In This Issue
1. STATE OF MEDIA FREEDOM IN NIGERIA: Goodbye Impunity, Welcome Informal Repression
   • Instances Of Informal Repression
2. NPAN Elections Fallout: Some Kick, Some Smile
   • Interview: It Is All Post-Election Propaganda - Ray Ekpu
3. NITEL: Hitch In A Sale
4. Newspapers Proprietors ban Beat Associations
5. ESSAY: A Vote For An FOI Law by Lanre Arogundade
6. African Media Reposition For Effective Coverage Of Elections
7. RSF Unveils Damocles Network to Combat Impunity For Those Who Kill or Torture Journalists
8. Media Under the Gun in Israel and Palestine
9. Journalist Arrested, Another in Hiding After Reporting Sex Scandal
10. Newspaper and Editor Suspended for Two Months
11. ATTACKS ON THE PRESS IN MARCH 2002
12. JOURNALISM / PRESS FREEDOM AWARDS

State Of Media Freedom In Nigeria: Goodbye Impunity, Welcome Informal Repression

As Nigerian media practitioners enter the fourth year of civil rule after 15 years of military dictatorship characterized by impunity, they are now grappling with another form of censorship - Informal Repression. Since the advent of the present civilian government, the media is now confronted by subtle but devastating activities from government, individuals and ethnic militia.

Journalists in Nigeria are routinely banned from covering government functions and activities; summons by state and federal legislatures of journalists and their editors over news items published or broadcast by them; threat to stop government's advertisements in media houses they consider do not report their activities 'adequately', and malicious libel suits. Other potentially restrictive acts are the activities of ethnic militia such as the Oodua Peoples Congress (OPC), the Movement for the Actualization of Biafra (MOSOB) and Arewa Youths Forum (AYF) and the activities of Hisba (Sharia implementers).

During the reign of the military, the media was targeted for repression because successive military junta saw the media as a threat.

One of the tools used by military regimes to repress the Nigerian media was the promulgation of obnoxious decrees. Although a civilian government has been installed in Nigeria, the media still operate under virtually the same legal framework, which existed during the years of military rule and it is thus subjected to nearly the same legal disabilities that existed during military rule.

The relative freedom the media now enjoys is being short-circuited by fresh wave of cases of informal repressive attitude. Security agents and aids of senior public officers have been the main perpetrators.

Many security officers and aids to public officer and individuals seem to have difficulty coming to terms with the fact that the new political climate can only thrive under an unfettered media practice. They routinely mistreat or threaten journalists during the performance of their
official duties. In addition, police and security agents harass and detain vendors for selling some publications that they consider offensive.

Many of these violations are neither reported nor redressed usually because many journalists have experienced worse times during military rule. Many do not also readily see the link between such harassment and the effect on their jobs. For instance, in the past three years of the coming to office of this government, there have been no less than 50 cases of informal media or press repression in Nigeria.

No arm of government or security agency has made any attempt to give some form of orientation to their operatives. Yet projects aimed at promoting peace, security, democracy, good governance, human rights and sound economic management cannot be realised without the existence of a free press. For instance, it is not realistic to try to fight corruption when journalists are taken to task the moment they denounce fraud involving the authorities or high-ranking officials. Initiatives to eliminate corruption and encourage public accountability are doomed to failure if countries are not exemplary in terms of freedom of information.

Another form of informal repression is the registration of journalists which began in 2001. Many journalists and media stakeholder argue that the exercise is a potential act of censorship. they said this could be carried on through the de-listing of 'uncooperative' journalists by the board which independence is not guaranteed.

In the last three years, there have been as many as 50 instances of informal repression in Nigeria. One of the notable causes of informal repression is the Sharia, Islamic legal code enthronement by many northern states.

Before the introduction of Sharia, religious conflicts have had a debilitating effect on journalism practice and the right to freedom of expression in Nigeria since 1981. Worse hit has been northern Nigeria where religious conflicts routinely break out. In 1981, a journalist with Daily Times newspaper, Mr. Tunde Amoo, was murdered in Kano State when followers of the Islamic fundamentalist Maitasene, bent on spreading their brand of Islam, wreaked havoc in the northern part of the country. For weeks, followers of the sect torched houses, killed and maimed those who did not believe in their cause.

While the sect existed and their activities lasted, journalists operating in northern Nigeria faced the chilling effect of possible reprisals from the Maitasene followers in the event of broadcast or publication perceived as anti-Maitasene comments.

When the late fiery Islamic Mullah, Sheikh Gumi, at a rally in the North vowed that it will be only over his dead body before a Christian can rule Nigeria, Christian journalists in the southern part of the country took the vow seriously. They immediately dubbed anybody that shared Gumi's sentiments a Muslim fundamentalist that was unfit to hold public office. The issue has continued to polarize the Nigerian media along Christian/Muslim lines even after Gumi died.

Potentially more devastating is the new threats to freedom of expression and press freedom occasioned by the ban on anti-Sharia comments on Zamfara State-owned media organs as decreed by Governor Sani. This is so because unlike the Maitasene sect which activities were carried out by a few religious anarchists, the Sharia phenomenon is widely embraced by many northern Nigerian Muslim faithfuls. Besides, while the Maitasene sect operated without any established official endorsement, Sharia is state-sponsored.

Since the Sharia project began in Zamfara state, several journalists, following past experiences, left the Sharia implementing states. The Christian dominated press in southern Nigeria has continued to campaign against the adoption of Sharia in any part of the country, the Muslims controlled northern Nigeria based media, has been an ardent supporter of Sharia.

This position played itself out when the Kaduna riot broke out in February 2001. From the southern media perspective, the Islamic fundamentalists caused the riot while the northern media blamed it on the intolerance of the Christians. The southern Nigeria based media also routinely describe the campaign for the implementation of Sharia as a subtle effort to undermine the government of President Olusegun Obasanjo, who is a Christian.
Because of the emotional attachment to religion, it has become difficult to "objectively" discuss the position of the law on the matter thereby further widening the divergent opinion on the issue. The state governments implementing Sharia that ought to provide journalists and other Nigerians necessary information on the contentious issues have all literally folded their arms thereby giving room for speculation.

Apart from Zamfara State, journalism practice in many states in the north is now a hazardous business and journalists are now an endangered specie.

On February 21, Timothy Olakunle Ojo, TheNews magazine's sales manager in Kaduna, was attacked near the Jos Road area of the city by religious zealots who vandalised his car.

Saka Anifowose, a driver for the magazine who had gone to Kaduna to deliver TheNews consignment, was also attacked. He was stabbed three times by the rioters and is now receiving treatment in a Kaduna hospital.

Muslim protesters had held several rallies in support of the planned promulgation of Sharia (Islamic) legal system in Kaduna state.

On that day, the Christians embarked on a demonstration against the proposed law and clashes later erupted between members of the opposing groups leading to over 500 reported deaths.

The international community has adopted the attitude that media is essentially a public service activity and hence material input into the media should be regarded as educational material and exempted from tax. But the Nigerian government continues to impose one tax or the other on media input. The result is that many media organisation in Nigeria are in distress, unable to meet their financial obligation due to huge operational costs in the face of dwindling sales and advert revenue.

Unfortunately, because it is an indirect form of repression, many people do not take note of the harm it constitutes to journalists or media organisations. Similarly, the concept of informal repression being a relatively new one, has not gained international consensus. This is basically because of the difficulty in establishing an official complicity.

The concept was developed in 1993 by the London-based Article 19, in an attempt to capture the situation in former Racist South Africa and other African countries. In an attempt to defeat international and domestic scrutiny of their human rights performance, many African governments resorted to covert means of repressing their opponents. The methods used include stimulating ethnic violence by either encouraging the flare-up of already existing ethnic animosity or creating new tensions.

Governments used informal repression to evade direct accountability. The result was that many human rights violations were characterized as "tribal clashes" or "black-on-black violence", thereby concealing the real reason behind these clashes. Most African governments presented this violence as the consequence of "traditional" rivalries. As a result, Western governments and human rights bodies have been reluctant to investigate such abuses.

Article 19 in a workshop held at Scottsburg, South Africa, in 1996, which brought together 33 human rights and community activists from seven African countries, made a distinction between informal repression and overt repression in that it is more disguised.

Participants at the workshop noted that informal repression of free expression is often a rural phenomenon. They added that in many African countries, there is a gap between the towns where a free press and political opposition are allowed to function relatively openly, and the rural areas where freedom of expression is not permitted and the ruling party and surrogate bodies continue to restrict political activities.

However, participants added that informal repression poses a challenge to human rights workers since it is difficult to investigate. In many cases, governments are able to prove themselves as above the conflict and as impartial enforcers of law and order. It is often difficult and risky for human rights groups to gather sufficiently detailed evidence to call the government to account for human rights abuse.
The countries covered by the report are Kenya, Zimbabwe, Nigeria, Cameroon, South Africa, Rwanda and Malawi.

On Nigeria, the report says that the country's contemporary politics are largely fashioned around ethnicity and that successive governments, especially military juntas, have used it for repressive purposes. It points out that it is ironical that the hanging of Ken-Saro-Wiwa and other Ogoni leaders attracted international revulsion yet hundreds of Ogonis had already died in a campaign of informal repression orchestrated by the security forces who stimulated rivalry with neighboring communities, the Andoni, Okrika and Ndoki.

The report quotes Human Rights Watch, which interviewed soldiers who claimed to have taken part in Andoni raids on Ogoni. Residents of Kaa are reported to have said there were men in uniform attacking their villages along with Andoni fighters in August 1993. An Ogoni-Ndoki clash in 1994 followed a similar pattern. Security forces encouraged Ndokis to attack Ogonis over a long-standing land dispute in which many people died.

Although the situation has changed from the impunity that obtained during the military regimes, media censorship formal or informal, affect the determination of journalists to carry out their duties of reporting faithfully and holding government accountable to the people. Stakeholders in the Nigerian media and others in the Nigerian enterprise must be ready to make the government and security agents to be beyond reproach in this area and to lead the way in order to earn credibility in the eyes of the Nigerian people and the international community.

Instances Of Informal Repression

Journalists covering the National Assembly were on February 8, 2000, barred from covering the sessions when ministers defended their budget. Journalists were similarly barred from covering the sessions of four other ministers who appeared before various committees to defend their ministries' budget proposals. Even the Committee on Foreign Affairs which, initially allowed journalists later sent them out after the opening ceremony.

In mid-February 2000, several members of the Benue State House of Assembly led by its Deputy Speaker, Alhaji Sule Audu, attempted to get the assembly to bar journalists from covering proceedings of the Assembly. The Speaker threw out a motion to this effect. Assembly members fingered Radio Benue and *The Voice* newspapers, owned by the state government, as the worst offenders.

The Jigawa State Governor, Alhaji Saminu Turaki, on February 16, 2000, threatened to blacklist the Triumph Publishing Company, Kano, publishers of *The Triumph* newspapers. He alleged that the newspaper was portraying the state in bad light. Governor Turaki said the paper was not being fair to the state in its coverage of events.

