Who is Afraid of Dele Giwa?

Ex-Military Dictator, General Ibrahim Babangida, Attempts to Block Recommendations of the HRVIC on Murdered Journalist, Dele Giwa

Fear, the companion of all who have misused public trust or taken undue advantage of others, continue to haunt Nigeria's former military dictator, General Ibrahim Babangida. Having succeeded thus far to block efforts by human rights lawyer, Chief Gani Fawehinmi, the management of Newswatch Communications Limited, journalists and other Nigerians to probe the murder of Dele Giwa through parcel bomb during his regime, IBB, as he is widely called, has gone to court. He is seeking an order restraining President Olusegun Obasanjo from implementing the report of the Human Rights Violations Investigations Commission (HRVIC), set up by government to investigate rights abuses during past military regimes.

The suit was filed along with the Director of Military Intelligence, under his government, Brig.-Gen. Halilu Akilu (rtd), on Monday, June 3. Babangida and Akilu are seeking to stop the implementation of aspects of the report concerning the petition over the death of the former Editor-in-Chief of Newswatch magazine. Babangida and Atiku had earlier spurned efforts to get them to appear before the Oputa-panel.

Named as co-defendants in the suit filed at a Federal High Court in Abuja are the Chairman of the HRVIC, Justice Chukwudifu Oputa; Attorney General of the Federation and Minister of Justice, Mr. Kanu Agabi (AG-F); the Chairman of the implementation committee, Mrs. Elizabeth Pam; a member of the Commission who is also on the implementation committee, Mr. Bala Ngliari; and the Secretary to the Government of the Federation, Chief Uffot Ekaette.

The Generals are also asking the court for an order restraining the Federal Government from considering, accepting or issuing a white paper on the report and the recommendations of the Commission. The motion on notice filed by their counsel, Yahaya Mahmood Esq. was supported by an 11-paragraph affidavit deposed to by a legal officer, Laminu Abdullahi.

In the affidavit, Abdullahi averred that the Court of Appeal had declared Sections 50; 10; 11(1)(b); 11(3); and 12 of the Tribunals and Inquiry Act 1966 under which the Commission derived its power as unconstitutional.
He further averred that if the defendants were not restrained, they would continue to ignore the decision of the Court of Appeal and would go ahead to consider; approve and implement the conclusions; findings and recommendations of the Commission.

Abdullahi said the defendants should be restrained pending the hearing and determination of the suit in the interest of justice. He further said that if the respondents were not restrained, the plaintiffs would be prejudiced. Hearing in the matter was fixed for June 18.

Specifically, Babangida and Akilu are seeking:
- An order of injunction restraining President Obasabjo, The Attorney-General of the Federation and the Secretary to the Government of the Federation from considering/or accepting the observations and recommendations by the Human Rights Investigations Commission pending the hearing and determination of the suit;
- An order of injunction restraining the defendants either by themselves, their agents or privies from implementing any recommendations, report or white paper arising from the report of the Oputa panel as they affect the plaintiffs pending the hearing and determination of the suit.

Generals Banbangida and Akilu are believed to be apprehensive of the recommendations of the Oputa-panel report regarding the murder of Dele Giwa in 1986 through a parcel bomb. According to media reports, the panel in its report recommended that: “On General Ibrahim Babangida, we are of the view that there is evidence to suggest that he and two security chiefs, Brigadier General Halilu Akilu and Colonel A. K. Togun, are accountable for the death of Dele Giwa by a letter bomb. We recommend that this case be re-opened for further investigation in the public interest ".

On the mysterious death of The News Kaduna Bureau chief, Mr. Bagauda Kaltho, during the regime of late Ganaral Sani Abacha, commission said there was enough prima facie to lead to the conclusion that there was complicity by agents of government in the case. "We, therefore, recommend that the case be re-opened for proper investigation and possible prosecution of the perpetrators".

The commission also made recommendations on sundry other allegations of violations of human rights.

Two weeks after assuming office, precisely June 14, 1999, President Obasanjo set up the Human Rights Violation Investigation Commission (HRVIC), in an attempt to restore harmony in the country after many years of oppressive military dictatorship. Many journalists suffered extensive rights violations during the time.

President Obasanjo told Nigerians: "We want to reconcile all those who feel alienated by past political events, heal wounds inflicted on our people and restore harmony in our country. We want the injured and the seemingly injured to be reconciled with their oppressors or seeming oppressors. That is the way to move forward".

Justice Oputa (rtd) chaired the eight-man team of eminent and respected Nigerians. The commission was mandated to "ascertain or establish, to whatever extent the evidence and circumstances may permit, the causes, nature and extent of human rights violations or abuses and in particular all known or suspected cases of mysterious deaths and assassinations or attempted assassinations committed in Nigeria between January 1, 1984 and May 28, 1999; identify the person or persons, authorities, institutions or organisations accountable for such violations and the motive; determine whether such abuses or violations were the product of deliberate state policy or arose from abuse by state officials; and recommend measures which may be taken to redress past injustices and to prevent or forestall future violations or abuses of human rights".

In two separate petitions filed before the Commission by Lagos Lawyer and human rights activist, Chief Gani Fawehinmi (SAN) and Newswatch Communications, the two retired military officers were accused of being responsible for the death of Giwa in October 1986 through a parcel bomb.

In the petition, Chief Fawehinmi stated that before Giwa was killed, security agents were hounding him. He had been invited and questioned on charges that he was planning a revolution, investigating the case of a lady, Miss. Gloria Okon, who was arrested with hard drugs and later
reported dead. She was allegedly working for Mrs. Marian Babangida. But reports suggested that the lady was rather set free and was in Europe. In addition, Mr. Giwa was questioned on a story his magazine was investigating regarding the reason Commodore Ebitu Ukiwe, the second in command to the then head of state, was unceremoniously removed from office.

Babangida and Akiulu, who were summoned to appear before the Commission to defend themselves, refused to honour the summons and instead headed for court to challenge the legality of the Commission. In a suit filed at a Lagos High Court, Babangida and Akiulu challenged their summons to appear before the Commission. They contended that sections 50, 10, 11(1)(b), 11(3), 1(14) and 12 of the Tribunals and Inquiry Act 1966 under which the Commission derived its power are unconstitutional.

The Commission, which had earlier planned to wind up its sitting in Lagos on December 8, 2000, and move on to Abuja, was literally compelled by Chief Fawehinmi to hear the petition in Lagos where he said the alleged offence was committed.

Chief Fawehinmi went to the Commission with two enlarged photographs of the murdered journalist, one showing Giwa during his lifetime and the other showing the mutilated body after the bomb blast. Added to this was an agonising posture of a wailing Madam Rekia, Giwa's mother. The commission finally agreed to hear the petition in Lagos on December 11. According to him, the late Giwa was killed through a parcel sent to him from the then 'C-in-C' (Commander-in-Chief) General Babangida. Gani submitted over 49 exhibits, the highest ever by any petitioner or witness.

Chief Fawehinmi for four hours recounted the circumstances preceding Dele Giwa's murder and his travails since he launched the move to unmask the killers. The Chief vowed that he was ready to lay down his life to ensure that the killers of Giwa were brought to justice. At a point, Chief Fawehinmi began to cry.

"I pray you in the name of God sirs, to ensure that those who are responsible for the death of Dele Giwa be brought to book", Chief Fawehinmi concluded, and the audience chorused Amen.

Earlier, the commission had acceded to requests by lawyers that the petition filed by Newswatch magazine be merged with Chief Fawehinmi's.

Chief Fawehinmi's position was given a huge credibility by the statement of former Commissioner of Police, Lagos, Alhaji Abubakar Tsav, who was one of the investigators of the incident at the time. He claimed that top government security officials who were implicated refused to cooperate with the investigators and surreptitiously covered up the investigation.

