaper Registration Board set up under the decree and compliance with the formal pre-registration requirements stipulated in the decree does not guarantee registration of a newspaper or magazine as the Newspaper Registration Board has unquestionable discretion to decide whether the registration of a newspaper or magazine is “justified having regard to the public interest”. There are no procedures for challenging the Board’s decision not to register a newspaper.

Although the Board’s decision whether or not to register a newspaper or magazine is subjective, exclusive and final under the decree, a person seeking to register a newspaper or magazine must nonetheless pay a “non-refundable” fee of N100,000.

A person seeking to register a newspaper or magazine under the decree is also obliged to pay a pre-registration deposit of N250,000 which will, if the newspaper or magazine is registered, be paid into a fund to meet the amount of any penalty imposed on or damages awarded against the owner, printer, or publisher of the newspaper or magazine by a court of law in future.

As against the practice under the previously applicable Newspapers Act (now repealed by the decree), Decree 43 imposes an immediate penalty on persons seeking to register
newspapers and magazines in anticipation of offences which have not been committed, which have not yet been adjudicated upon in a court of law, and in respect of which the persons have had no opportunity to defend themselves.

On September 1, 1993, the Media Rights Agenda (MRA) forwarded a complaint against the Nigerian Government to the African Commission on Human and Peoples’ Rights in Banjul, The Gambia, pursuant to the provisions of Article 55 of the African Charter on Human and Peoples’ Rights. The MRA complained that the decree violated Articles 7(1) and 9(1) & (2) of the African Charter.

The Commission subsequently declared the complaint admissible and was scheduled to take a decision on the complaint on the merit at its 21st Ordinary Session held in Nouakchott, Mauritania on April 15-24, 1997. But at the session, it deferred a decision till its 22 Ordinary Session coming up in October.

Besides the pendency of a complaint before the African Commission, an Ikeja High Court in Lagos also declared the decree unconstitutional, null and void and of no effect whatsoever on November 18, 1993 following a suit instituted by Guardian Newspapers Limited against the Attorney-General of the Federation challenging the validity of the decree. The court then restrained the government from implementing the provisions of the decree.

Despite these acts, the government has continued to threaten to implement the decree in total disregard for judicial decisions and its obligations under international law.

LESSONS FROM OTHER LANDS

Turkey: Prime Minister Promises Release of Jailed Editors, Law Reforms

Turkish Prime Minister, Mesut Yilmaz, promised a joint delegation of foreign and Turkish journalists last month that his new government would take immediate steps to free imprisoned editor, Ocak Isik Yurtu, and other jailed newspaper editors and present a sweeping press law reform package to Parliament later this year.

The jailing of journalists and other restrictions on press freedom “were explained away in the past by the fight against terrorism,” Yilmaz said, adding: “That was unacceptable then, and it is unacceptable now.”

Yilmaz told the delegation on July 14 that his government would introduce a bill the following week to annul the convictions of Yurtu and as many as six other newspaper editors who were prosecuted under a statute which makes managing editors legally responsible for all information and opinions reported in their publications.

The prime minister also said that President Suleyman Demirel had requested detailed legal information on Yurtu’s case in order to prepare grounds for a presidential pardon. The delegation had asked President Demirel on July 13 to use his pardoning power to release Yurtu, who is serving 10-year sentence.

The new government also plans to introduce a reform package in Parliament later this year which would abolish many of the laws under which journalists are now imprisoned, Yilmaz said, stressing that: Out goal is to create a modern, civilized working environment for the press.”

Political observers caution, however, that Yilmaz’s minority government may face strong resistance to its promised legislative reforms, a fact that Yilmaz himself acknowledged.

Organised by the New York based Committee to Project Journalists (CPJ) and the Press Council of Turkey, the delegation included directors and members of the Newspapers Owners Union of Turkey, the International Press Institute and Reporters sans frontieres (RSF).
South Africa: National Press Ombudsman Takes Office

South Africa’s newly appointed national press ombudsman, Ed Linington, took office on July 1.

According to the Freedom of Expression Institute (FXI), the office of the press ombudsman would replace that of the Press Council as a voluntary media regulation body which would also provide the public with access to a complaints mechanism.

The decision to abolish the council in favour of an ombudsman was taken following representations, from journalists’ and media workers’ trade unions, editors’ forums and newspaper owners.

The ombudsman will administer an expanded press code of conduct and provide a quick and inexpensive means of settling disputes that arise between the public and the press.