He said he was disappointed to note that most of the newspapers' reports on the state were negative, despite the fact that Jigawa was once a part of Kano State. The Governor said the state might stop patronizing the newspaper, until it changed its "negative attitude".

Four reporters with *Newsflash* newspapers, an evening tabloid, Bashir Fasasi, Gbade, Mrs. Kemi Alomaja and David Oladimeji, were on February 28 arrested and detained by the police in Ikeja, Lagos. They were arrested over a front-page lead story published by the paper where it alleged the involvement of Senator Bola Tinubu, Governor of Lagos State, in a drug deal. They were detained at Area 'F' Police Station in Ikeja. They were detained for several days and released, without being charged to court for any offence.

Twelve armed security agents on March 2, 2000 invaded the premises of Tribune House, head office of the African Newspapers of Nigeria, publishers of *Nigerian Tribune* titles in Ibadan (south west region of Nigeria), and sealed off the entire company thereby disrupting production of the newspapers. The security agents' leader told company workers that they were directed by the Presidency to ensure that the *Nigerian Tribune* did not come out on Thursday 2 March.

On March 2, security agents in Gusau, capital of the state of Zamfara, seized all the copies of the *Nigerian Tribune* and a few copies of *Vanguard* and *The Guardian* meant for circulation in
the area. As soon as the newspapers arrived the newsstands, the security agents apprehended the vendors, asked them to count the number of copies of these papers and then took them away. No official explanation was given for the security agents' actions.

Mr. Union Oyadongha, publisher of *Banner* newspaper based in Yenogoa, Capital of Bayelsa State was on March 9, 2000 arrested and copies of his newspapers seized when policemen stormed his office. Some other copies of *Banner* and over 50 copies of *Independent Monitor* newspaper based in Port Harcourt, Rivers State were also seized from newsstands at Eketi Motor Park in Yenogua.

The two tabloids reportedly carried reports on casualty figures of Rivers and Bayelsa States indigenes in the recent Sharia riots in Kaduna. The edition of the *Independent Monitor* had a front page lead entitled: *Outrage Over Sharia Killings*, while *Banner* had: *Sharia Riots in Kaduna, 134 Rivers, Bayelsa Indigenes killed?*

Journalists were on March 28, barred from covering proceedings of the Kwara State Panel of Enquiry into the religious disturbances that rocked Ilorin the Kwara State capital late 2000. The journalists had converged in the Conference Hall in the Governor's Office to cover the maiden sitting of the panel but were ordered out of the hall by the Panel Chairman, Alhaji Shehu Usman Mustapha.

In the evening hours of April 4, 2000, a detachment of State Security (SSS) agents sealed off the premises of Leaders and Company Limited, publishers of *ThisDay* group of newspapers. The nine SSS operatives, armed with submachine guns and pistols, forcibly entered its Apapa corporate office purportedly in search of "subversive and incriminating documents" and to arrest the Editor-in-Chief Mr. Nduka Obaigbena. They flashed a search and arrest warrant, which they refused to serve. They claimed that an Ikeja Magistrate Court issued the warrant. However, Chief Magistrates Bisi Oke Lawal and A. Abari of the Ikeja Magisterial Division both denied the SSS claim that the warrant they brandished at *ThisDay* was issued by their division.

The raid was in connection with a number of stories bothering on financial impropriety by some government officials, specifically, the person of Lt. General Aliyu Mohammed Gusau, which the newspaper was investigating.

Kwara State House of Assembly debating a motion brought by Hon Abdulkarim Ayinde Moro berated the state government-owned *Herald* newspapers and Radio Kwara on alleged distortion of stories from the assembly by the media organisations and threatened to bar the media outfits from covering the House's activities. As a prelude to the banning, the House had decided to summon the chief executives of the two media organisations to explain motives behind the relentless 'distortion' of information from the assembly that are perceived to be uncomplimentary to the government.

The Sokoto State government on February 8, 2000, threatened to deal with *The Punch* Correspondent in the State, Mr. Stanley Yakubu. He was accused of allegedly giving the State "continuous negative coverage." The state governor's Director of Press Affairs, Mallam Ibrahim Gidado told Stanley that he had been sent by the governor to warn him to be very careful and put a stop to all the nonsense he had been writing about the state and the governor in the interest of his life. He added that the State government was increasingly disturbed by his style of reporting. He, therefore, warned Stanley; "you may not live to tell the story."

Gidado said the State government had watched how Stanley and his paper had fought against the Sharia issue and having failed had shifted to the governor and his government. He reminded the journalist that he was in Sokoto State and not his own state, threatening: "Here, we can take care of people like you easily."

At about 9.45pm on May 22, 2000, a combined team of policemen and the Niger State Liquor Licensing Board invaded the Nigeria Union of Journalists' Press Centre in Minna and arrested a senior editorial staff of the Nigeria Television Authority (NTA), Mr. Wilfred Ewaleifoh and four others, accused of selling and drinking alcohol in prohibited area. They were kept in Police Custody and were initially denied bail until after several days in detention.
The governor of Zamfara State, Alhaji Ahmed Sani has said that he would not allow any anti-Sharia news or comments to be broadcast on Radio Zamfara. Alhaji Sani disclosed this in an interview with the Hausa Service of the British Broadcasting Corporation (BBC) on June 26, 2000. He said those who had opposing views could go and air them elsewhere.

NPAN Elections Fallout: Some Kick, Some Smile

The recent elections into the executive committee of the Newspapers Proprietors Association of Nigeria (NPAN) has provoked ripples that have refused to fade away. While winners at the elections have begun the task of re-positioning the publishers' association to make it more relevant in the media industry, losers are now crying blue murder and calling even for very radical decimation of the association.

But newly elected President, Mr. Ray Ekpu, former secretary general of the association and also chief executive of Newswatch Communications Limited, publishers of *Newswatch* magazine, in an interview with Media Rights Monitor, says those calling for the decimation of the association are bad losers.

Many individuals and media organisations that have condemned the elections allege that the contest was not fair. They allege specifically that Mr. Ekpu's supporters whipped up ethnic sentiment to gain an upper hand in the election; they also alleged that the secretariat misled participants by making available two different constitutions which confused many voters. In addition, they charged that many people representing some news media that had long ceased to exist were allowed to vote.

For instance, in an article published in *Nigerian Tribune* of March 8, one Mr. Felix Owolabi, wrote: "The major issues at the confab were, regrettably ethnicity (and sectionalism). Active members of the NPAN, had in the past few months, agreed to make Chief Ajibola Ogunsofa of Punch Nigeria Limited, President. Indeed, if elections had held as earlier planned, The Punch chairman would have won with acclamation because he had no opponent."

"However, surprisingly, a week to the General Assembly, words started passing round that the chief executive officer of the *Newswatch*, Mr. Ray Ekpu, was also interested in the job, which came as a surprise to many active members of the organisation. It was at this point that ethnicity took center stage."

Further, he wrote: "In a very disturbing way, long dead and buried newspapers emerged at the general assembly with very strange, unknown faces in the newspaper industry registering as members just to participate in the "all important" election".

He listed *The Reporter*, *Democrat*, *The Tide* and *Citizen* as some of the newspapers.

He alleged further that the NPAN secretariat aided the alleged electoral fraud by circulating the wrong constitution "with sections inserted and vital expunged".

The *Comet* newspaper in an editorial comment published in its edition of March 11, also faulted the election. Quoting the association's objective which include "to consider and express views on any legislation on the newspaper industry and to take action deemed necessary to protect or further the interests of the industry", the newspaper concluded that the delegates at the conference had failed to take an appropriate view of this objective. The newspaper added: "The conference had been invaded by people who had no business being there. It was therefore not surprising that they were not driven by the larger interest of the association, but by parochial considerations". Delegates, the newspaper alleged, mounted a smear ethnic campaign targeted at Chief Ogunsofa.

The newspaper alleged that for the purpose of the election, "organisations that did not attend any general Meeting of the NPAN or pay dues dusted their files and rushed in arrears. Publications, which had been rested suddenly breathed with life - not on the street but at the conference hall". It also alleged that the constitution that was circulated did not contain eligibility for voting.
As a way out, the newspaper suggested that: the constitution of the NPAN must be reviewed promptly to limit eligibility of representation at General and Annual General meetings to Chairmen or publishers and their managing directors; newspapers in which government have controlling shares should be excluded from the membership. *Independent* newspapers are many enough in the country today to go their separate ways to form their own society. Their interests are not the same as those in which the government has shares. Magazines may form their own society as well. Technocrats of no more that two may attend meetings to offer advice to their chairman”.

For a long time, the association has had to rely on consensus arrangement to elect officers into its executive committee. But due to the refusal of contestants into the presidency to step down for the other despite last minutes efforts by elders of the profession to talk them into it, it had to resort to balloting.

At the end of balloting, conducted by former information minister, Prince Tony Momoh and Managing director of the defunct *Concord* Newspaper, Mrs. Doyin Abiola, Mr. Akpu, won with 41 to 66. This has, however, not gone down well with some persons and media organisations.

Indeed, the loss appears to be a rude shock to supporters of Chief Ogunsola. In anticipation of his success in the selection process, his company allegedly bankrolled the conference to the tune of over N4 million. In addition is the fact that he did not have the faintest notion that he would face an opposition as formidable as Mr. Epku who as Secretary General of the association was far more popular than even the President.

Mr. Ekpu while speaking to *Media Rights Monitor* said although it would have been good if there had been a consensus in line with tradition, but said the elections was also good for the association. According to him, "I believe if we had reached a compromise it would have been also good but I think it also tested the strength and the democratic credentials of our association".

On the insinuation by some critics of the process that he was prevailed upon by some people to contest in order to checkmate Mr. Ogunsola, Mr. Ekpu denied the charge and defended his change of heart. According to him, "There is actually no fixed time for filing your papers". He noted it was professional people in the media that implored him to contest given his knowledge of the issues as former General Secretary.

On allegations that the circulation of two Constitutions at the meeting was intended to mislead participants who voted to his advantage, Mr. Ekpu said while it was a mistake on the part of the secretariat management, he explained that nothing in the constitutions that could have assisted anybody to win or to lose the election. He said if the constitution had been followed, "it would have knocked out the other candidates because if you are not a member of the executive council you couldn't even contest and none of them was".

He denied wiping up ethnic sentiment to win the election, among other allegations and condemned the suggestions by The Comet that the organisation should be split to make it more relevant to the members.

**It Is All Post-Election Propaganda - Ray Ekpu**

As the controversy rages regarding the fairness or otherwise of the recent election into the executive committee of the Newspapers Proprietors Association of Nigeria (NPAN), newly elected president, *Mr. Ray Ekpu*, chief executive of Newswatch defends his election. He also spoke on other related issues in the interview with Osaro Odemwingie, for media Rights Monitor.