On December 14, fixed for cross-examination of the petitioner, none of the accused was present at the Commission's sitting. They had on December 8 obtained order restraining the commission from summoning them to appear before it from a federal high court. Petition heard and respondents not available to respond, the commission subsequently rounded up its sitting in Lagos after listening to a few other petitions.

The commission also provided an opportunity for some of the journalists whose rights were abused during the days of military dictatorship to seek redress. Among them were Kunle Ajibade, former editor of TheNEWS magazine; Ben Charles Obi, former editor of the defunct Classique magazine; George Mbah, a senior assistant editor of TELL magazine; and Mrs. Chris Anyanwu, former publisher and Editor-in-Chief of the defunct The Sunday Magazine (TSM). The four journalists were implicated in the phantom coup of 1995, were later secretly tried and sentenced to life imprisonment.

Operatives of State Security Service (SSS), arrested the journalists at various places and time, detained, interrogated and tortured them at various detention centers, especially the Directorate of Military Intelligence (DMI). A secret special military Tribunal headed by Major General Patrick Aziza tried them and found them guilty of being "accessories after the fact of treason" and sentenced them to life jail. General Abacha junta later commuted their sentences to 15 years imprisonment each and they were taken to various prisons where they were serving their terms. When Abacha died in June 1998, Gen. Abdulsalami Abubakar government, which took
over from Abacha, released them and on June 1, 1999, the present civilian government of President Obasanjo granted them pardon. The journalists rejected the pardon.

According to Mr. Ajibade, their rejection of the pardon was informed by the presupposition that they had indeed committed an offence for which the state in its magnanimity has undertaken to wipe off record. They also frowned at the inclusion of Alhaji Salisu Buhari, the former Speaker of the House of Representatives who was on August 3, 1999, convicted on charges of forgery and perjury by an Abuja Magistrate Court.

Another reason was that government did not wait for the findings and recommendations of the HRVIC. Ajibade argued that government should rather be thinking of compensating the journalists who suffered untold hardship and deprivations during the period of their trial and incarceration.

Other journalists who went through the same horrifying experiences during the regime of late Abacha and who were at the commission sitting, included Soji Omotunde, Adetokunbo Fakaye and Sylvester Odion Akhaine.

Meanwhile, Al-Mustapha, General Abacha's CSO who most of the accusers finger as their tormentors during the reign of Abacha said he has no regret over his activities under the late tyrant. Given the opportunity, he said he would do everything over again. Thus reconciliation was made impossible.

It was not surprising that Mr Ajibade insisted on justice rather than reconciliation. According to him, "the HRVIC is not a theatre for clowns and comedians to entertain the public, but a body invested with relevant and serious mission", and that he was not there to forgive, embrace, shake hands or exchange personal items with his torturers as was done by some other petitioners, but to redeem his battered image.

On May 21, the Commission at an elaborate ceremony in Abuja submitted eight volumes of its report to President Obasanjo. Few days later, the President set up a seven-member committee, headed by Mrs. Elizabeth Pam, to implement the recommendation of the Commission.

As Media Rights Monitor prepares for press, Chief Fawehinmi on June 11 filed a motion in court seeking to be joined as defendant in the suit filed against the federal government by Babangida and Akilu.

In perhaps an attempt to win public understanding, Babangida, through his lawyer addressed a press conference in the northern city of Kaduna on June 12. He explained that his refusal to testify at Oputa commission was borne out of his belief that it was a political tool by President Obasanjo to clear some people and indict those perceived to be his enemies.

In further response to the suits by Babangida and Fawehinmi, the federal government approached Fawehinmi to be its lead counsel. Attorney-General of the Federation and Minister of Justice, Chief Kanu Agabi (SAN) who informed Fawehinmi of the Federal Government's decision to name him as its lead counsel in the suit, via a letter dated June 12, 2002 with reference No. MJ/CIV/ABJ/170/2002/T, asked him to "please indicate" his early acceptance of the brief to enable the government forward the available court processes to him.

The letter in part reads: "I write to inform you that the Federal Government of Nigeria has appointed you the lead counsel to defend the above-named suit. My office will discuss the details of the appointment with you. Please indicate your acceptance of this brief to enable us forward the available court process to you."

But in his response to the appointment, Fawehinmi said that he would accept the brief if the government fulfills two conditions:

- A copy of the (Justice Chukwudifu Oputa's) commission's recommendation on my petition No. 416, which originated the investigation by the Commission into the assassination of Mr. Dele Giwa should be made available to me on receipt of this letter; and

- An undertaking by the Presidency or the Attorney-General of the Federation that the Federal Government of Nigeria is committed to the acceptance and implementation of the recommendation of Oputa Panel on Dele Giwa.
Fawehinmi in the letter addressed Agabi dated June 15, 2002, maintained that "If the above two conditions are satisfied. I will be prepared to act as a lead counsel for the Federal Government without charging or taking any professional fees or legal cost whatsoever."

He said: "I have been fighting the battle to bring to justice the murderers of Dele Giwa since October 19, 1986. I hope there is a light at the end of the tunnel if the government of President Olusegun Obasanjo will show sincerity and commitment to the justice, which the Nigerian society and the victim (Dele Giwa) seriously demand."

**Nigerian Business Community Invests in FOI Bill**

Efforts at broadening the coalition of support towards getting the National Assembly to pass the Freedom of Information Bill recently got a major impetus; the Nigerian business community rose from a one-day Business Roundtable in Lagos with a declaration of support for the bill and a call to Nigerian MPs to urgently pass the Bill.

Chief Gamaliel Onosode, a former Chairman of the blue chip conglomerate, Cadbury Nigeria Limited, led the Nigerian business community to brainstorm on strategies for the passing of the FOI Bill. The Bill is presently before the lower House of the National Assembly. The Roundtable on FOI Bill was organized by Media Rights Agenda in collaboration with the International Human Rights Law Group as part of advocacy efforts geared towards arousing the interest of all segments of the nation to support the passage of the bill. It is one in a series of activities under a massive awareness campaign programme in Nigeria aimed at ensuring a deep understanding and appreciation of the relevance of a Freedom of Information Act among the diverse people and groups across the country so as to bring pressure to bear upon members of the National Assembly to pass the Freedom of Information Bill into law.

It took place on May 8 at the CAPL Training Centre on Ajao road, Ikeja. Similar Roundtables targeted at the academia, the civil society, journalists etc, have been earlier held.

MRA's Acting Executive Director, Mr. Tive Denedo, set the ball rolling with his welcome address. Mr. Denedo lamented the lateness of the nation at enacting a freedom of information law, 41 years after independence in spite of her human and material potentials. He added that the process of enacting the FOI law is one that ought to predate the year 2000 had the nation's rulers paid more attention to setting up political institutions.

The advocacy for an FOI Act, he said, is aimed at creating a roadmap for Nigerians yet unborn and putting "an enabling environment in place so that the community of people in Nigeria will have a much saner life than we met". He stated that it was "the turn of business community to make some sacrifice in the push towards expanding the boarders of liberty in Nigeria."

The Bill, which seeks to give citizens a legal right of access to publicly held information, he said, would enable them have answers to the many questions that agitates their minds and to effectively participate in the governance of their country. The law, when passed, he said would create a level playing field and all government transactions can be open, fair and transparent.

He added that the Bill if passed into law, will enable Nigerians “have facts and figures to raise the level of national discourse on sustainable development, promote transparency and accountability as well as expand the democratic space for participation by Nigerians."

Dr. Jibrin Ibrahim, Executive Director of the International Human Rights Law Group spoke on the imperative of a Freedom of Information law instead of the secrecy that currently pervades governance in Nigeria especially with the Official secret Act still being a part of the nation's law. He also emphasized that the present government's pronouncement that it is fighting corruption would be meaningless without the FOI law. Corruption, he said, has been growing in Nigeria and it has been aided by official secrecy because the corrupt man needs secrecy to perpetrate his corruption.