UNESCO Rejects Proposed Changes by China to Rules Governing Press Freedom Prize

The United Nations Educational, Scientific and Cultural Organization (UNESCO) has approved a revised set of rules governing the UNESCO/Guillermo Cano World Press Freedom Prize, while rejecting restrictive proposals put forward by China.

The rules now give more control over the prize to the director-general of UNESCO, but do not take into consideration China’s proposed changes, one of which was that the rules should reflect “the diverse social and cultural contexts in different regions of the world”.

China reacted angrily when UNESCO awarded the prize on May 3, World Press Freedom Day, to Chinese journalist Gao Yu, who was sent to jail for six years for allegedly “revealing state secrets”.

In protesting the awarding of the prize of Gao Yu, China’s ambassador to UNESCO, Zhang Chongli, said that UNESCO “grossly interfered in the internal affairs of China”.

Family members informed Gao Yu during her monthly 30-minute visit with them that she had won the prize. In a letter by the journalist made public by UNESCO, she thanked UNESCO and also wrote that: “I have to thank the international press, fellow colleagues in Hong Kong and those around the world for your continuous support and concerns in the past few years. This is the chief source of strength and encouragement that I receive behind bars… But when I leave my prison bars, regaining my freedom and living under the sun, I will use my pen to repay the world and my homeland.”

Fund Against Censorship Seeks Financial Support

The Fund Against Censorship is seeking contributions from organizations around the world to strengthen its efforts to provide legal assistance to journalists and news media in distress.

The Fund is a cooperative activity of nine international press freedom organizations and is administered by the World Press Freedom Committee (WPFC) in Reston, Virginia, in the United States.

The Fund was set up 10 years ago following a recommendation by the 1987 “Voices of Freedom” conference held in London by the WPFC on how best to fight censorship. The conference was attended by journalists from 34 countries.

Other participating organizations are the Committee to Protect Journalists (CPJ), the Inter American Press Association (IAPA), the International Press Institute (IPI), and the World Association of Newspapers (WAN), the Commonwealth Press Union (CPU), the International Freedom of the Periodical Press (IFPP), the International Association of Broadcasting (IAB), and the North American National Broadcasters Association (NANBA).
The purpose of the Fund is to assist journalists and news media facing legal action aimed at silencing or intimidating them. It provides legal assistance grants which go primarily to help pay local lawyers where this is needed. Investigatory or protest missions, as well as friends-of-the-court briefs or appearances are also within the Fund’s purposes.

Those seeking help can approach the Fund through any of its member groups. It acts based on consensus and availability of funds. The Fund depends on contributions from the participating groups. But the WPFC has launched a worldwide fund raising drive to “make an even greater difference” which, it hopes, will keep journalists out of prison, prevent closure of independent newspapers, magazines and broadcast stations as well as invalidate repressive laws.

**Group Operates Emergency Fund for Persecuted Journalists, Writers**

Journalists and writers facing persecution for exercising their right to freedom of expression may apply for assistance under a financial aid programed, the PEN Emergency Fund, operated by the International organization working to promote free speech.

The PEN Emergency Fund was founded in The Netherlands in 1973 by Dutch Writers, working in close cooperation with the International PEN.

They raise money towards assistance to writers and journalists who are persecuted for practicing their right to freedom of expression.

The Fund is financed from contributions from PEN Centres, publishing houses and other institutions linked o the literary field, and from individuals. Its present annual budget is US $50,000.

In recent years the Emergency Fund has increasingly helped writers who have had to flee their countries and are now living in exile. It provides funds to help them to establish themselves in their new countries.

Applications to the PEN Emergency Fund can be made through the Writers in Prison Committee of International PEN at 9-10 Charterhouse Buildings, London EC1M 7A, United Kingdom, Fax: +44 171 253 5711, e-mail: intpen@gn.apc.org.

**UNESCO Publishes Book on Public Service Broadcasting**


The book arose out of a three-day international round table on the educational and cultural functions of public service broadcasting which took place at the UNESCO Secretariat in Paris from July 3 to 5, 1995.

The book consists of the edited texts of seven of those papers commissioned by UNESCO. Among the topic covered in the book is a paper by Rafael Roncogliolo, President of the World Association of Community Radio Broadcasters (AMARC), on the public service functions of community radio and television in Latin America.

Roncagliolo described the history of community media in Latin America, and the legal status they have achieved in many countries in the region. However, he notes restrictions in certain countries, such as Chile, where community radio stations are banned from selling advertising, or Colombia, where “political propaganda” is banned.