Excerpts:

*Until your election, NPAN had not organised one in recent times, why couldn’t any of the contestants step down for the other?*

Well, elections have been done before but that's long time ago. What we have tried to do in the past was to arrive at some compromise and chose the president by consensus; that is what we did in Kaduna in 1995. But apparently this time it was not possible to achieve that kind of consensus or at least to get the three people who were involved in the campaign to work out an arrangement that would produce one person without having to go for a ballot. We did have a...
meeting, three of us were asked to meet but we couldn't quite arrive at some form of agreement and the elders also met with us that night, but it wasn't possible to have an agreement. Of course at a late stage, that is in the evening before the election, Chief Sunny Odogwu, one of the contestants had stepped down for me and had actually asked the other candidate to step down for me but that didn't happen. But it was good for the association. I believe if we could have arrived at a compromise it would have been also good but I think it also tested the strength and the democratic credentials of our association.

*Your decision to run was apparently taken very late because all along, we were informed that the only person standing for the election was the MD of The Punch, Chief Ogunsola. You said in some media report that you were prevailed upon by some people...*

No, there is actually no fixed time for filing your papers. So the question of filing it early or filing it late does not really arise. You can file your papers in the morning of the election and say you want to run and you can run. There is no time limit. Yes some people might start early some might start late, but that is neither here nor there. Yes it is true I said elsewhere that I didn't decide initially to run but when one of the papers announced the two candidates who were supposed to run at the time, some guys, mainly professional people in the media, started calling me and saying "why are you not running? The General Secretary know a bit about this business, why are you leaving it only to the 'insurance people'" as they put it. But I said well they are equally qualified because they are proprietors. So it was actually the individuals, not groups. We don't have groups in the association. We only have individual newspapers and magazines and their proprietors. They were there and there are no groups that are known to me in the association.

*You were for many years the General Secretary of NPAN, what were those things that you could not achieve as the General Secretary that you think you can as President?*

Not necessarily that you feel you need to be the President in order to achieve what you want to achieve. The association is run by an executive council and no matter how powerful you are as the General Secretary, there are still some limitations to what you can accomplish. As the General Secretary you may be full of ideas and you throw up these ideas sometimes they are accepted sometimes they are not. But I think as the President, you have a higher leverage particularly if you have some experience of what happened in the past... there were some issues, for instance, we wanted to set up some committees to deal with specific issues to give some serious thought to specific issues in the media and we didn't get the approval of certain people... But now we have just set up four committees because I had to push for those committees to be set up. I believe that we will benefit more because we will get a lot more information on these issues and we would use the benefit of such information to the advantage of the association.

*There were allegations after the election; that two Constitutions were circulated which misled people; that an ethnic agenda was brought into the electoral process and; that there were some publishing concerns which had not been publishing for a long time and which ought not have voted but were allowed to vote. People say all these were calculated attempts to assist you to win the election. How would you react to these allegations?*

Thank you very much. It is because you have raised it, I really wouldn't be interested in such post-election propaganda, that's what I will call it. I know for instance that it is not easy to accept defeat in an election. But my colleague, Chief Ajibola Ogunsola, was gracious enough to come and hug me and congratulate me when the election results were declared. So I would say some of the papers that have written, some of them or some of the journalists were not even there to see what was happening during the election. Some of these people who are trying to weep louder than the bereaved, I haven't really seen any substance to these allegations. But for whatever it is worth, I can advice that if you look at the margin of the whole thing 41 to 66 it's not something that you can say that somebody manipulated. It was an election that was done in the open, very much in the open and if you look at the people who handled it, Prince Tony Momoh and Dr. Doyin Abiola, they are people of high integrity in the profession and in this country.
Now to some of those issues you raised one by one: The Constitution issue; having two constitutions; it is neither here nor there because the Executive Secretary said there was a mistake. He found them in the secretariat and he made copies. He didn't even know that there were differences. But there is nothing in the constitution that could have assisted anybody to win or to lose the election because the two constitutions approve five delegates from each news organization. In fact, if we were to use any of the constitutions, it would have knocked out the other candidates because if you are not a member of the executive council you couldn't even contest and none of them was. So that section was waived. If not, none of them could have contested.

I don't know about the ethnic agenda. I don't weigh ethnic factors. Maybe because I come from a nameless minority of minorities tribes in Nigeria so such silly talks about where somebody comes from doesn't impress me. But I do know that such things do occur. At least I was told that some of those who campaigned against me played the ethnic card. It wasn't important for me. What was important to me was to reach our members in every part of Nigeria. I spoke with lots of them on the phone.

The ethnic agenda business; I did hear that some people were campaigning against me on ethnic basis, playing ethnic cards, but I don't think that it worked. I think that Nigeria is bigger than all of that pettiness and the members of the association demonstrated that Nigeria is a big country made up of different parts, different groups and you must respect that. And the electoral process was transparent, very, very transparent. I never heard one person say before the voting that the election was rigged or that the process was not transparent. Every representative was called out, stood up and checked and the election was conducted by Prince Tony Momoh and Dr. Doyin Abiola so all of the registration process was completed.

The other charge in this regard is that some news media that are not paying their dues or were rested were given opportunity to vote.

No. Nobody who didn't pay dues could be registered. In fact, you have to pay your dues to be registered. So there was no problem about that. I heard of the problems, not during the election or during the conference, it was later that I started reading in the papers that some dead publications were brought to come and vote. But you see, the registration of the NPAN is the company publishing. You can publish twenty titles you will still be entitled to five votes because it's just the company. You can publish one title, you will still be entitled to five votes at the elections and there is nothing in the rule or in the practice of the association that says if at any given time your publication has problems or that your publication is temporarily rested that you cannot vote in an election. Once you pay your dues you can vote. It is not the newspapers or magazines that go to vote, it's the proprietors. The registration is actually the company not the title that belongs to the member. You have a situation where the New Nigerian was rested, it came back and is publishing. There was a time that The Guardian, The Punch, The Champion, Vanguard, they were all closed, they were proscribed: you don't throw a member out just because it has a temporary difficulty either through government closure or their own decision to shut down because of financial difficulties. The situation of our members… some do well today and tomorrow they don't do well, you don't neglect them or throw them out when they are not doing well. Some that are not doing well today might do well tomorrow. The strength of our members varies and their fortunes vary with the fortunes at the companies and the economy. So what we should actually be doing is to encourage all our members to help them to improve their businesses. One of the committees we are setting up is to deal with this aspect: How do we help our members to stay in business? How do we improve our membership? If we shut our door against them, you would be like the man who marries his wife when the time was good or the woman who stays with her husband when things are good. As far as I am concerned, membership is for better or for worse; whether the times are good or bad. If you are a member, you should be encouraged and supported.
Would you consider it a case of a bad loser, the number of media reports that suggest the election wasn't fair and some even suggesting very radical measures to address what they see as an unfair arrangement? For instance, there was an editorial in The Comet where the newspaper, as part of its misgivings, suggested that there should be a balkanization of the association whereby the independent newspapers can have their own body in the nature of the NPAN and even the magazines can have theirs.

Yes. You put it properly; a case of bad loser, sour grapes and however you want to put it. Because The Comet, the Managing Director has been active, he has never suggested this before. Now because the election didn't go their own way, you begin to come with some weary ideas. How many newspapers and magazines are in Nigeria that you want to have separate ones for the private group, separate one for the government group, separate one for the magazines? You will just be having meaningless splinter groups that don't have any strength. There is strength in numbers, there is strength in variety, there is strength in having papers of different groups, papers that have different voices; multiplicity of voices. That is the strength the association. I don't think we want to have different groups fighting each one from its own little corner. I don't think it is a good idea. What is really the purpose of an association of this nature? If you have five papers working together, how well can they do, how well can they perform? Perhaps papers from one locality, how well can they perform. You don't begin to create this kind of dichotomy. We are campaigning for more members because it would be helpful for institutional restructuring of the industry. You have a stronger bargaining point, when you are going to tell government and telling them that they shouldn't impose VAT on newprint because they are educational materials. You have a more resonant voice. It is like having one broomstick; you can easily break it. But when you have a bundle of brooms, you can't break it easily. So I will be calling on all newspapers and magazine to register with the association because that is what gives strength. Forget about Ray Ekpu, my term will end and somebody else will take over. So it has nothing to do with me. So somebody should not use me as a platform for making some ridiculous recommendations and destroying the association. You can't destroy what you didn't have, what you didn't build. It is not the right thing. We should be improving on it and leaving a legacy for some other people. And that is what my executive will like to do.

Can you in specific terms tell us some of your programmes so that at the end of your tenure we would be able to evaluate your performance based on those outlined programmes?

It is not a Ray Ekpu issue. Ok, I am the President, but I have to carry the members along, I have to carry the executives along too. And that is what I am trying to do. I am an Inclusionist. I like to bring people together, I am a team builder and I believe in team players. What we have done for a start is to identify some of the problems of the industry and that is why I told you earlier that we've set up some committees to deal with these problems. These problems relate to advertising debt, the fortunes of members, the training of our members, press freedom issues, the actual finances of our association and of course membership.

We have set up four committees to work on these various issues so that they can put together wealth of information that we will use in taking decision and in taking the next few steps. I can tell you that there has been no training of our media people. In the last seven years we have had two training programmes, but I am looking at a situation where we would be able to have two or three training programmes every year for various groups within the industry- reporters and editors, advertising people, marketing people, the whole works; and how we can distribute our publications better rather than the haphazard way that we are doing it now whereby each organization puts its truck on the road and goes to a particular place and they all drop the papers at the same point.

We are not taking advantage of whatever economy of scale could come from pooling our resources and getting these papers circulated or distributed properly by maybe one or two organizations. We are also looking at the possibility of being able to import newprint and sell to our members at reasonable prices. These are all exploratory.
Of course we are looking at the advert situation, the low volume of adverts for the print media as opposed to some of the other media, whereas in Europe and America, it is the other way round. The advantages of permanence, the strengths of the print media have not been exercised sufficiently. We have not pushed; we have not gotten these advantages projected properly to those who ought to take notice, to those who ought to do business with us. We actually have the proposal to push these advantages and whatever other advantages the print media has. And luckily our members have improved in their printing qualities, they have improved their colour, the production and there is no reason why we shouldn't have a bigger share of the advertising market.

The second strand of the advertising problem is the huge industry debt. Many of my members are being owed, by the advertising agents in particular, and we have to push the view that there must be a different way of doing business. We can't do business in the year 2002 the way we were doing business 20 years ago. There is a change in the economy and there must be a change in the manner of doing business. You can't continue to do business on credit, a lot of people are owing you huge sums of money. You have to pay a bank rate of 35% while somebody is keeping your money.

Also, we will be making our members more loyal, more dedicated to the association if we don't abandon them in their hour of need… a particular company is in distress or has problems we don't consider it to be our member, we don't do anything, we don't even ask questions. I think it is going to be different. We will have to find out what is happening to our members.