Chairman of the occasion, Chief Onosode in his speech stressed the need for a Freedom of Information law which, he said, would impact positively on the present administration's campaign
against corruption. He added that accountability and transparency in both public and private sectors would suffer if the principles underlying the Freedom of Information Bill were not appreciated by the generality of Nigerians even when the Bill might have been passed. He stated that corruption was not restricted to the public sector but also extends to the private sector emphasizing that it takes two to tango.

He expressed fear that when the Bill is eventually passed, unscrupulous individuals holding high positions may no longer keep a record of documents that they ought to keep as a way of frustrating the authority of the law. He said: "There is fear that once the bill is passed into law, things that are supposed to be documented may no longer be documented."

He advocated that the letters of the bill be written in people's hearts because if they are not, they would become dead letters, and people would not be ready to make necessary sacrifice to make information available to those who need it. In spite of the foregoing, however, he stressed that it was better to have laws put down in the statute books than not have any. He stressed that an FOI law would assist in ensuring transparency, honesty and healthy competition. This in turn would help businesses grow in Nigeria to the benefit of all.

Onosode said that enlightened Nigerians have a duty to ensure that laws that would protect the people and enhance their welfare are passed into law.

Lanre Arogundade, Coordinator of the International Press Centre (IPC), in his address urged Nigerians to press for the enactment of the law. He said that the passage of the bill could help the generality of the public to have a better understanding of government policies like the privatization of parastatals, noting that the activities of the Bureau of Public Enterprise (BPE) were not made public because of the non-availability of the law. He said all segments of the society would benefit from the law if passed.

Thereafter, the meeting went into discussions which was kicked off by Dr. (Mrs.) Lynn Olisa. She recalled that in her days as a reporter with Newbreed, the editor would always tell them to go out and look for news wherever they could find it even if they had to steal it and that with the military then at the helm of affairs of governance, news gathering was a real herculean task. Such situation, she said, underscores the need for an FOI law. She stressed that the bill should not only be passed but also implemented.

Mr. Kabir Dagogo, the Corporate Affairs Manager of Union Bank of Nigeria Plc. in his own contribution said that in addition to the passage of an FOI law, MRA also needs to sensitise journalists on their roles in the new environment.

Mr. Okey Ndiribe of the Vanguard Media, publishers of Vanguard newspapers stated that the proposed FOI law was meant for all Nigerians including industrialists, bankers, students, researchers, journalists etc. He argued that liberalized information will benefit all in society.

At the end of the Session, pledges were made as to how to get the business community to show more interest in the Bill. Mr. Onosode said he would ensure that MRA is able to reach the Executive Members of the Institute of Directors and the Chairman of the Nigerian Economic Intelligence Committee, Professor Anyim O Anyim. The President of the Association of Corporate Affairs Managers of Banks, Mr. Kabir Dagogo pledged to host MRA at the next monthly meeting of the Association to enable MRA make a presentation about the Bill to Corporate Affairs Managers of other banks operating in the country. The Concerned Professionals represented by Mrs Bimbo Hundeyin also promised that MRA would be invited to give a briefing to the members of the group at their next meeting.

The Bill, which is being sponsored at the behest of Media Rights Agenda, has gone through its first and second reading at the House of Representatives. At a public hearing organized by the House Committee on Information in December 2001, a decision was taken that efforts should be made to seek the support of a broad section of the Nigerian community towards securing the enactment of the Bill into law. This necessitated the series of round table which targets various groups in the country.

The roundtable agreed on a ten-point communiqué (See below).
Communiqué Of The Business Roundtable On Freedom Of Information Bill

The Media rights Agenda - MRA, with the support of the International Human Rights law Group organized a Business round table on the Freedom of Information bill pending before the Federal House of Representatives on Wednesday May 8, 2002. The aim of the round table was to have an enlightened discussion between the media and representatives of the business community with a view to enlisting their support for the FOI bill.

The round table was presided over by a key player in the business sector, Mr. Gamaliel Onosode, former managing Director of Cadbury Nigeria Plc., Dr. Jubrin Ibrahim, Country Director, International Human Rights Law Group; Mr. Tive Denedo, Ag. Executive Director of Media Rights Agenda and Mr. Lanre Arogundade, Coordinator of the International Press Center (IPC), Lagos also addressed it. In attendance were media practitioners and players in the banking sector.

Participants welcomed the round table but suggested that more of it should be organized in view of the diverse nature of the business community. It was agreed that major groups and sub-groups in the business community -Manufacturers, Bankers, Professionals, Corporate Affairs Managers etc should be contacted for the purpose of having further discussions on the FOI bill.

Participants agreed that an FOI regime would be useful for the public to have desired information on the state of the businesses, which in turn could assist decision making by investors and planning for developmental purposes.

Participants agreed that the avalanche of information that an FOI regime may open up would not necessarily have negative impact on the businesses. Rather, it would encourage the spirit of competition.

Participants noted the prevailing high rate of secrecy governing business transactions and transparent' dishonesty in both the private and public sectors, as factors largely responsible for many of the country's social and economic problems. It was agreed that the enactment of the FOI law could help to redress the situation, as it would facilitate the exposure of corrupt practices.

Participants agreed that in campaigning for the enactment of the Freedom of Information Law, the media needs to convince the business community and other sectors of the economy whose support are crucial for the passage of the bill, of its preparedness to abide with its social responsibilities and obligations. The media should use information sensibly and responsibly with a view to promoting good governance and rational national discourse.

Participants further agreed that the media should always abide with the code of conduct of the journalism profession that requires reports to be fair, balanced, and objective.

Participants expressed the hope that the business community would in due course join the call on the National Assembly to urgently pass the FOI bill into law.

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.

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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.

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EDITORIAL

BABANGIDA Vs. OPUTA RECOMMENDATIONS: You Are Going Too Far General

On October 20, 1986, Nigerians were greeted with a very sour news. It was the news of the gruesome murder the previous day, October 19, of Mr. Dele Giwa, editor-in-Chief of Newswatch magazine. Dele Giwa was unarguably one of Nigeria's and indeed Africa's brightest journalists of the time. What made the murder more despicable was the fact that Mr. Giwa was never in any way a security threat. The modus of the murder, use of a bomb expertly concealed in an envelope, raised fears in the hearts of all Nigerians. Indeed, the incident shocked Nigerians and all lovers of press freedom worldwide to a numbing spinelessness.

Besides the question of who did it, the method necessarily also led to other questions, 'who has the capacity to organized such a technically complicated and high risk act'.

Not for the purpose of mischief or for the fun of it, fingers pointed at the government of the day, headed by General Ibrahim Babangida. The reasons for this were many. One, before the incident, the Directorate of Military Intelligence (DMI) officers under the behest of its Director, Brig.-Gen. Halilu Akilu, now retired had been on the heels of the murdered journalist. The security officers had invited and questioned Mr. Giwa on four charges. They include allegations that he was planning a revolution; investigating the case of a lady, Miss. Gloria Okon, who was arrested with hard drugs and later reported dead. She was allegedly working for Mrs. Marian Babangida. But reports suggested that the lady was rather set free and was in Europe, where Dele Giwa had stumbled on her.

In addition, Mr. Giwa was questioned on a story his magazine was investigating regarding the reason Commodore Ebitu Ukiwe, the second in command to the then head of state, was unceremoniously removed from office. Lastly, he was questioned on allegations that he was discussing the offer of a job to Mr. Alozie Ogugbua, a former police public relations officer who had then recently been retired over his comments considered out of place by the government.