Nonetheless, these two countries have laws promoting community radio, as do Ecuador, Paraguay, Brazil and Bolivia, with Mexico due to follow suit.

Other topics covered in the book include: public service broadcasting in Western Europe; and the implications of broadcasting liberalization in Sub-Saharan Africa.
CMAG Meets in London in September

The Commonwealth Ministerial Action Group (CMAG) will hold its next meeting in London in the United Kingdom on September 11 and 12 to formulate its recommendations to the Commonwealth Heads of Government Meeting (CHOGM) coming up in Edinburgh, Scotland, in October.

The dates for its next meeting were fixed at the end of its two-day meeting in London on July 10 and 11 to hear oral presentations from Nigerian and international non-governmental organizations on the human rights situation in Nigeria. The September meeting will be the eighth by the group since it was set up two years ago.

CMAG, was set up by the Heads of States and Governments of the Commonwealth at their summit in Auckland, New Zealand, in November 1995, “to deal with serious of persistent violations” of the principles contained in the Harare Declarations.

The group, comprising the foreign ministers of eight Commonwealth countries, has the mandate “to assess the nature of the infringement and recommend measures for collective Commonwealth action aimed at the speedy restoration of democracy and constitutional rule.”

Its report and recommendations to CHOGM will form the basis of a decision by the summit on whether to lift Nigeria’s two-year old suspension from the 52-nation body and possible further action against Nigeria.

Handbook on Reporting Human Rights to be Published


Edited by Canadian freelance journalist, To-Anne Velin, in association with Human Rights Internet in Canada and the International Centre for Humanitarian Reporting in Switzerland, the handbook is designed to support journalists, especially freelancers and stringers, who report stories with human rights or humanitarian components, and who must work quickly and accurately, keep their costs low, and work all or much of the time without e-mail or Internet access.

Among the topics covered in the handbook are human rights, international humanitarian law, freedom of expression, disasters and war, refugees, and women’s and children’s rights.

The handbook also has country profiles to provide journalists with a range of contacts, as well as some statistics.

Initial copies of the handbook are due out this month while a revised, electronic version will appear on Human Rights Internet’s Web site at the end of the year. Russian and French versions of the handbook are also planned.

Guide to Human Rights Works Published

A new publication entitled: Reading Human Rights: An Annotated Guide to a Human Rights Library written by Stephen C. Neff, has been released.

Published by the International Centre for legal Protection of Human Rights (INTERIGHTS) in London and the Nadesan Centre for Human Rights Through Law in Sri Lanka, the book is intended to help groups, institutions and individuals interested in human rights to select a core collection of publications from the wide range of materials currently available on the subject.

It contains nearly 100 titles of books and journals, with descriptions of each to assist readers in choosing materials of most use of them.
Items in the book were selected for their practical use and most of them are accessible to a lay readership. Where appropriate, the annotations provide guidance on the level of difficulty and the suitability of works for particular purposes.

**European Media Specialists Meet in September**

The Group of Specialists on Media Law and Human Rights of the Council of Europe will hold its second meeting from September 10 to 12 in its effort to provide legal protection against compulsory disclosure of journalists’ sources.

The Committee of Ministers of the Council of Europe approved the terms of reference of the Group on September 11, 1996 mandating it to undertake work on the protection of the confidentiality of journalists’ sources and media reporting of legal proceedings.

The Group held its first meeting from February 26 to 28 this year ad agreed to draw up a legal instrument to provide protection for the confidentiality of sources of information of journalists.

The proposal will form the basis of further discussion at the September meeting of the Group.

**JOURNALISM TRAINING PROGRAMMES**

**New York University M.A. Programmes in Journalism**

The Department of Journalism and Mass Communication of the New York University in the United States offers joint M.A. programmes in journalism and Near Eastern studies; journalism and French studies; journalism and biology; and a joint M.A./M.B.A. in journalism and business.

The joint M.A./M.B.A. degree programme is designed for students planning to work in journalism. The combined programme enables them to understand the forces at work in the economy and the business community, and to report more knowledgeably, accurately, and competently on business, economic, and commercial affairs.

For those more interested in administrative positions within media organizations, the programme provides a sound managerial and business background.

The joint M.A. in journalism and Near Eastern studies is designed to prepare students for careers as professional newspaper, magazine, or broadcast journalists with a special background in the Near East. Courses are drawn from the journalism department and cooperating department within the Centre for Near Eastern Studies: anthropology, economics, Hebrews and Judaic studies, history, Near Eastern languages and literatures, and politics.