This year, in December, our association would be 40 years, we should be thinking of what we would be doing to mark that occasion and I am going to push some ideas to the executive council so that we work towards it.

Of course the media matters, the press council issues, performance of publications under a democratic government, are we doing it right? There are lots and lots of matters to deal with. I think we will take them in our stride.

Media Rights Monitor is published monthly by the Media Rights Agenda (MRA), an independent, non-governmental organisation established for the purpose of promoting and protecting press freedom and freedom of expression in Nigeria. MRA is registered under Nigerian law and has Observer Status with the African Commission on Human and Peoples’ Rights.

Media Rights Agenda (MRA) is an independent, non-governmental organisation established in August 1993 for the purpose of promoting and protecting press freedom and freedom of expression in Nigeria. MRA is registered in Nigeria, and has Observer Status with the African Commission on Human and Peoples’ Rights in Banjul, The Gambia.

The Aims and Objectives of Media Rights Agenda are:

a. to promote respect and recognition for press freedom and freedom of expression in Nigeria;
b. to provide protection and support for journalists and writers engaged in the lawful pursuit of their professional duties;
c. to promote the highest standards of professional ethics, integrity, training and conduct in the journalism profession; and
d. to bring about a conducive social and legal atmosphere for the practice of journalism, and ensure the protection of the journalist’s right not to be compelled to work against his or her conviction or disclose confidential sources of information.

Executive Board

Morenike Ransome-Kuti, Chair
Josephine Bamidele, Vice Chair
Edetaen Ojo, Executive Director
Tunde Fagbohunlu, Legal Director
NITEL: Hitch In A Sale

Months after the planned privatization of Nigeria Telecommunications Limited (NITEL) hit the rocks all the parties involved in the botched sale have been blaming each other over what happened. While the Bureau of Public Enterprise (BPE) said there was no underhand dealing with Investors International (London) Limited (IILL), which won the bid but
later failed to pay, the House of Representatives Committee on Communication, one of the two legislative arms in Nigeria, accused the BPE of bending the rules to favour IILL. The Committee said IILL had neither the technical capacity nor the financial wherewithal to take over NITEL. The BPE furiously denied the charge and in turn accused the House of Representatives Committee of witch-hunting.

Another twist to the saga came when Telnet, the communication company that came second in the bidding exercise, claimed that it was never contacted by BPE to take IILL's position when the later could not meet its financial obligations.

Before stating the position of each party in the dispute, it is necessary to go back to the beginning. The Federal Government made the sale of NITEL a priority in the year 2001. In a report to the House of Representatives Committee on Privatisation of NITEL and the Telecommunication Sector Reform on Tuesday February 19, 2002, by the National Council on Privatisation, the Federal Government inaugurated the Telecom Sector Reform implementation Committee (TSRIC).

Its terms of reference included to formulate sector proposals for the approval of council to create conditions for the reform, deregulations and suitable private sector led development of the telecommunication sector.

TSRIC was also to advise council on related policies and programmes to promote competition efficiency and transparency in the restructuring, deregulation and privatization within the telecommunications sector.

In addition, it was mandated to:
- Formulate proposal for the approval of council, to attain private financing and investment in, and market led growth of the telecommunications sector,
- Coordinate all sector activities of the ministry,
- Regulate public enterprises and private operators and
- Brief council on a regular basis drawing attention to progress, constraints and proposed solutions.

As soon as the legal framework for the deregulation of NITEL was put in place by the TSRIC, the Bureau for Public Enterprises, the organ charged with the responsibility to privatize NITEL, took out adverts in May 2001 for potential core/strategic investors for the 51% controlling shareholding in NITEL. The closing date was fixed for June 11, 2001.

Eventually, the following three groups paid the required sum of $25,000 and proceeded to the due diligence stage.

* Investors International London Limited, comprising of KPN, Portugal Telecoms General Dynamics, CRM Solutions, Continental Holdings SA;
* Telnet Consortium, comprising of Korea Telecom, Swedetel, Telnet;
* Newtel Consortium, comprising of Detecon-Deutsche telecom, BT limited, Dangote Group.

On November 13, 2001, the financial bids of the investors were publicly opened and televised for Nigerians.

After two rounds of bidding the following groups emerged winners
* IILL - $1,317 billion preferred bidder
* Telnet - $1,310 billion reserved bidder
* Newtel - $1,072 billion

The closing of the divesture process was scheduled for February 12 2002.

However, on February 4, 2002, IILL wrote to the council on privatization requesting a six week extension for payment of the balance or 90 per cent.

Following IILL's request, the BPE claimed that it wrote the Reserve Bidder, Telnet, on February 7 asking it to be on stand by in the event that IILL defaulted. Telnet claimed that it never got the letter.

BPE further claimed that it received a letter on February 8 from Telnet informing it that it no longer considered itself the Reserve Bidder and had moved on to consider other opportunities.
IILL failed to meet the deadline for the payment of the 90 per cent balance of the bid price on February 11, 2002. It insisted on its request for a six-week extension of time to raise the outstanding amount or $1,1853 billion.

Explaining why it declined to take up BPE's invitation Telnet said its bond was not returned "to us pursuant to our emergence as the Reserve Bidder as indicated in your aforementioned letter, but rather pursuant to your acknowledged conclusion of the privatization of NITEL as stated in your letter of November 30, 2001, a copy of which is attached herewith.

"Furthermore, in the BPE bid process documents, the role of the Reserve Bidder beyond the signing of the Sale Agreement by the Preferred Bidder was left fuzzy and tentative you may will also recall that clarification was sought on this matter during our last meeting on November 29, 2001 and you promised to revert to us within a week from that date. Unfortunately you never responded to our enquiry.

"Kindly note that it cannot be deemed that we are forfeiting our position as Reserve Bidder at this point for all intents and purposes our position as Reserve Bidder ceased with your notification to us of the conclusion of the privatization of NITEL as stated in your letter of November 30, 2001 and the return of our bid bond. That obviously also informed your failure to revert to us on our enquiry as regards the role, if any, of the Reserve Bidder after the signing of the Agreements by the Preferred Bidder. In the circumstances, we had since moved on to pursue options in other areas"

Responding to allegations that it (BPE) deliberately shut out Telnet from the process, BPE in a chat with journalists said its decisions to return the Bid Bond to Telnet Consortium, which led one of the newspapers to give the impression that a “fundamental error” was committed, was not crucial to the process, BPE admitted the wordings in a letter written to Telnet returning its Bid Bond was inadvertent because in the letter, the BPE stated: "Following the conclusion of the NITEL privatization, we hereby return your bid bond.

"Mr. El-Rufai (D.G of BPE) or BPE was very clear that the phrase contained in the letter which was signed by a BPE official, other than himself, was included in error since it is obvious to everyone then that the NITEL transaction had not been concluded. In fact, the 10% deposit by IILL had not been made at that time"

BPE further claimed that Telnet's claim that BPE never contacted it after it was given the transaction documents was spurious and therefore not the real reason the Consortium turned down the offer on February 11, 2002 to resume negotiations in its capacity as the Reserve Bidder after IILL had failed to meet its deadline to pay the outstanding bid price for NITEL. El-Rufai said the real reason Telnet rejected the offer arose from the fact that it may not be in a position to meet its bid price for NITEL.

BPE later appeared before the House Committee on Communication and Privatisation process to defend allegations that it favoured IILL. BPE said contrary to the allegations made by the Chairman, House Committee on Communications, Nduka Irabor, that it (BPE) circumvented the rules or the bid process in favour of IILL, it (BPE) did not at any time bend the rules to favour IILL or any of the other bidders who participated in the process.

"It is pertinent to add that ever since the conclusion of the Technical evaluation and financial bid opening processes, Telnet and Newtel Consortium, the two parties directly involved in the NITEL privatization process have at no time accused the BPE or any one in the presidency of flouting the rules in favour of IILL.

"This makes it all the more strange that some members of the national assembly including the media have taken it upon themselves to be crying louder than the bereaved.

"Whilst appreciating the concerns of the public on the need to uphold a fair and transparent process, the BPE would like to restate that its decision to grant the six week extension was necessitated by the need to move NITEL's privatization forward after carefully exhausting all laid down requirements stipulated under the bid and privatization process."
These requirements included giving IILL the opportunity to meet the February 11, 2002 deadline to pay the outstanding purchase consideration of $1.183 billion for NITEL share, failing which we would invite the reserve bidder, Telnet to commence negotiations on the transaction documents.

However, as you well know, Telnet rejected our offer to commence negotiations, leaving us with no other alternative than to resort to whatever options we deemed appropriate, including granting the six-week extension sought by IILL, to keep the privatization of NITEL on course. In the same vein, aborting the entire process and re-tendering NITEL was discarded for the simple reason that restarting the entire process would have been costly and time consuming at a time the Federal Government is aiming to make NITEL more competitive under a liberalized operating environment.

Therefore, by granting IILL the six-week extension, the NCP acted in consonance with other transactions in which we were left with a sole bidder seeking to acquire a state owned enterprise. To this end, just as in the case of the Nigerdock and FESTAC '77 transactions, we have communicated to IILL of our intention to surcharge them at the prevailing London Inter-bank Offered Rate (LIBOR) + 1% of the outstanding balance of $1.185billion. In addition to this, IILL would forfeit the $5million bid bond it posted in November last year as part of the requirements under our pre-qualification criteria. At the time, we had made it very clear to all three bidders that the $5million bid bond will be called in the event the preferred bidder proves unable to meet the financial commitments for NITEL's shares on due date(s).

From the foregoing, it is clear that the NCP has not and is not subverting its own rules to favour IILL to the disadvantage of other bidders. We are therefore at pains to understand the rationale behind Hon. Irabor's attempt to misinform the public about the process and/or attempts to draw comparisons between the privatization of NITEL with the GSM licensing process. As a matter of fact, his claims that we refused to disclose the fact that IILL had requested for an extension before the expiration of the deadline are spurious and unfounded.

The fact of the matter is that when IILL through its letter, which we received on February 6, 2002, requested for the extension, the Consortium still assured us during telephone conversation of their ability to still secure a bridging facility from their financiers on or before February 11, 2002. In spite of this, and the doubts that had crept in after receiving IILL's letter, we did informally contact Telnet by February 7, 2002 and intimated them of the possibility of commencing negotiations with them after the expiration of the deadline given to IILL. In essence, we had to wait till IILL had defaulted on its payment obligations before formally contacting Telnet, as stipulated under the bid process guidelines and duly making this known to the public.

Similarly, the accusations made by the House Committee Chairman that we went ahead to pre-qualify IILL in spite of the fact that it had no technical services agreement with Portugal Telecom are anything but true. There will be no gain stating the fact that if this had been the case, Hon. Irabor from November last year, would have been at the vanguard of those who would have criticized the BPE for attempting to sell NITEL to a consortium that did not have a technical partner to run NITEL.