This general belief ought to have made the government allow the police do a thorough job of investigating the killers, but for some reasons best known to the authorities, that was not to be. Even efforts by lawyer to the murdered journalist, Chief Gani Fawehinmi, to prosecute some officers of government whom he alleged could have committed the crime going by the information he had were thwarted by government. Indeed, Chief Fawehinmi had alleged that the late Giwa was killed through a parcel sent to him from the then 'C-in-C" (Commander-in-Chief) General Babangida. This further fuelled speculations about government's involvement. Sixteen years after, Nigerians are still painfully asking “who killed Dele Giwa”.

A window of opportunity to answer this weighty question presented itself when two weeks after assuming office, precisely June 14, 1999, President Obasanjo set up the Human Rights Violation Investigation Commission (HRVIC). He said it was in an attempt to restore harmony in the country after many years of oppressive military dictatorship.

According to President Obasanjo: "We want to reconcile all those who feel alienated by past political events, heal wounds inflicted on our people and restore harmony in our country. We want the injured and the seemingly injured to be reconciled with their oppressors or seeming oppressors. That is the way to move forward".

Chief Fawehinmi and Newswatch Communications Ltd. used the opportunity to petition for the probe of the murder of Dele Giwa. Babangida and Akilu where summoned to appear before the Commission to defend themselves. They spurned the summons and instead headed for court to challenge the legality of the Commission. While giving evidence, a former Commissioner of Police, Lagos, Alhaji Abubakar Tsav, who was one of the investigators of the incident at the time, claimed that top government security officials who were implicated refused to cooperate with the investigators and surreptitiously covered up the investigation. That evidence was not enough to spur the Generals to come forward to clear the air.
The commission recently submitted its report and recommendations to President Obasanjo, who has promised to implement the recommendations.

In a twist to the tale, Babangida and Akilu went to court seeking an order restraining President Obasanjo from implementing the recommendations of the Commission. The Generals are believed to be apprehensive of the recommendations of the Oputa-panel report regarding the murder of Dele Giwa in 1986 through a parcel bomb. According to media reports, the panel in its report recommended that in view of the fact that Babangida and his security chiefs spurned efforts to shed light on their role in the murder, "his (Giwa's) case be reopened for further investigations in the public interest".

We are at a loss why the duo are taking this course of action. This is in view of the fact that when they had an opportunity to investigate the murder, they chose not to do so. Again, when out of office, they had a second opportunity to defend themselves of the allegations at the court when Fawehinmi sued them, but they did not. They also spurned the third opportunity presented by the Oputa-panel and now they are going further to halt the implementation of the recommendations.

The Generals are best advised to allow the current effort take its normal course. These series of irreconcilable actions by them give the impression that they indeed may have something to hide. Nigerians have had too many mind-boggling incidents that need to be addressed so that we can move on as a people.

CENSORED: Vice-President Atiku Tampers With Media Independence

Signals have emerged that the relative press freedom presently enjoyed in Nigeria will be tampered with at will as political tempo rises. Nigerian Vice-President, Alhaji Abubakar Atiku, banned from circulation the May 27 edition of The Week magazine, which was scheduled to go on sale on May 19. The edition carried a story titled: Uncensored: Tinubu's Dirty Secrets. It had the rider: Lagosians suffer in silence as governor gags the press. Vice-President Abubakar owns Sub Sahara Press Limited, publishers of the magazine.

The magazine had advertised in Daily Times of May 17 urging readers to watch out for the edition and pasted promotional posters around Lagos metropolis. A few hours later unknown persons believed to be acting on the orders of the Lagos State governor, Bola Ahmed Tinubu, removed the promotional posters.

Media Rights Monitor gathered that Lagos state governor, who is on the ticket of Alliance for Democracy (AD), called up Vice-President Atiku to raise objections to the content of the magazine. Governor Tinubu allegedly warned that the story was sponsored by the gubernatorial aspirants of the opposition Peoples' Democratic Party (PDP), to which the vice-president belongs. He alleged that it was being used to destabilize Lagos state.

Vice-president Atiku reportedly called the management of the magazine to stop the circulation of the "offending" edition.

The lead story, which focuses on Governor Tinubu, was segmented into features and interviews. Some of the persons interviewed include Lagos lawyers and pro-democracy activists, Chief Gani Fawehimi (SAN), Festus Kayamo, Aminat Olorunnibe, chairman of the Nigeria Labour Congress, Lagos state, and Ayodele Akele, sacked union boss.

However, in a move that signals a willingness to return to Guerilla Journalism, an organisation by the name, Action For Democratic Change, obtained and published the offending stories in a photocopied format. They circulated the publication to many journalists and human rights organisations. The Nigerian media perfected the practice of Guerilla Journalism during the military dictatorships of General Ibrahim Babangida and late General Sani Abacha, when they faced bouts of repression.

The stories are majorly rehash of the certificate forgery and false declaration allegations that dogged the governor soon after he assumed office on May 1999. In addition, the stories
contained allegations of financial profligacy in government. The magazine also alleged that Governor Tinubu is having his way and an uncritical support of a large section of the media because many editors and senior journalists have been compromised.

For instance, the magazine alleged that in the heat of the face-off between the governor and his deputy, Kofoworola Bucknor-Akerele, some editors and editorial board members were "commissioned" to write anti-Kofoworola stories. It also said editorials were deliberately tilted in Tinubu's favour. It claimed that many editors routinely got as much as N150,000 for their support for the governor.

Another damaging allegation is that the Governor may have adopted the name Bola Ahmed Tinubu.

The magazine's editor, Mr. Simon Kolawole, when asked how he felt, told journalists that he found it difficult persuading his colleagues to put the incident behind them. "Everyone here is angry, morale has dropped", he said. "I am beginning to understand the meaning and implications of ownership of media houses… this is the most humiliating experience in my journalism career", he said visibly dejected.

The magazine's most celebrated case of censorship was in December 1997. Thousands of copies of its edition titled: Aso Rock on the Boil: Axe Dangles Over Army Chief, were impounded by state security agents of late General Sani Abacha. The then editor, Mr. Godwin Agbroko, was arrested by army intelligence officers who denied his where about. He subsequently spent five months in solitary confinement. On his release, he quit journalism.

Concerns Mount Over Election Reporting

As the political tempo rises with the approach of another election towards consolidating Nigeria's nascent democracy, concerns are mounting among media stakeholders and politicians over the media's ability to fairly report the processes. Several organisations have also started to map out strategies for effective political and election reporting. The first batch of elections slated for August 10 is expected to fill positions in the third tier of government, the Local Government.

The new apprehension becomes timely bearing in mind the reports of a media monitoring exercise undertaken by Media Rights Agenda during the run-up to and period of the 1999 elections. The exercise established that many reports in many of the newspapers, radio and television stations monitored were deliberately tilted in favour of some persons, political parties and interests.

Similarly, many recent reports in a cross section of the media have fallen short of professional standards.

Among politicians and media stakeholders that have expressed con-cerns over the readiness of the media to report the political process are Senate President, Chief Anyim Pius Anyim, and Director-General of the Voice of Nigeria (VON), Chief Taiwo Allimi. Organisations include Broadcasting Organisation of Nigeria (BON) and the Nigeria Union of Journalists (NUJ).

In a communiqué issued at the end of its Zone B meeting held in Abeokuta, between May 17 and May 20, the NUJ warned journalists not to compromise their professional integrity by being partisan in the coverage of events, especially during the electioneering period. The communiqué said that corrupt practices in the media could be effectively tackled if media proprietors honoured their obligations to their employees through welfare packages.

The delegates pledged to expose corrupt journalists in line with the constitution of the union and the anti-graft law.

Chief Anyim, who spoke at the launch of Sunshine Express newspaper in Akure recently said that a viable press was necessary for the sustenance of the nation's democracy. He emphasized that it is the duty of the press to disseminate information accurately and fairly to the public.
He called on journalists in the country to uphold the tenets of the profession, adding; "as members of the fourth estate of the realm, honesty, truth and justice should be your watchwords".