The joint M.A. in journalism and French studies is a programme designed to prepare students for careers as professional newspaper, magazine, or broadcast journalists with a special background in France. Courses are drawn from the journalism department and those offered by the institute of French Studies.

The joint M.A. in journalism and biology is designed to produce trained biologists who are competent writers and editors for magazines, newspapers, and broadcast news organizations, as well as biomedical journals and trade publications.

The department offers limited financial aid by dispensing with tuition fee for highly qualified students. Also available is a limited number of graduate work-study assistantships, which offer tuition and modest cash stipend for work done within the department.

Many of the awards require applicants to demonstrate a financial need. Those wishing to be considered for financial assistance must file the necessary financial aid forms with the University.
**Freedom Forum International Journalists-in-Residence Programme**

The Freedom Forum in Arlington, Virginia, in the United States considers applications yearly from international journalism students and professionals with career goals orientation in print journalism for a fully-funded programme in the U.S. for a duration of between three and six months.

The programme, known as the International Journalists-in-Residence Programme, provides professional and educational opportunities for early and mid-career print and broadcast journalists from Africa, Asia, Central and South America.

It includes a combination of journalism coursework, hands-on-training at a local media organization, participation in lecture and seminar programmes, and other activities contributing to an understanding of the U.S. media.

Applicants for the programme must be working journalists in the early-to-middle stages of their careers and must be proficient in written and spoken English. Participants are selected by a committee of media and regional experts, and representatives of The Freedom Forum and the host institutions. Preference is usually given to those who have had little or no experience in the United States.

Applicants are required to write a 300-500 word essay discussing how a training programme at a University in the U.S. would benefit their journalism career goals; their primary area of interest, such as writing and editing, advertising, media ethics, photojournalism, or political reporting; and what freedom of the press means to them.

The programme begins in January of every year.

**IJC Investigative Reporting Course**

The Independent Journalism Centre (IJC) in Lagos is organizing a one-week course on investigative reporting for journalists from the print and broadcast media in Nigeria.

The programme, which begins on Monday, August 11 and ends on Friday, August 15, is designed to equip reporters with professional skills for improved investigative work and to sensitize the media towards using new technologies in news investigation.

Young reporters and feature writers are being targeted to participate in the training programme. It will hold at the Conference Centre of the Nigerian Educational Research and Development Council (NERDC) in the Central Business District of Ikeja in Lagos.

Resource persons will be drawn from among seasoned journalists and editors from the various media institutions in the country.

**Newspapers Association Calls for Nominations for Golden Pen of Freedom Award**

The World Association of Newspapers (WAN), formerly known as the International Federation of Newspaper Publishers (FIEJ), is calling for nominations for its 1998 Golden Pen of Freedom, the annual award recognizing “the outstanding action, in writing or deed, of an individual, a group or an institution in the cause of press freedom.”

Former winners include imprisoned Chinese journalist Gao Yu, and in 1997, the staffs of “Feral Tribune” in Croatia, “Nasa Borba” in the Federal Republic of Yugoslavia, and “Oslobodenje” in Bosnia and Herzegovina.

The rules for nominations for the Golden Pen state that freedom of the press should be “taken in the general sense of freedom of expression” but also stipulate that the action in favour of press freedom for which the award is made must have been undertaken for “the benefit of all and not for the sole benefit of a person who would later refuse this same freedom to the expression of opinions different from his [or her] own.”

The deadline for the award is September 1, 1997.
Nominations, supported by the fullest possible details and documentation, should be sent to the WAN secretariat at 25, rue d’Astorg, 75008 Paris, France, Tel: +33 1 47 42 85 00, fax +33 1 47 42 49 48, e-mail: pwhite@nemo.geis.com

SSS Stop MRA Director from Travelling

The Executive Director of the Media Rights Agenda (MRA), Edetaen Ojo, was on July 26 prevented from traveling out of Nigeria by officers of the State Security Service (SSS) at the Murtala Muhammed Airport in Lagos.

Ojo was to travel to Kenya to participate in a three-day election monitoring training workshop jointly organized by the Kenya Human Rights Commission, the London-based International Centre Against Censorship (ARTICLE 19) and the Network of Independent Monitors (NIM) – a South African human rights organization, scheduled to hold from July 27 to 30.

Ojo had completed checking in formalities and proceeded at about 8.20pm to clear immigrations and board the Ethiopian Airlines Flight No. ET 960 scheduled to depart for Nairobi at 11.30pm when he was stopped by officers of the SSS who said that his name was on the security computer at the airport with instructions that he should not be allowed to travel out of the country without clearance from their headquarters.