Also, at no point in time did Portugal telecom ever disavow its interest in NITEL or the Nigerian economy. The Portuguese firm only expressed reservations over the title of Tripartite Technical Services Agreement, which at the onset was referred to as the 'Operator Agreement'. You would recall that Portugal Telecom went to great lengths to explain that they had no problems with the substance of the agreement, which we must add is in sync with the requirements of any telecom technical services agreement. In its estimation the term 'Operator' led its shareholders to wrongly conclude that it had surreptitiously acquired NITEL, as opposed to entering into a technical services agreement to manage NITEL on behalf of IILL.

Finally, whilst not wishing to be drawn into the CIL GSM licensing issue, the BPE feels there is a compelling need to draw a very clear distinction between the extension granted IILL, and NCC's refusal to award CIL a digital mobile licence. Attempts to compare the two
transactions are absolutely baseless unlike the NITEL transaction, which in the first instance is significantly bigger than the licensing regime, has now seen the BPE left with a sole bidder. However, during the GSM licensing, there were three other companies that had met the deadline, thereby culminating any compelling need for the NCC to rethink its decision not to award CIL a license. With the turn of events in the telecommunications sector in the last one year, we are also now drawn to conclude that another reason NCC may have decided not to return the licence to CIL, may have arisen after the realization that it would have to reserve a GSM licence for the operator of the Second National Carrier (SNC).

“It is also no hidden fact that CIL did not ask for an extension to meet the deadline or seek for some form of indemnity from NCC over the disputed frequency until four days after the expiration of the deadline given the company to pay for its licence. Most importantly, all evidence point to the fact that CIL till date has failed to present the true facts of the payments details for the said GSM licence. It is a well known fact that even Chase Manhattan Bank of New York, which strangely enough CIL has now deemed it necessary to drag to court and not NCC or the Federal Government, did tell the Central Bank of Nigeria on February 9, 2001 (the deadline given to the operators for their GSM licences) that Banque Paribas' transfer instructions on behalf of its client (CIL) were ambiguous.

“It was later discovered that Bangue Paribas had in fact paid the licence fee into an escrow account in Chase Manhattan and not Central Bank's account with the bank. Yet, we all know that there is a very clear distinction between CBN's account and another account over which it has no title. Despite this, CIL in all its campaigns and adverts in the last one year, has conveniently failed to disclose or publish the accompanying letter that followed Banque Paribas' transfer instructions to Chase Manhattan, that the funds be placed in escrow, pending the resolution or presentation of a control letter from NCC indemnifying CIL from the disputed frequency.

“The BPE is therefore advising those sympathetic to the CIL cause to desist from riding on the back of the NITEL transaction to push through their agenda, as such mischief is only meant to distract us from carrying out our obligations to conclude the privatization of NITEL in a transparent and open manner”, the BPE official said.

Newspapers Proprietors ban Beat Associations

The newly constituted executive of the Newspaper Proprietors' Association of Nigeria (NPAN) has banned the formation of beat associations by journalists. Affected by the ban are associations such as National Association of Political Correspondents (NAPCO), Sports Writers Association of Nigeria (SWAN), League of Airport Correspondents, Maritime Reporters Association and National Association of Women Journalists (NAWOJ).

The print media owners warned that it is forbidden for journalists to claim a membership of any associations except the Nigerian Guild of Editors (NGE) and the Nigeria Union of Journalists (NUJ). The measure is intended to boost the credibility of journalism, which has recently taken hard knocks from members of the public who claim that many journalists operating under the umbrella of beat associations routinely fleece them of monies in order to report events.

These two groups, the publishers' body reiterates, are "the only professional groups recognized by the NPAN".

At the meeting of its new executive council, NPAN threatened that heavy sanction awaits "any journalist in the employment of an NPAN member found belonging to any beat association or sub-group other than those recognized."

It cautioned members of the public not to have any dealing with 'pseudo' associations and sub-groups except the NGE, NUJ and the NPAN, as the three constitute the Nigeria Press Organization (NPO).
The organization hinged this resolution on the grounds that "the proliferation of dubious self-serving beat associations has soiled the integrity of members and is capable of throwing the journalism profession into disrepute.

There was no immediate reaction from executive bodies of the beat associations affected by the directive, specifically NAWOJ, which appeared to have earned some credibility and has become generally accepted.

Some media organisations have applauded the action of NPAN and called for support from individual media organisations to effect the ban. The Guardian in a recent editorial said the ban was long overdue and praised the decision.

Earlier in separate interviews with Media Rights Monitor, many senior journalists have blamed the declining ethical standards in the Nigerian media on the activities of beat associations. They include Mr. Nosa Igiebor and Ms. Comfort Obi, executive officers of TELL and The Source magazines, respectively, and Remi Oyo, President of the NGE.

The executive council meeting held at the body's new secretariat at Maryland Crescent, Maryland Estate, Maryland, Ikeja, Lagos also noted the adverse effect of huge advertisement debts, which according to participants, "could cripple their operations and worsen the unemployment rate in the country."

Consequently, it was resolved that members were free to change their advertisement rates at any time provided 30 days notice is given.

Not only that, publishers were admonished that all advertisements should be published on: cash-and-carry or prepayment basis; credit may be granted to reputable agencies and advertisers, but where credit is granted it should not exceed seven days; and any indebtedness which exceeds seven days shall attract interest at the prevailing bank rate.

This position expectedly dictated the attitude of the NPAN at the 2002 Media Summit held between April 11 and 12 in Abuja. The summit featured all stakeholders in the media/advertising industry. It was conceived by the Heads of Advertorial Sectoral Group (HASG) of which NPAN is a member, to negotiate and agree to uniform policies and standards, including industry-based sanctions.

But two major issues that participants examined at the summit, according to the chairman of the summit's steering committee, Mr. George Thorpe, are the industry's debt problem as well as the increase of advertisement rates by the media houses.

Other members of the HASG are Association of Advertising Practitioners of Nigeria AAPN; Advertisers' Association of Nigeria (ADVAN); Broadcasting Organisation of Nigeria (BON); Outdoor Advertising Association of Nigeria (OAAN) and Media Independent Practitioners’ Association of Nigeria (MIPAN).

Meanwhile, NPAN has appealed to members to be firm in observing the industry's guidelines while berating the lack of will shown by members to do this especially in the area of advertisement.

Since the emergence of the NPAN's new leadership in Abuja about four weeks ago, the debt issue has been canvassed as the priority of the new team.

Recently at a gathering, NPAN President, Mr. Ray Ekpu disclosed that a forum was underway to address the problem of debt "that is becoming an unbearable burden to members of the organization.

"We want to address the debt problem among other issues. We at NPAN are of the view that advertisers have to find new ways of doing their business. Gone are the days when you can place advert and wait for 60 or 90 days to get your money," Ekpu remarked.

He similarly re-echoed this view in a recent interview with Media Rights Monitor (see second story).
ESSAY: A Vote For An FOI Law by Lanre Arogundade

This public hearing on the Freedom of Information Bill (FOIA), to us, is an evidence of that the dispensation in Nigeria has indeed changed. How well it is changing will however partly depend on what becomes of the FOIA Bill.

As it has been severally documented, the media played a principal role in bringing about the present dispensation through the many battles it waged against military dictatorships. Arising from this historical fact and the fact that it is in the interest of the society, public good and good governance, the media has a major stake in the survival of the on-going efforts at institutionalizing democracy in the country.

A civil dispensation necessarily presupposes the enjoyment of the fullest democratic rights by the entire citizenry. Principal among these rights is the right of access to public information by the media and the public. It is worth reiterating that one of the reasons why the media opposed military rule was because it trampled on the right to freedom of opinion, freedom of expression and freedom of thought all of which constituted major barrier against access to information that were in public interest.

The advent of civil rule since May 29, 1999 has not necessarily or fundamentally altered for the better the face of information management in the country. The Freedom of Information Bill provides a great opportunity, therefore, to correct a past anomaly while opening fresh vistas for the dissemination of information to the widest segments of the populace. Through this, democracy is sure to have firm roots in our society and grow into a giant tree that cannot easily be uprooted.

It has been observed many a times that whereas section 22 of the 1999 constitution tasks the media to monitor governance and hold government accountable to the people, the constitution does not otherwise give the media the corresponding powers to do this. What has been stressed is that an FOIA will be a logical tool for the media to do that which section 22 asks of it: "The press, radio, television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in this chapter and uphold the responsibility and accountability of the Government to the people"

In the words of Nelson Mandela, the greatest African Statesman of this era:

A critical, independent and investigative press is the lifeblood of any democracy and the press must be free from state interference and must have sufficient independence from vested interests to be bold and inquiring without fear and favour. It is only a free press that can temper any government to amass power at the expense of the citizen and act as a vigilant watch dog of the public interest against the abuse of power by persons in government.

Why is access to information so important to the media?

First, the International Federation of Journalists (IFJ) has advanced two cogent reasons, which we agree with. Namely that:

- The test of any democracy is the quality of public debate, transparency and tolerance in society. It is to media that people look for a variety of opinions, ideas and thoughts which exist in every community and which provide the raw material for democratic debate.
- Journalism can be catalysts for social change, but media require improved conditions to be able to make a contribution to the process: a sound legal framework, a fair allocation of public resources, improved training facilities, a safer workplaces, a more tolerant society.

Second, the media needs the FOIA to improve on the accuracy and credibility of its reports. The public has oftentimes blamed the media for not being able to come up with accurate figures when disasters involving many lives and property are involved. What is often not realised is that the media is handicapped by the fact that relevant authorities in particular situations i.e. the hospitals, fire brigade or the police in the case of accidents, are forbidden by civil service rules and procedures, from speaking to the press.

Why is access to Information so important to the society?
Access to information is not contemplated as a right to be enjoyed by the media alone much as it may act on behalf of the society. It is a basic right that everyone should enjoy. Article 19 of the Universal Declaration of Human Rights which provides for the right to freedom of opinion and expression, states that it includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of any frontiers.

A variety of information are needed by the public:

- Information on all the arms or levels of government (executive, judiciary, legislature) and governmental institutions including the different departments and agencies.
- Information on economic and business activities involving the government and the private sector.
- Social, cultural, political and demographic information.
- Information on the security and Law Enforcement Agencies as well as the legal apparatus of the state.
- Information relating to health, education, infrastructure and other development indexes.
- Information on foreign political, economic and cultural relations.

Availability of and access to the above information will facilitate the input of the citizens to the process of governance while making it possible to plan for social and economic development.

For the administration of President Olusegun Obasanjo in particular, access to information should be seen as a logical part of the crusade against corruption that has already led to the establishment of an anti-corruption commission. Even the most efficient of intelligence agencies still need information from other segments of the society including the public servants. But for them to be able to provide such, the veil of secrecy that currently surrounds official transactions have to be removed and this is one of the things the FOIA Bill can do. It should be noted here that the penal code makes it an offence for any public or civil servant to disclose official information.