At the opening ceremony of the NUJ Press Week at Eko FM Hall, Ikeja, Editor of Tempo magazine, Mr. Olusegun Ojo appealed to the Nigerian Press Organisation (NPO) and BON, to work out additional guidelines to monitor activities of media practitioners during the year 2003 general elections. He said the coming elections would be a test of the depth and maturity of the Press.

Mr. Ojo, presented a paper on the theme, Media and the Challenges of Election. He maintained that the press is well-equipped in the present democracy to bring in the much-needed change in the political terrain, even as the election drew near.

"Whether we swim or sink as a nation depends, to a large extent, on the mass media", he added.

Speaking further, he noted: "The beauty of democracy is that the ruling party today may be in opposition tomorrow and vice-versa. The Media should be able to balance its operation among the political parties in a plural democracy such as ours".

He charged all stakeholders in the polity to endeavour to make the Fourth Republic work, saying: "Every electronic media, especially government-owned ones, should create a special table that will take charge of election issues"

The Central Management Committee (CMC) of the Federal Radio Corporation of Nigeria, (FRCN) has also resolved that the goals of election coverage by Radio Nigeria would be objectivity and fairness. The CMC made the resolution after a meeting in Owerri, Imo State. The CWC observed that radio and television tend to face greater pressures during election period than at any other media.

The meeting deliberated for two days on the role Radio Nigeria was expected to play in the forthcoming political campaigns and elections in Nigeria and the policy on political broadcasting for 2003 Elections.

To achieve the goals, CMC set up a committee to collate all existing guidelines and laws on coverage of political campaigns and elections and as well work out detailed guidelines on establishment of political unit in each of the five National Stations. The committee is also to work out guidelines on how to insulate Radio Nigeria from external influence during the campaign and elections.

In addition, the committee is expected to produce an in-house guide and stylebook for the purpose of the campaign and the election, with a view to ensuring equal opportunity and access to all.

The CMC mandated the Director-General to circulate Radio Nigeria's guidelines to the media and leaders of the various political parties in advance of full commencement of campaigns and election coverage.

The CMC, however, stressed that party leaders were free to make their observations on the guidelines known to the Director-General at a meeting to be conveyed at his instance.

In a similar vein, Chief Alimi in an interview with journalists disclosed that radio and television stations in the country will soon have a unified guideline on the coverage of elections by broadcasting houses in the country.

He said circulars had been sent out to all radio and television stations in the country, impressing it on them that they must grant equal access and treatment to all political parties.

"We will make sure that every radio and television station in Nigeria abide by the electoral guidelines for the coverage of elections," Alimi stated.

Earlier on April 18 to 20, Common Interest Limited, publishers of National Interest newspaper organized a seminar in Abuja under the theme: The Mass media and the Challenges of Reporting Elections. Participants agreed that there is need for media exhibit more professionalism in reporting politics and elections.

Similarly, at the 31st General Assembly of the Broadcasting Organisation of Nigeria (BON) which held in Warri April ending, broadcasters expressed great concerns for the coming election. Held under the theme of Broadcasting - Voter education, Values of Democracy and Coverage of Elections, participants frowned at the practice whereby broadcast media show
uncritical support for public office holders and allow their media to be used to promote sectional interest. They expressed the confidence that if broadcasters follow the National Broadcasting Code, there would be no need for apprehension as they would adequately project all voices.

In a resolution at the end of the meeting, the general assembly noted that broadcasters have an abiding responsibility to ensure equitable access to all political parties. The meeting also called on the national Assembly to convene a Summit of stakeholders to fashion out acceptable guidelines for election and political reporting.

During the run-up to, the period and immediately after the 1999 general election, MRA organized series of workshops for political reporters and editors. The objective was to improve their reporting skills. MRA also conducted a media monitoring exercise to assess the standards of political reporting in terms of the fairness exhibited by them.

In recognition of the enormity of the responsibility faced by media in terms of ensuring a fair reportage of elections and attendant politicking and determine to succeed, Independent broadcasters Association of Nigeria (IBAN), has submitted a proposal to the National Assembly as a nucleus of a legislation on broadcasting in general and reporting politics (see below).

**Legal Boundary For Election Reporting In Nigeria And The Inherent Shortcomings**

At the moment, the domestic legislation and other provisions, which regulate the coverage of elections and politics, are directed principally at the broadcast media. This is, perhaps, understandable, considering the widely held view that radio and television remain the most effective means of mass communication in Africa having regard to the high level of poverty and illiteracy.

The Political Parties (Registration and Activities) Decree No. 35 of 1998 gives radio and television the function of assisting members of the public in partaking of all ideas, ideals and experiences that help them live in a society that is humane and democratic. It requires that such radio and television programmes should influence members of the public to make living in the society orderly and disciplined.

Under the Decree, radio and television are also to assist and sensitize Nigerians in making the right political choices, which will help in bringing into being a good and accountable government.

Other functions of radio and television under the Decree include: to foster political awareness among the political parties in Nigeria; to enlighten the public on the political provisions of the Nigerian Constitution; to promote public interest and consciousness in participatory politics; to educate Nigerians on their rights and political duties; and to encourage the evolution of broad political fronts based on national ideals and choices rather than on ethnic or other prejudices.

The Decree enjoins radio and television stations to provide a forum for competing ideas and ideals to be traded freely and publicly.

The National Broadcasting Code states the political objectives of broadcasting in Nigeria thus: "Broadcasting shall contribute to the development of national unity and participatory democracy. Therefore, the political objectives of Broadcasting shall be to:

(i) create and promote political awareness amongst the people to achieve a democratic society;
(ii) inculcate in the people the spirit of tolerance of all shades of opinion; and
(iii) promote social justice based on the responsibilities and rights of the individual in society."

The second schedule to Decree No. 35 of 1998 contains guidelines on political campaigns through electronic media. The Decree also contains guidelines for programming and debates on radio and television.

The Decree requires radio and television stations to allot time equally to political parties and candidates to market themselves. It also stipulates that the rates for commercials charged political parties should be the same.
It states that political party broadcasts should not exceed one hour per week per station, at pre-election times, or 30 minutes per week at other times. The duration of party talk is also limited to about 10 minutes, and preferably not more than 15 minutes. The Decree stipulates that the sale of airtime like jingles should not exceed 60 seconds and that no voice of a member of staff of the radio or television station is to be used in political jingles.

The National Broadcasting Code outlines "the minimum standard to be observed by all operators of radio and television stations" in Nigeria. As part of these standards, it provides extensive guidelines for political coverage. Besides the broad parameters laid out in the preamble in this area, the guidelines also relate specifically to live coverage, news interviews and discussion programmes.

The Code contains a range of sanctions, which may be imposed on a station for any breach of the guidelines contained in it. These include the revocation of its license if it commits a serious breach of either the technical or non-technical aspects of the Code; reprimand or warning; light or heavy fine; reduction of broadcast hours or suspension of license, depending on the gravity of the offence.

The Code requires all political programmes to observe the provisions of extant Acts, Decrees and electoral laws. All stations are obliged to adhere strictly to the rules given by the electoral body.

It also provides that political party broadcasts, which it describes as programmes over which content political parties exercise control, should be only those in which the parties seek to explain their views and policies.

All political broadcasts are required to be in "decent language" and to be clearly identified as political broadcasts which should not be presented in a manner that would mislead the audience to believe that the programme is of any other character.

The Code stipulates that equal opportunity and airtime should be provided to all political parties or views, with particular regard to the amount of time and belt.

It seeks to regulate the conduct of broadcast producers by stipulating that: "While a broadcast producer may interact with politicians in the course of his duties, this interaction shall not be such as to lead to the belief that he is either a member or sympathizer of any political party"

It gives every station the responsibility to produce and report the activities in the political arena in news and programmes, and requires such production to be objective and fair. Panelists must also be of comparable status.

The objective of news and programmes, under the Code, shall be to promote public discussion of political issues.