The security agent seized his passport and detained him for over three hours until the plane took off whereupon his passport was returned to him and he was allowed to return home shortly before mid-night.

The security agents did not give any reason for the directive that he should not be allowed to travel.

Beninois Judge Receives HRA’s Africa Service Award

The 1996 Africa Service Award of the Nigeria-based continental human rights organizations, Human Rights Africa (HRA), will be conferred on the President of the Constitutional Court of the Republic of, Justice Elizabeth Keyissan Pognon, on August 28.

The ceremony will take place at the Banquet Hall of Eko Hotel in Victoria Island Lagos.

MRA, ARTICLE 19 Publish Report On Media Harassment

The Media Rights Agenda (MRA) and ARTICLE 19, the London based International Centre Against Censorship, published last month a joint report on the state of the Nigerian media, proposing reforms to safeguard media freedom.

Entitled “Unshackling the Nigerian Media: An Agenda for Reform”, the 64-page report was released simultaneously in Lagos and London on July 10 to coincide with oral hearings organized by the Commonwealth Ministerial Action Group (CMAG), the body set up by the last Commonwealth Heads of Government Meeting (CHOGM) in 1995 to monitor human rights in Nigeria.

Appearing together at the hearings in London, the two groups told the CMAG that there has been no meaningful progress towards respect for human rights since Nigeria was suspended from Commonwealth membership two years ago.

“There are no good grounds for lifting Nigeria’s suspension. The Nigerian government continues to show blatant disregard for human rights. The independent media remains under virtually daily attack; for leading journalists, as well as other prominent critics, are still languishing in jail after grossly unfair and secret trials in 1995 and 19 O gonis arrested around the same time as Ken Saro-Wiwa, the Ogoni leader hanged in 1995, also face possible unfair
trial and execution”, Malcom Smart, Article 19’s Acting Executive Director, and Tunde Fagbohunlu, MRA’s Legal Director, said in London.

The joint report, which formed the basis of their presentation before the CMAG, details a series of laws which regulate and control the media and threaten media freedom. They include the State Security (Detention of Persons) Decree No. 2 of 1984, the Treason and Treasonable Offences Decree No. 29 of 1993, the Transition to Civil Rule (Political Programme) Decree No. 1 of 1996, and the Offensive Publications (Proscription) Decree No. 35 of 1993.


The report also outlines patterns of official harassment of the media since November 1993 when General Sani Abacha’s regime came to power. Patterns identified in the report include arbitrary detention, misuse of criminal charges and unfair trials, oppressive use of defamation proceedings, torture and ill-treatment, banning of publications, disinformation, arson attacks on newspaper offices, seizure of independent newspapers and magazines, disruption of printing and distribution, withholding official patronage and advertising from independent publications and official interference in editorial decision-making.

The report ends with recommendations to the Nigerian government and the international community on how to protect media freedom.

Broadcasting Commission Marks 5th Anniversary

The National Broadcasting Commission (NBC) will hold a panel discussion on August 25 on “Nigerian Broadcasting by The Year 2010” as part of activities to mark its fifth year anniversary. The Commission will be five years old on August 24.

The discussion panel will include key players in the nation’s broadcasting industry.

NBC’s Director-General, Dr. Tom Adaba, gave the rationale for the programme saying the Commission has sought during its five years of existence to make a considerable positive impact on the nation’s broadcasting, and that “a crucial part of this is shaping policy for the broadcasting industry for the next millennium.

Three publications by the NBC will also be launched during the occasion which will be followed by an anniversary luncheon. The events will take place at the Abuja Sheraton Hotel and Towers.

The Media Rights Agenda (MRA) is an independent, non-governmental organization established in August 1993 for the purpose of:

b. Providing protection and support for journalists and writers engaged in the lawful pursuit of their professional duties.

c. Promoting the highest standards of professionals ethics, integrity, training and conduct in the journalism profession; and

d. Bringing about conductive social and legal atmosphere for the practice of journalism, and in particular, ensuring the protection of the journalist’s right not to be compelled to work against his or her conviction or disclose sources of information.

In pursuing its objectives, the MRA seeks to ensure compliance by governments and other private or governmental organisations with relevant provisions in the Constitution of the Federal Republic of Nigeria, the Africa Charter on Human and People’s Rights, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and other international human rights instruments.

The MRA is a component of the FEDERC FOUNDATION which is registered under Nigerian Law.

*Media Rights Monitor*
Published By:

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