It provides that:

*Any person who being employed in the public service, publishes or communicates any fact which comes to his knowledge by virtue of his office and which it is his duty to keep secret, or any document which comes to his possession by virtue of his office and which it is his duty to keep secret, except to some person to whom he is bound to publish or communicate it, is guilty of a misdemeanour*.

**Why is access to information so important to the government?**

Much as the information that the public seeks comes from the government and its institutions, same government itself will still benefit from a Law permitting access to information. The executive will need it where the legislature is not forthcoming with information on some of its activities, the legislature will need it in the exercise of its oversight functions on the executive and the judiciary will need it in gathering all evidence in deciding important cases involving the other arms of government.

But the legislature, being that arm of the government that makes Laws for the society, is the one that perhaps needs the FOIA Bill more than the others.

Generally, it has been said that the government holds the key to freedom of Information in three ways:

* Firstly, as the executive power, it holds an immense amount of information without which it is impossible to understand properly what is happening in a country.

* Secondly, as the leadership of the country, it sets the note by which official and quasi-official bodies work. If the government fosters a climate of secrecy, that has an influence even with organizations which are not strictly under that control. The private sector for example finds it easier to act in secret, if governments are not open.
* Thirdly, as the legislative body, the government decides on the framework under which state organizations and journalists work. The law sets a framework for secrecy or openness. The legislature also decides the framework under which the police and judiciary respond to requests for information.

**Conclusion:**

The Nigerian media community is asking the National Assembly beginning with the Federal House of Representatives to set a framework for openness, transparency, and accountability and good governance that the passage of the FOIA bill will entail.

This of course, will be well in accordance with one of the resolutions of the May 2001 Windhoek 10th anniversary conference of the Declaration on the Development of an Independent and Pluralistic Africa Press:

*State should pass laws which provide for access to information held by public bodies, and to information required for the exercise or protection of any right held by private bodies, and such laws should be based on the principle of maximum disclosure.*

*This paper was the submission by Lanre Arogundade, co-ordinator, International Press Centre (IPC), on behalf of the Media for Democracy in Nigeria project (MFD) at the public hearing on the "Access to Public Records and Information Bill" organised by the House of Representatives Committee on Information, at the National Assembly in Abuja, October 3 & 4, 2001.*

---

**African Media Reposition For Effective Coverage Of Elections**

As Africa enters its third decade after the introduction of multiparty democratic systems, the demands made on the media during elections are considerable. And given the contestations that many recent elections in the continent has faced, many media professionals in the West African sub-region and media associations have began moves to ensure effective media coverage of election in the various countries. They have commenced activities to sensitize journalists and media practitioners on how to report elections without acerbating tension, which has become a common feature of elections in the region.

In Senegal, the Senegalese Union of Media and Communication Professionals (Synpics) recently organized a workshop entitled "Role of the media in the democratic process". The meeting was held within the context of the upcoming local elections being organized in Senegal on 12 May 2002.

Discussions centered on the coverage of these elections, the role of the media and its impact on the building and consolidation of grassroots democracy. The American cultural center in Dakar gave its support to the event.

Officers of the Higher Audio-Visual Council (HAC) reminded participants that the regulations in force prevent radio or television being used for veiled campaign purposes in regional, municipal and rural elections. It said candidates in the forth-coming election will not be given airtime for campaign purposes.

In Burkina Faso, journalists and representatives from the country's political parties met recently in a seminar-workshop to discuss the regulation of information in the run up to elections. The meeting, organized by the Higher Council for Information (CSI), brought together the heads of regulatory and self-regulatory bodies from Burkina Faso, Benin, Niger and Senegal.

The Council held an exchange of experiences on good media practice during elections with these institutions on the management of information during electoral periods for the purposes of transparency and the appeasement of conflicts.

Similarly, MediaChannel facilitated an on-line discussion for four African media specialists. The project was aimed at assessing the unique challenges for African media and the impact and potential of their continent's new election-monitoring and media-monitoring projects. The discussion was moderated by Murad Rayani and participants included Richard Carver,
Director, Oxford Media Research, consultant for monitoring projects in Cameroon, Kenya, Morocco, Namibia, Tanzania, Zimbabwe; Sam Mbure, Programme Director, Network for the Defense Independent Media, Kenya; Sizani Weza, Communications and Advocacy Coordinator, Media Monitoring Project Zimbabwe; Murad Rayani, Producer, MediaChannel: Africa.

The discussion examined the particular difficulties faced in African elections, including a lack of adequate civic education and the absence of faith and confidence in local initiatives, with the result that only Western involvement is seen as providing legitimacy. It also discussed the questions as to what should be the focus of media monitoring initiatives; What should be the journalists' role in informed democracy?; What is the impact of increased liberalization of the airwaves and the advent of private and new media?

The discussants agreed that the detailed reports of Media Monitoring Project which show attacks on the press, voting irregularities and bias in coverage before and throughout the recent elections demonstrate not only the importance of monitoring of this kind but also present a valuable model of a local watchdog. New initiatives can provide opportunities for coordinating and improving the media's monitoring role and equipping journalists with the necessary tools and training for their task.

The discussants agreed that from the economic and political pressures on both private and state-run media to the personal risks taken by those who would be a watchdog on power and give voice to the voiceless, journalism in Africa is fraught with dangers. They noted that the paucity in coverage both locally and internationally of some of the continent's most pressing issues is frequently matched by the difficulties in reporting the continent's many conflicts. Hostile regimes, the absence of strong regulatory frameworks and sheer economic hardship mean that Africa tops many lists tracking threats to reporters.

The discussants also noted that the advent of multi-party democracy in countries across much of the continent in the early 90s was accompanied by a liberalization of the airways. This, they noted, has not automatically led to greater democratic discourse as governments alter regulation and pass restrictive legislation. Kenya, they noted, for instance, approaches its third democratic election, with a proposed media bill that has been described as "draconian" by press groups and the civil society who are up in arms over the implications for free speech.

They also noted that, on the other hand the explosion in FM radio stations and the slow but remarkable introduction of the Internet as a medium that facilitates free discourse and participation have set off an explosion which government will find increasingly difficult to douse.

In Benin, the vibrant independent press has provided the framework for the country's democratic successes. Radio UNAMSIL is literally leading the fight for peace in Sierra Leone proving that the media is central in not just promoting freedom of expression but in expanding democratic rights of citizens.

The "woes" faced by the media community are not limited to the twists of hostile governments. Reporters, activists and educators often don't have access to reports and materials necessary for them to launch successful public campaigns. In Africa, freedom of information really refers to freedom of access to information. It is only by providing the media community with knowledge of health, poverty and human rights issues that journalists and citizens can hold governments to scrutiny and contribute to social change.

Unfortunately the current world crisis may put much of this in jeopardy. Many African countries have reacted with anti-terrorism legislation of their own. With significant Muslim populations in many African countries and a several suspects in the September 11 US attacks coming from Africa-fear of reprisals may cause governments to respond harshly.

Community broadcasting and new Information and Communication Technologies (ICTs) have become central to a large number of development initiatives across Africa. From email discussions of women's issues and emergency alerts by radio to street theater about health practices, media are helping communities to connect, inform, educate and communicate.
In Rwanda the government recently announced the establishment of an internationally backed high-powered ICT Policy Think-Tank with the mission to lead the process of creating the Rwandan information society and economy. Across Africa, media and new technologies are creating awareness, reaching isolated communities and connecting groups battling with Aids, promoting human rights and providing education.

Media coverage of new technologies has tended to focus on the digital divide, the lack of connectivity and poor infrastructure in Africa. New media technologies, however, may offer the opportunity to build more cost efficient systems of communication and contact than investment in traditional areas e.g., roads and postal services.

They also provide the means by which knowledge and information, arguably the most important elements of bringing about change in societies, can pass directly into the hands of local groups and communities. An International Federation of Journalists strategy document on democracy and development in Africa, which greatly informed our Africa project notes:

Modernization, urbanization and industrialization—all seen as necessary for African progress, have brought about much dislocation to communities and disrupted natural local environment. The establishment of telecenters and grassroots systems can provide critical information and resources to local groups at very little cost to the communities.

Radio, although not a new media in Africa, is playing a similar role. Radio remains both inexpensive and capable of reaching very wide audiences. Furthermore it allows communication to take place in local languages, important for both cultural and educational drives. In Senegal, for example, Ya Ya radio is providing an important voice for the youth whilst in Uganda the first all women radio station went on air recently.

Many NGOs, participants agreed, have recognized that whilst new technologies in fact offer the best alternative for the continent "considering Africa's poor communication and information infrastructure" they tend to be expensive, under-resourced and funded. On the other hand privatization and regulatory environments are threatening the public sphere and impact of such technologies making effective policy strategies more important.

RSF Unveils Damocles Network to Combat Impunity For Those Who Kill or Torture Journalists

The Paris-based press freedom and freedom of expression organisation, Reporters sans frontières (RSF), has set up a new project called The Damocles Network, which seeks to end the immunity that so many murderers and torturers of journalists enjoy. Funded by the European Union, RSF sends field-investigation teams (a legal expert and a journalist) to establish the facts and expose the shortcomings or ineffectiveness of state institutions.

The organisation then works with victims and their families through national and international legal authorities to bring offenders to trial. It also organises publicity campaigns to draw attention to the immunity that protects these criminals.

At a press conference in Madrid on April 8, the honorary president of the Damocles Network, Judge Baltasar Garzón (the former Nobel Peace Prize nominee who issued a warrant to arrest former Chilean dictator General Augusto Pinochet in 1998) praised the network's aims and its initial actions. He was accompanied by several Damocles board members, including RSF Secretary-General Robert Ménard, RSF President Fernando Castello, Paris lawyer William Bourdon, Paris Assize Court President Jean-Pierre Getti, French journalist and writer Christine Ockrent and Brussels lawyer Luc Walleyn.

Judge Garzón pointed out that for the first time in history, judges and journalists were working together to expose people who attack press freedom and taking legal action against those responsible for the worst abuses, such as murder, torture and making victims "disappear".
Garzón added that journalists and the media "are, through the existence of press freedom, the guarantors of other freedoms and human rights." He proposed that the most serious attacks on journalists be dealt with as crimes against humanity in the statutes of the International Criminal Tribunal which, by this year have been ratified by 60 countries. The tribunal will start operating in July.

Over the past ten years, 513 journalists have been murdered for reporting on wars, exposing corruption, fraud and abuses, and criticising politicians and corporate executives. In 95% of cases, the authorities have not found or even tried to find those responsible.

Damocles Network journalists and legal experts have already gone on joint fact-finding missions to Burkina Faso (to look into the December 1998 murder of Norbert Zongo), Russia (the disappearance of Vladmir Kirsanov in May last year) and Haiti (the murders of Jean Dominique in April 2000 and Brignol Lindor last December).

The Damocles Network has also begun legal action in Colombia in connection with the trial of the suspected killers of the popular journalist and satirical writer Jaime Garzón in August 1999. In Ukraine, it has joined the lawsuit being brought by journalist Georgy Gongadze's widow and by his mother. Gongadze disappeared in September 2000.