For live coverage, the Code stipulates in Paragraph 4.5 generally that live coverage of public events should be fair and balanced. But specifically, it stipulates that: "The live coverage of public events, especially of demonstrations and disturbances, shall be fair and balanced and just enough for the enlightenment of the citizenry. It shall not sensationalise or glamorise the event or exploit broadcasting's unique advantages to the detriment of national interest and security."

With regard to news interviews, the Code requires that all such programmes should be guided by ethical standards of journalism and imposes on the station to state during the broadcast when a news interview excludes an important or newsworthy area of the issue under discussion.

Besides, the Code states, where an interview entails an agreement to submit questions in advance or to exclude an important or newsworthy area concerning the subject, or where further developments have taken place after the recording, this should be stated at the beginning of the broadcast.

For discussion programmes, panelists are required to reflect the various viewpoints and to be of comparable status.

The Code also imposes an obligation on the station to state at the beginning of the broadcast where a discussion excludes any important or newsworthy area, or where further developments have taken place after the recording.
The Code also contains guidelines on the broadcast of political advertisements. It prohibits the commercialization of political news or coverage in the interest of fairness and balance and to prevent the monetization of political broadcasts.

It stipulates that no advertisement, including commercial news, shall be accepted in a political programme and requires the advertiser to be clearly identified in all advertisements.

The Code also stipulates that: "No advertisement shall contain anything which amounts to subversion of constituted authority or compromises the unity, sovereignty and corporate existence of Nigeria as a secular state."

The code is obviously deficient to the extent that it limits to one hour per week per station at pre-election time, or 30 minutes per week per station at other times, per political party. The same goes for its limitation to 10 minutes, preferably not more than 15 minutes, for party talk.

These durations are certainly not sufficient for a party to articulate its programmes.

Deregulated Broadcast Media Environment And Challenges Of 2003 Elections - IBAN


Below is an excerpt from the paper.

Broadcasting was deregulated in Nigeria in August 1992 when the Federal Government promulgated the National Broadcasting Commission, Decree No. 38 of 1992. Section 22 of the Decree repealed the provisions which confers exclusive monopoly of ownership of electronic media on the state. Thus, private and independent ownership of electronic media became legalized in Nigeria after almost 60 years of government monopoly of broadcasting.

It is worthy of mention, that although, the broadcasting industry was deregulated in 1992, it was not until September 1994, that the first private independent electronic media actually commenced operations. This therefore marked the beginning of the operation of the dual broadcasting system in Nigeria.

I have been asked to examined the "Deregulated Broadcast Media Environment and Challenges of 2003 Elections" - Independent broadcasting perspective.

Let me state as matter of general overview, that the challenges facing the broadcast media in a deregulated broadcast environment in respect of coverage, broadcast and reporting of the 2003 election are fundamentally the same before deregulation. However, with the advent of private participation in broadcasting, the methods and style of coverage have become divergent, but the challenges are largely the same. Key factors that amplify the divergence are ownership and control of the broadcasting media, funding and revenue sources, methodology of reporting and philosophy, etc of these stations.

By Law, the National Broadcasting Commission (NBC) is empowered to regulate all broadcasting stations in Nigeria (whether public or private).

Secondly, publicly or privately owned stations, operate in the same broadcast environment and carry out basically the same duty of providing information, education and entertainment to the public.

One area of difference is the area of funding and revenue courses. While the public stations receive subventions, budgetary and extra-budgetary allocations from government and similarly compete with private stations for advertisement revenue, the private stations receive nothing either as subvention or grant or any financial assistance whatsoever. Yet, they devote a large percentage of their airtime and revenue to public service programmes. The private stations are yet to reap their own dividends of democracy.

As I indicated earlier, the deregulated broadcast environment has not altered the basic foundations, services, ethics, professionalism and rules of practice recognized over the years.
However, the broadcasting media has continued to face challenges of political, economic, social and legal dimensions.

As you may be aware, some of the duties being performed by the media are constitutional, while some have been assigned or consigned to the media as a result of customary practice, experience or convenience over the years. For example section 22 of the 1999 Constitution imposed an obligation on:

"The press, radio, television and other agencies of the mass media shall at all times be free to uphold the fundamental objective contained in this chapter (i.e. chapter II of the constitution and uphold the responsibility and accountability of the Government to the People". Chapter II of the Constitution spells out the Fundamental objectives and directive principles of state policy.

If the broadcasting media must continue to retain the faith patronage of the public, it must therefore, resolve to provide impartial, credible, non-partisan reportage, monitoring and coverage of all political activities without discrimination fear or favour. Media practitioner must courageously resolve to uphold the ethics of the practice rather than subject it to the vagaries of politics. Plurality of opinion must be upheld and given expression as a democratic and fundamental right.

2. NEUTRALITY

Broadcasting media must not only be neutral and non-partisan in its coverage of political activities in 2003, it must, indeed be seen to play a neutral and nonpartisan role. Journalists engaged as employees in the broadcasting media must exhibit professionalism and eschew being sympathetic to any political party to avoid conflict of interest in the performance of their professional duties. In the course of this lecture I will proffer necessary solutions to these problems.

3. EQUIitable TO THE MEDIA

Broadcasting media whether publicly or privately owned are public trust. In other words, the operators and proprietors of these stations are trustees of the public. This therefore, imposes on them the duty to ensure and provide equitable access to the use of their facilities by all legally qualified candidates within their areas of coverage as a matter of fundamental obligation.

Accessibility to the use of broadcast facilities by all qualified candidates, political parties and groups is crucial and cardinal to the conduct of a free and fair elections and this is a challenge to the broadcasting media.

4. CORRUPTION

I wish to comment briefly on the danger that corruption or corrupt practices pose to the 2003 elections. The offer of gratification in any form to media practitioners and journalists by politicians or their agents must be addressed. Journalists, media practitioners and proprietors must ensure that they remain resolutely incorruptible. The Anti-Corruption Law must be applied and enforced against any person who is found to have been corruptly compromised in the preparations for and conduct of the 2003 elections.

5. FUNDING OF THE BROADCAST MEDIA

I wish also to mention the problem of funding and the gargantuan challenge it poses to the coverage of the 2003 elections and political activities in general.

Broadcasting is a capital-intensive venture. Private broadcasting media even face more jeopardy in terms of funding. You are well aware and I have stated this earlier, that private broadcasting stations receive no subventions or grants whatsoever from government or from any quarter. They are therefore exposed to greater challenges in terms of raising revenue to meet the challenges to coverage of the political activities and 2003 elections.

Revenue from advertising which is the main source of income to private broadcasting stations have continued to dwindle over the years. Broadcast equipment and facilities are imported and are purchased in hard currency. Private stations do not enjoy any duty waiver or relief of any kind from the government. This is in spite of the fact that these stations also engage in the provision of public and social services programmes. Hence, the issue of funding remains a perennial problem and challenge to the performance and the discharge of the duties imposed on
broadcast media, especially, the private media which receives no financial assistance whatsoever from any quarter.

I wish to inform you that the funds required to meet the challenges of adequate coverage of the 2003 elections is enormous. Broadcasting stations are partners with government in the provision of social services to the nation and should be given special grants like the Independent National Electoral Commission (INEC) and other institutions, to meet some of their costs. A special grant should be given to these stations by the government as subsidy or assistance in surmounting the financial difficulties being faced by the broadcasting media. The challenges posed to private stations by the funding is real, fundamental and crippling.

6. SOLUTION GUIDELINES, PROPOSAL AND DEMAND FOR A LEGISLATION

The problems and challenges associated with political coverage and broadcast are not new. What is strange is that no real effort has been made to face these challenges in a transparent manner. Several guidelines and rules have been formulated to solve the problems posed by these challenges.

Some of the guidelines and rules are contained in the National Broadcasting Code (NBC Code). The Code of Advertising Practice, made by the Advertising Practitioners Council of Nigeria (APCON) and the Guidelines on Political Campaigns. Though the Electronic Media”, listed as Second Schedule to The Transition to Civil Rules (Political Parties Registration and Activities) Act CAP 442, Laws of the Federation of Nigeria, 1990, etc. This Act was formerly promulgated as Decree No. 27 of 1989 to regulate the political transition to civil rule. As you are aware, the transition was inconclusive and the law became spent.

It is however instructive to note that the guideline has been annexed to the NBC Decree No. 38 of 1992 as Appendix VI, schedule 2.

The guidelines on "political coverage" in the NBC Code requires amongst other things that: "All political broadcasts shall be in decent language", and Equal opportunity and airtime shall be provided to all political parties or views, with particular regard to amount of time and belt".

On the other hand, the APCON Code of Advertising Practice on "Political Activities", stipulates amongst other things that:

Sectional Interest: "Political advertisement shall not explicitly or implicitly exploit ethnicity, religion or any other sectional interest not strictly related to political issues under discussion.

Equal opportunity: "Political candidates or parties must be given equal opportunity to buy space and/or airtime. "Equal opportunity "means that each competing candidate or party must have equal access to comparable space and/or airtime, generally on the basis of first come first served".

The "Guidelines on Political Campaigns Through Electronic Media, listed as guidelines to the 1989 Decree on the transition programmed, contains a general note to the effect that:

"Political programmes on radio and television shall rest on the recognized power of radio and television to influence people to make political choice of allegiance and more importantly, in the manner in which they vote; and in order, therefore, that Nigerian radio and television may not be open to charges or wittingly, or otherwise utilizing the power in support of one side against another and to ensure that the rules and guidelines set out in this schedule and in part in this paragraph shall be observed.

APPRAISAL OF THE GUIDELINES

The National Broadcasting Commission, Jos zone, organized a Workshop on the 2nd of April 2002, on "Political Coverage and Broadcast - Need for Professionalism" as part of its public enlightenment programme. Several eminent and patriotic Nigerians from all strata of our society participated in the Workshop. Some of the observations made by the participants deserve our attention. I wish therefore to refer to paragraph A, B, C, & D, of the NBC's Communiqué:

"A. The workshop condemned the prevailing trend where some politicians have confiscated and monopolized the instrument of broadcasting to project and promote themselves exclusively.

"B. It regretted the broadcast climate where control of broadcasting is slipping from the hands of broadcasters into those of politicians"
"C. Participants agreed that state stations are the greatest culprits of unbalanced political coverage".

"D. Democracy will fail if broadcasters do not play their role well".

The participants amongst other recommendations, urged "The NBC to come up with a comprehensive and clear cut Code of Conduct for coverage of political campaigns".

Prior to this workshop, the Central Working Committee of the Broadcasting Organisation of Nigeria (BON) at an extra-ordinary session on the 14th of March, 2002 critically considered the issue of "Broadcast and Coverage of Electioneering Campaigns and Elections, 2002-2003" and reports from its members all over the Federation and expressed very deep concern at the subjugation of professional ethics in the use of broadcasting media. BON also resolved to formulate a guideline for regulation of political broadcast and campaigns for its members.

From the foregoing, it is evident that the various guidelines and rules have been ineffective. It is also noteworthy, that these guidelines are merely prescriptive and advisory in nature. They are not justifiable and consequently have no legal and penal force or law. The breach of the guidelines attracts no punitive sanctions whatsoever.

In addition, the scope and focus of application of the guidelines are restrictive and therefore not of very general application.

In order to thoroughly insulate the broadcast media and to enable them meet the challenges of 2003 and beyond, and in order to truly make broadcasting a public trust and a tool of public service, there is a need to review these guidelines and enact them as enforceable laws, which will be binding on all persons, government, media, institutions and authorities. This is the only credible and viable solution to this problem and the process must begin now.

I have privately carried out a review of the various guidelines and code in relation to what obtains in other democracies of the world and I have made a confided amalgam for our own purpose and application. The Codified amalgam is entitled and proposed as "Political Broadcast and Access to Electronic Media Bill, 2002.

Highlight of the proposed Bill

1. The proposed bill seeks amongst other things to: (a) Provide a clear, binding and enforceable legal framework for the regulation of political broadcast and access to electronic media by political parties and candidates seeking elective political offices in Nigeria. (b) Provide regulation for the sale and purchase of air time, equitable access and opportunities to the electronic media by political parties and candidates seeking political elective offices in Nigeria. (c) Establish a regulation guiding the use of public and private broadcasting stations as a democratic platform for political activities (d) Provide for the powers relating to the administration, management, planning and use of broadcasting facilities and the recognition of political plurality, as a fundamental and or democratic right. (e) Make it mandatory for every station to keep and permit public inspection of a complete and orderly record (political file) of all requests for broadcast time made by or on behalf of a candidate for public office, together with an appropriate notation showing the disposition made by the station, of such requests, and charges made, if any, if the request is granted. The "disposition" includes the schedule of time purchased, when spots actually aired, the rates charged, and the classes of time purchased. (f) Provide for the revocation of broadcast licenses of any station for the breach of the law or willful or repeated failure to carry out its provisions. (g) Provide for the establishment of a commission to be known as National Broadcast Media Commission to be composed of the following members:

1. Independent National Electoral Commission (INEC)
2. National Broadcasting Commission (NBC)
3. Broadcasting Organisations of Nigeria (BON)
4. Independent Broadcasting Association of Nigeria (IBAN)
5. A retired judge or a legal practitioner of not less than ten years at the Bar with experience in Broadcasting.
The Independent National Electoral Commission or its representative shall serve as Chairman of the Commission while the National Broadcasting Commission or its representative shall serve as secretary to the commission.

The proposed Bill, if passed into law shall serve the following purposes: 1) It will check the undue, unlawful and unbridled monopolisation of the broadcasting media by the various proprietors and politicians. 2) It will ensure that the media and medium are used in the public interest and as public trust. 3) It will safeguard, protect and ensure the integrity of the broadcasting media, restore professionalism to the media and free the broadcasting media from destructive political manipulation, influence and public ridicule. 4) It will restore public confidence and credibility in media coverage and reports of 2003 elections. 5) It will lay the basis for a free, fair, equitable and transparent political process and elections. 6) It will allow and/or enable the media to perform its duties and meet the challenges of the 2003 election. 7) It will provide the legal basis and locus for parties, candidates and other stakeholders to seek redress in the courts of law where media access rights is being denied or has been breached. 8) It will guarantee free, equal and equitable access to the use of the broadcasting media by all legally qualified candidates as a fundamental and democratic right.

The list of the benefits to be derived form this proposed legislation is endless. I therefore wish to use this opportunity to call on all of you to support the Bill and ensure that it is passed into law without delay. I have attached a copy of the proposed Bill to this text.

CHALLENGE OF PATRIOTIC REPORTAGE

Let me round up this paper on an advisory note. The business of reportage and coverage of the 2003 elections is a serious one that must not be toyed with. It must be done with all sense of duty, responsibility and patriotism. Media practitioners must abhor unnecessary sensation that may cause tension in the country. We must remember always that we do not have another country other than Nigeria and the promotion of the peace, progress and harmony of the various peoples and communities that make up Nigeria should therefore, be duty of everyone.

The electronic media has a fundamental role to play in providing education and information to both the people and the government. Therefore, the place of the media in the provision of needed leadership, is at the forefront. The electronic media and the media in general cannot afford to mislead the people or fail in its onerous responsibility to our fatherland.

NPAN, Advert Agencies Split Over Debt

Media owners in Nigeria and advertising agencies have disagreed over the modalities for their business relationship. The media owners made up of the Newspaper Proprietors Association of Nigeria (NPAN), the Broadcasting Organisations of Nigeria (BON) and the Outdoor Advertising Association of Nigeria (OAAN) failed to reach an agreeable proposition with the Advertisers Association of Nigeria (ADVAN), Association of Advertising Practitioners of Nigerian (AAPN) and the Media Independent Association of Nigerian (MIAN).