Judge Garzón proposed that the network protect the families of victims and witnesses of the crimes, which are usually committed in countries where personal safety is not guaranteed. He called on it to work closely with other international human rights networks to forge a solid front to work for the setting up of an international monitoring centre against impunity.

Media Under the Gun in Israel and Palestine

In a region where press freedom violations are not uncommon, attacks on journalists in Israel and Palestine have continued unabated since September 11, 2001.

Both the Israeli Defence Forces (IDF) and that Palestine National Authority (PNA) security forces have carried out acts of intimidation and censorship. International press freedom organisations report that journalists working in Israel and Palestine are often targets of aggression. These journalists take great risks by merely reporting facts.

"There is a clear effort to smother any type of negative news coverage" in the countries, says Joel Campagna of the New York based Committee to Protect Journalists (CPJ).

On the day of the terrorists attack on the World Trade Center and the Pentagon, Palestinian police barred news photographers and cameramen from events in the West Bank city of Nablus, where some Palestinians took to the streets in celebration.

A freelance cameraman working for the Associated Press documented the celebration, but was immediately threatened by Palestinian security forces who warned him not to broadcast his footage.

Three days later, Palestinian police in the Gaza Strip detained several photographers and cameramen working for international news agencies and confiscated their equipment. The journalists had been covering a rally in the Nusseirat refugee camp organized by the militant Islamic group, Hamas, to commemorate the death of a Palestinian suicide bomber.

On September 20, Palestinian police and security agents raided offices of the private television station Al-Roa TV, and ordered it to cease broadcasting immediately. No reason was given.

Four days later, Israeli Defence Forces banned journalists from entering the Palestinian villages Bait Reema and Deir Ghassana, where armed clashes were taking place. Both had been declared closed military zones, but no reason was given for obstructing the media's work.

When a group of journalists protested, IDF soldiers assaulted them and hit a journalist's camera lens. Israeli and Palestinian news reported that inhabitants from these villages had been killed due to Israeli army incursions.

The same day, IDF also barred journalists from the Israeli army post of Hamlish, where Israeli soldiers were giving the corpses of Palestinians killed in the clashes to the Red Crescent.
The CPJ's Campagna said, "Both sides show that they are more than willing to prevent images getting to the outside world … this is done in varying forms."

Moreover, the IDF routinely attacks journalists, physically assaulting them. In many cases, journalists have been shot at with rubber bullets.

"The circumstances of shooting incidents have raised the question that journalists are intentionally targeted," says Campagna. He added that the IDF does not safeguard journalists even when Jewish settlers are physically attacking them.

CPJ and other press freedom organisations have persistently pressured local authorities to redress abuses by security forces against journalists.

"With Israel, most cases are not dealt with properly or not investigated at all. We have not been pleased with the result," Campagna said.

"With the PNA, I'm not aware that there have been any investigation done on cases where the police have acted above the law, violating journalists' rights and confiscating their material."

For Campagna, the ideal of freedom of the press must not be forgotten, even after the events of September 11.

"We are trying to spotlight these problems by bringing international attention to them. The media play an important role in highlighting these abuses, it has prominently raised the issues internationally.

"Various media organisations are trying to keep these issues on the public stage," he added. "It is important that we continue to do this."

- Culled from CJFE Report Issue 1 - 2002

Journalist Arrested, Another in Hiding After Reporting Sex Scandal

The Cameroonian authorities on March 1 arrested Peter William Mandio, publication director of the weekly Le Front Indépendant, in Yaoundé. He was questioned several times about an article that reported on anextra-marital affair between a secretary-general and director-general from the office of the president. The article did not include the names of the accused persons. Mandio was released on the evening of 4 March, but was also ordered to "remain accessible to the judiciary."

According to the journalist, his arrest may also be linked to his participation in the National Committee Against Impunity (Comité national contre l'impunité), a local organisation that has filed a complaint for "crimes against humanity" against President Paul Biya in Belgium.

In addition, security forces are currently in search of Jacques Blaise Mvié, publication director of La Nouvelle Presse. The journalist published the names of the two senior bureaucrats from the president's office who were allegedly having an affair. Mvié is currently in hiding. According to his newsroom, plainclothes police officers are keeping the newspaper's offices under surveillance.

In an earlier incident, Georges Baongla - the publication director of the weekly Le Démenti - was given a five-year sentence on corruption charges. He was first arrested on 22 August 2001 for "publication of false news". The detention was linked with an article published on August 14 in Le Démenti which implicated Minister of the Economy and Finances Michel Meva'a M'Eboutou in an embezzlement case. Baongla was held briefly on accusations of "breach of trust" for allegedly not paying a loan back to the nephew of a government minister, a charge the journalist denied.

Baongla was arrested again on 9 January 2002. Two days later he appeared before a judge and was transferred to Nkondengui central prison in the capital Yaoundé. He had been tried in absentia in October 2001 but only informed about this trial after it had taken place. He had been found guilty of allegedly extorting ten million CFA francs from an official at the Ministry of the Economy and Finances. However, according to the editorial board of Le Démenti, the charges were baseless. They also claimed that Baongla had been persecuted on account of a series of articles in the newspaper denouncing financial malpractice by the Minister of the Economy and Finances.
In a letter to President Biya of Cameroon, the Writers in Prison Committee of International PEN, a global writers organisation expressed its "grave concern" over the imprisoned journalist. The letter, dated March 22, was signed by its International Chair, Eugene Schoulgin.

The organisation said without wishing to judge the merits of the case itself, there are several questions hanging over the judicial procedure surrounding it. First, the organisation noted that Mr. Baongla was arrested on one charge but tried on a completely different one. Secondly, the journalist was not informed of the date of his trial and so was unable to defend himself; and third, he was not re-arrested until over two months after the trial took place. Such irregularities, PEN said, not only cast grave doubts on the verdict of the court but raise suspicions as to the motives of those pressing charges against Baongla.

Given these evident procedural failings, PEN then appealed to President Biya to intervene in order that a review of the events surrounding the journalist's case be carried out. In the meantime, PEN urged the president to ensure that the journalist is released immediately pending such a review.

Newspaper and Editor Suspended for Two Months

The Independent Media Commission of Sierra Leone on March 11 ordered a two-month suspension of the private daily African Champion newspaper. The publication's managing editor, Mohamed D. Koroma, was barred from practicing journalism for the same period. The newspaper was distributed on 18 March.

Mr. Koroma, however, told Reporters sans frontiers (RSF) on phone that he intends to continue publishing his newspaper, despite the suspension order.

In a statement, the commission explained that the newspaper had published an article titled "Kabbah stinks in dubious deal again", in which it denounced the president's corrupt son. The newspaper added that the son was being protected by his father.

In a protest letter to President Ahmed Tejan Kabbah, RSF explained that while the organisation did not wish to comment on the facts of the case, it would like the head of state to consult with the competent authorities and see to it that the suspension measure is lifted. The letter signed by RSF Secretary-General, Robert Ménard, further noted: "The authorities should not forget that the commission's initial purpose was not to suspend or punish the independent press. The commission should not act as a substitute for legal measures or be used to hinder journalists' everyday work. In addition, an increasing number of observers are questioning whether the commission is truly independent".

"As the presidential elections draw closer, the president has to ensure that there is information pluralism in Sierra Leone and make a commitment to support press freedom," Ménard added.

ATTACKS ON THE PRESS IN MARCH 2002

Policemen Arrest Vendors, Disrupt Sales

Men of the Kwara State Police Command on March 1 disrupted the sales of newspapers in Ilorin when they arrested five vendors at about 11am. The vendors' offence was that they were selling newspapers in front of the Central Post Office in Ilorin. Two of the vendors were identified as Messrs Elijah Olayede and Ezekiel Oni.

The vendors who had been operating peacefully at the premises were by a February 19 letter signed by the Area Postal Manager, Mrs. O. Sowemimo, ordered to quit the premises. The central location of the Ilorin Post Office makes it a vantage point for the sale of newspapers.
**NTA Re-deploys Top Officials**

The Minister of Information and National Orientation, Prof. Jerry Gana, on March 7, 2002, removed Mr. Tonie Iredia, Executive Director (News), Nigerian Television Authority (NTA). Mr. Iredia was re-deployed to the Information Ministry. He is now Executive Director, Special Assignment.

The former Executive Director (Programme), Mr. Jimmy Atte was named as the new Executive Director (News), while Mr. Peter Igbo, who was Deputy Director (Programmes), was elevated to the post of the Executive Director (Programmes).

Although no reason was given for the redeployments, sources say the action of the minister, specifically regarding Mr. Iredia, was due to his refusal to allow the use of the state owned station to support the Executive arm of government and the ruling Peoples Democratic Party (PDP). Mr. Iredia reportedly did not allow the government unrestrained access to the Network news and insisted news reports must be balanced. Or at least the views of the other party to an event must be sought.

Sources say the government had been thoroughly disappointed with the NTA for quite some time now. The Minister of Information reportedly on several occasions summoned the Director General of the NTA to his office to convey government's dissatisfaction with the organization. The DG, sources said, consistently blamed Mr. Iredia.

The government accused Mr. Iredia of being an agent of the Speaker of the House of Representatives who has been a torn in the flesh of the President. He was also accused of giving undue airtime to the views of the other political parties.

Besides, Mr. Iredia had consistently insisted that the information ministry and ruling PDP pay for its announcements and other jobs done for them, insisting that the station would not grant credit facilities.

When complaints by federal executive council members became intense, regarding the station's insistence to give opposition access and heightened fears that with the next general elections so near, it would be dangerous to have a person with such a mind-set managing the news.

**Abia State Bars Two Journalists From Government House**

The Abia State Government on March 24 announced its decision to suspend until further notice two journalists in the state from covering activities of the Government House, Umuahia. The two journalists are Mansur Aramide, representing *Nigerian Tribune* and Ikechukwu Iziguzoro, representing *The Comet* newspapers. They were suspended because of a story they wrote and was published by their respective newspapers about the government. The stories alleged that the state government had ordered the removal of the pictures of President Olusegun Obasanjo from the State House and replaced with that of Vice-President Atiku Abubakar.

The journalists were suspended on the orders of the state’s Commissioner for Information, Culture and Tourism, Mr. Emeka Obasi, who accused them of publishing falsehood. Mr. Obasi had earlier threatened to sue their employers over the report.

According to Mr. Obasi, who briefed journalists, the state government took the decision after the executive council meeting the previous week.

The commissioner denied that the state government deliberately removed the portrait of the President and claimed that the office was undergoing renovations. But he did not explain why the picture of the governor was left and why the Vice-President’s picture was put in the place of the president’s.

But in an interview with correspondents at the Murtala Mohammed Airport, the state governor, Chief Orji Uzor Kalu, said he had no knowledge of the matter and claimed ignorance of the indefinite suspension of the two journalists from the Abia State House. He said it was not true that the pictures of President Obasanjo had been removed from the state, adding that he did not have anything against Obasanjo but had only demanded what belonged to the state.
Journalists Barred From Bribery Allegation Hearing

Journalists were on March 25 barred from covering the sitting of a three-man commission set up by the National Judicial Council (NJC) to investigate the bribery allegation leveled against Justice Augustine Ade Alabi.

At the commencement of the sitting, Chief Afe Babalola (SAN), representing Justice Alabi urged the commission to direct journalists to vacate saying, journalists were not usually allowed to cover such proceedings and that the panel should not be an exception.

The panel subsequently asked journalists to take their leave and the panel began sitting at 10 a.m with Major Hamza al-Mustapha being the first to mount the witness box.

In their petition, Bamiyi and four others accused Ade Alabi of showing undue bias towards them in a case involving them before him. They are answering to a charge of attempting to kill The Guardian Publisher, Chief Alex Ibru in 1996.

Journalists Barred from Government House

Ondo State government on March 27 barred journalists in from entering the Government Press Centre located in the Governor's office in Alalgbaka, Akure.

The Senior Assistant to the governor on media, Mr. Bankole Falade, sighed the order. He said the press centre would be relocated to government appointees as offices. Mr. Falade claimed that no government in Nigeria, including the Federal government provides press centres for journalists in their states.

Mr. Falade attributed the action to lack of office space for numerous newly appointed functionaries. But sources said the action was as a result of the corruption scandal the state was enmeshed in which the media have been covering.

JOURNALISM / PRESS FREEDOM AWARDS

Columbia University Offers Fellowship

The Columbia University Graduate School of Journalism is currently receiving applications for its newly introduced Kurt Schork Awards in International Journalism. Beginning in 2002, two $10,000 prizes will be awarded to a local reporter in a developing country or nation in transition, and the other to a freelance journalist covering international news, to recognize independent and professional reporting that sheds new light on controversial issues.

The stories can focus on conflict, human-rights concerns, cross-border issues, or any other issue of controversy in a particular country or region.

Underwritten by the Kurt Schork Memorial Fund and Reuters, and administered by the Columbia University Graduate School of Journalism, the prizes were created to honor Kurt Schork, an American freelance journalist who was killed in a military ambush while on assignment for Reuters on May 24, 2000, in Sierra Leone.

To be eligible, journalists must be employed by a local news outlet and residing in a developing country or nation in transition and his/her work must have been published in a local publication. Although individual journalists are the primary focus, submissions from a team of journalists will also be considered.

Freelance print journalists and those contracted by news organizations are eligible. A freelance journalist is an individual who is not employed by a news organization. They are self-employed, providing services, either on the basis of time or on the production of editorial materials as defined by individual contractual arrangements, and earn the majority of their income from journalistic activity.

Entry forms are available at the prize web site: www.jrn.columbia.edu/prizes/schork
Applicants should submit up to three articles that demonstrates professionalism, meets international journalistic standards, and gives evidence that courage and determination played a role in generating the articles. Winners will be chosen by an international panel of five judges. Winners will be announced in August and honored at an awards ceremony held in New York in October.

Articles must have appeared in print between May 1, 2001 and April 30, 2002. Each applicant must submit six (6) copies of the following:

- The original articles, accompanied by English translations if necessary. E-mail submissions will not be accepted.
- The applicant's curriculum vitae, listing education and journalistic experience, with dates;
- A statement providing background and context for the story submitted;
- A letter from the editor of the publication supporting the submission for the Kurt Schork Award, including confirmation of the nominee's employment status with the publication.

Please include one (1) photograph.

Applications should be sent to: The Kurt Schork Awards in International Journalism, Columbia University Graduate School of Journalism, 2950 Broadway, MC 3800, New York, NY 10027.

All entries must be postmarked by May 24, 2002 and applicants will receive an e-mail confirming receipt of their entry.

The first recipients of the Kurt Schork Memorial Prizes will be honored at an awards ceremony to take place in New York in October, 2002. The program is administered by Columbia University Graduate School of Journalism.

For further enquiries contact e-mail at schorkawards@jrn.columbia.edu or Irena Choi Stern at ics9@columbia.edu

The Freedom Forum/ASNE International Journalism Exchange

The Freedom Forum is receiving applications for its annual Freedom Forum/ASNE International Journalism Exchange program. The program enables top editors from around the world to get hands-on experience in U.S. newsrooms. In this five-week program operated by the International Center for Journalists, newsroom managers will attend formal training sessions given by journalism experts, visit newspapers and media centers in Washington and New York, and spend a month working with their counterparts at similarly sized U.S. newspapers.

Through this program, 10 top newsroom managers of daily newspapers are invited to the United States for a five-week program, the core of which is four weeks at a U.S. newspaper. The visiting editors have an opportunity to observe all aspects of producing a U.S. daily, and are invited to exchange ideas and information with the host newsroom staff and community.

Ten English-speaking editors from around the world will be selected for this competitive program begun in 1984. There is no cost to participants for the exchange, which is sponsored by the American Society of Newspaper Editors and the Freedom Forum. This year's program will be held September 22 to October 27, 2002. The deadline for applications is June 1.

Rhodes University Offers Print Media Management Systems Course

Applications are being accepted by Rhodes University in South Africa from senior African journalists and newsroom managers to acquire advanced media management skills during a practical training course at University's Journalism School. The course, underwritten by the Nordic-SADC Journalism Trust, will seek to assess and refine existing print media management systems at participants' organizations. The course will also help participants devise new practical strategies for improving the performance of their human, financial and material resources.

The course will include sessions dealing with editorial planning, time management, marketing and the development of institutional policies. Participants will have an opportunity to
quiz media management experts and undergo simulated test based on real life management problems. Deadline for applications is June 1 to be considered for the scholarship.

Applicants should submit their detailed resume and a letter, stating why they want to attend the course. Interested applicants should contact is Senior Projects Manager (Training), e-mail samphiri@sortmoz.com or nsj@sortmoz.com

Grants To Photographers Available

The W. Eugene Smith Memorial Fund has announced that it is receiving applications from photographers for grants for a documentary photojournalism project in humanistic photography. The funds totaling $25,000 is provided by Nikon Inc. According to administrators of the fund, $20,000 of it is for primary grant while the remaining $5,000 is distributed at the discretion of the jury.

For more information and an application send a self-addressed envelope to W. Eugene Smith Memorial Fund, c/o International Center of Photography, 1130 Fifth Avenue, New York, NY 10128; Tel: (212) 860-1777 ext. 186; Fax: (212) 360-6490

Deadline: July 15, 2002.

Calling Short Story Writers

If you're ready to write a short story for radio, here's your chance to win £2,000! The Commonwealth Broadcasting Association (CBA) is once again on the hunt for talented writers, for the 2002 Commonwealth Short Story Competition.

The organisers are inviting entries from all over the Commonwealth. The stories can be on any subject, must be unpublished, and should be about 600 words (typewritten or word-processed).

"Over the years the stories have been in every variety of the English language owing to the mixing of English with local languages in several countries," said CBA Secretary-General Elizabeth Smith. "They are exceptionally interesting in that they indicate the preoccupations of people in different areas of the Commonwealth."

She added: "One extraordinary thing to notice is the continuing success of the Caribbean. This small region outshines all others in the number of winners they have had over the years." Last year was the third time in the past four years that the best Commonwealth short story for radio title had gone to the Caribbean.

Ms Lelawattee Manoo-Rahming, a mechanical engineer and writer from The Bahamas, won the 2001 Short Story Competition for her story 'Saving Rupa', about a young girl's struggles to overcome the trauma of the attempted rape of her older sister.

The competition began in 1996. Its aim is to promote Commonwealth links through broadcasting high quality short stories submitted by writers from member countries. The Commonwealth Foundation funds the awards. The top 26 entries are recorded on to a CD and broadcast widely round the Commonwealth.

The deadline for receipt of stories is May 1, 2002.

Entries should be sent to: Commonwealth Broadcasting Association, PO Box 1023, Cardiff CF24 3YF, United Kingdom, E-mail: story@cba.org.uk

Call For Papers

The National Telemedia Council Announces its Media Education Writing Awards for Emerging Professionals. The Council, on the occasion of its fifty-year anniversary celebration, plans to devote a special juried issue of Telemedium to research on media education. This special issue, limited to fifteen articles, will focus on work by emerging professionals in the early stages of their involvement with media education research.
The Council is seeking a variety of articles keying on traditional or emerging media technologies written by practitioners who are not necessarily young in age but rather new to the study of media education --classroom instructors, academics, media critics and producers--individuals who will add something new to the field and whose work might well continue to offer insight as we move into the future.

In addition to publication in Telemedium, the author of the best article determined by the jury of reviewers will receive a $1000 award. Also up to five other articles will be considered for $500 awards.

Deadline for submission of articles is May 30, 2002. Interested persons should send three clear, double spaced copies of a proposal of no more than three pages to: NTC's Writing Awards for Emerging Professionals, 1922 University Avenue, Madison, WI 53705.

Also include a cover page with name, address, telephone, number, and email address. The paper proposal should contain a summary of the final draft of the paper.

Authors will be contacted by June 30th, 2002 if their proposal has been accepted. Final drafts will be due January 15th, 2003.

Listen Up! Seeks Outreach Coordinator

Listen Up!, a network of youth media organizations nation wide, seeks a dynamic, articulate outreach coordinator for full time position. The coordinator is to work with a dedicated, small team committed to hearing a youth voice in the mass media. He/she must be well-organized with excellent oral and written communication skills and an ability to work under strict deadlines. Experience in youth programs and media production preferred. Salary based on experience. Submit cover letter and resume by e-mail to info@listenup.org.

WHO Journalism Fellowship Programme

The world Health Organisation (WHO) is accepting applications for its fellowship programme. The exercise will see seven selected reporters going to explore the headquarters of the WHO in Geneva during a two-week fellowship in October. An optional third week will be available to fellows to enable them to pursue their research in the field anywhere in the world.

For more information check: http://www.comminit.com/Fellowships2002/sld-4371.html

“... access to information should be seen as a logical part of the crusade against corruption that has already led to the establishment of an anti-corruption commission. Even the most efficient of intelligence agencies still need information from other segments of the society including the public servants. But for them...
“to be able to provide such, the veil of secrecy that currently surrounds official transactions have to be removed and this is one of the things the FOIA can do”

Lanre Arogundade, co-ordinator, International Press Centre (IPC), October 4, 2001, in Abuja, at the Public Hearing organised by the House of Representatives on the Access To Public Records And Information Bill

Media Rights Monitor
Published by:

Media Rights Agenda
44, Alhaja Kofoworola Crescent
Off Obafemi Awolowo Way, Ikeja
P. O. Box 52113, Ikoyi
Lagos, Nigeria.
Tel: 234-1-4936033, 234-1-4936034
Fax: 234-1-4930831
E-mail: pubs@mediarightsagenda.org
Web site: www.internews.org/mra