Media owners and advertisers could not reach a consensus at the media summit which was organised by the Heads of Advertising Sectoral Groups (HASG) in Abuja on April 11 and 12. It was intended to serve as a platform to negotiate and agree on uniform policies and standards for the sector as well as industry-based sanctions.

Contrary to expectation that it will serve as a unifying factor, the summit left the various Sectoral groups further estranged.

The summit, held at the Abuja Sheraton Hotel and towers, served as an opportunity for media owners to re-emphasise their determination to ensure a more favourable business relation with advertisers and advertising agencies.

Participants at the meeting accused ADVAN, AAPN and MIAN of not being determined to address the problem of huge advert debt owed media houses across the country by their members.
Sources said that the advertising groups went to the summit to canvass for debt cancellation by media owners as well as seek more lax business environment.

The media owners were, however, adverse to the overtures. They resolved to tame the influence and alleged overbearing attitude of ADVAN, AAPN and MIAN on their businesses.

The media owners, therefore, resolved to set up a new body to be known as Media Management Council (MMC) with members drawn from the NPAN, BON and OAAN. To canvass their interest. The inaugural meeting of the council was tentatively slated for July.

Prior to the summit, the new President of NPAN, Mr. Ray Ekpu, had maintained that media owners were being surcharged in the business relationship with advertisers. He, therefore, insisted that the mode of business transactions would be tempered with.

**Media Bodies Submit Media Bill to NASS**

The Nigerian Union of Journalists (NUJ) and the Nigerian Guild of Editors (NGE) have submitted a media bill titled Journalists' Practice Enhancement Bill 2002 to the National Assembly. The bill establishes the mode of practice of journalism and gives journalists the constitutional right to obtain information.

The bill with 10 sections deals with the freedom of journalists to freely practice their profession. It touches on ethics and professionalism, qualification to practice, penalty for offences, conditions of service and media ownership among other things.

**Journalists Call For A Focus On Sustainable Development**

As the world gears up for the up-coming World Summit on Sustainable Development, scheduled for South Africa, Nigerian broadcast journalists have made a case for special attention to issues of sustainable development in the media.

The journalists expressed the fears that if care was not taken the recent commercialisation of news would out rightly backfire on the reporting of sustainable development news such as reproductive health, population and development strategies as well as advocacy. They, therefore, called for a summit to ensure a realignment of programmes in favours of development issues.

The call was contained in a communiqué issued at the end of a five-day training workshop on May 11 in Port-Harcourt. The journalists said that there was also the need for re-training of reporters, presenters and producers of programmes on population and development.

They asked journalists to acquaint themselves with the contents of the revised national policy on population and other relevant documents to enable them appreciate population and development issues as they relate to Nigeria and the world.

"Television journalists should always take into cognisance, the heterogeneous nature of the country as well as the rural-urban dichotomy in reporting population and development," they said.

They called for the development of a data bank where information should readily be made available for use.

**WPFD: Open Discussion Is Panacea To Terrorism**

*Free expression and Press freedom advocates affirm the need for unrestrained discussion as panacea against terrorism as they celebrates one decade plus one year of Windhoek Conference*

Civilized world joined journalists, free expression and press freedom advocates worldwide on May 3, 2002, to celebrate the world press freedom day.

As part of activities to mark the day, primogeniture of the Would Press Freedom Day, the United Nations Educational, Scientific and Cultural Organisation (UNESCO) sponsored a conference on Terrorism and Media. The occasion provided an opportunity for free expression
advocates to observe that while the current war against terrorism is all for the good of humanity, many authorities around the world are hiding under it to perpetrate injustice and repress free speech.

Participants at the conference which held in Manila, the Philippines, between May 1 and 2, 2002, adopted a resolution which emphasized that any long term solutions to the problem of terrorism must involve open public debate and the free flow of information.

The resolution also urged media stakeholders to take measures to ensure the media report terrorism professionally and promote tolerance by providing training and opportunities for discussing ethical issues relating to reporting on terrorism.


The conference had five plenary sessions. It examined the issues surrounding the relationship between media and terrorism; How should the press report on terrorism or portray terrorists? What impact have the various governments' anti-terrorism laws had on freedom of expression? And how can journalists be assured of safety when reporting on terrorism?

The meeting made several observations and resolutions on the Right to Report on Terrorism and Safety of Journalists. (see Media Rights Monitor Vol. 7 No. 5, for May 2002).

The opportunity of the World Press Freedom Day also afforded free expression promoters to launch African Broadcasting Charter in South Africa. The initiative, which creates a valid basis for civil society engagement, is expected to form the policy background against which African Broadcasting will be viewed, assessed and benchmarked.

The Committee to Protect Journalists (CPJ) used the occasion of the World Press Freedom Day, to release a list of the world's worst ten places to be a journalist. CPJ said dangers and restrictions in those countries represent the full range of current threats to press freedom. At the top of the list is the West Bank (Israel/Palestina), followed by Colombia and Afghanistan. Others countries in the list are Eritrea, Belarus, Burma, Zimbabwe, Iran, Kyrgyzstan and Cuba.

The World Press Freedom Day began eleven years ago as an outcome of a seminar organized by UNESCO. The seminal brought together journalists from across Africa to Windhoek, the Namibian Capital, with the objective of establishing a free, independent and pluralistic press in Africa.

At the end of the seminar, which took place between April 29 and May 3, 1991, participants adopted a document titled the Windhoek Declaration on the Development of an Independent and Pluralistic African Press. The document has become the reference point in the promotion and protection of press freedom worldwide.

May 3, the final day of the seminar, was later designated World Press Freedom Day. Although the 1991 seminar focused essentially on African journalists and the African Media, such was the impact of the Windhoek Declaration that, following a recommendation by UNESCO, the United Nations General Assembly decided in December 1993 to celebrate World Press Freedom Day each year on the anniversary of the adoption of the Declaration.

Since then, May 3 of every year has been used to celebrate the fundamental principles of press freedom, to encourage and develop press freedom initiatives, and to assess the state of press freedom worldwide.

Eleven years after the Windhoek Declaration, the World Press Freedom Day has gained popularity around the world and is always marked by thousands of individuals, organisations and governments with different events. The occasion also provides an opportunity to take stock of the evolution of press freedom.

On the occasion of the tenth anniversary of the Windhoek Declaration last year, world leaders expressed strong support for the principles of press freedom.

The world leaders, including British Prime Minister Tony Blair; German Chancellor Gerhard Schröder; the head of the Roman Catholic Church, Pope John Paul II; Norwegian Prime
Minister, Jens Stoltenberg; former Prime Minister of Japan, Yoshiro Mori; the Austrian Chancellor Wolfgang Schüssel; Swedish Prime Minister Göran Persson; and South African President Thabo Mbeki, emphasized the central role a free press plays in a democratic society. They, however, expressed reservations about some of the controversies, which remained to be resolved.

The world leaders' statements were in response to a special World Press Freedom Day initiative by the World Association of Newspapers (WAN), which asked world leaders: "What does press freedom mean to you?"

The focal point of the year's celebration was a three-day conference held in Windhoek titled "Ten Years On: Assessment, Challenges and Prospects". The purpose of the conference was to assess the progress made in achieving media freedom in Africa since the adoption of the Windhoek Declaration, and to identify new challenges and prospects for media freedom in Africa.

Responding to WAN's question: "What does press freedom mean to you?", British Prime Minister Blair said: "A free press will sometimes make uncomfortable reading for any politician. But any passing embarrassment or justified indignation must never blind us to its vital role in both the health and protection of democracy."

For German Chancellor Schröder, "Democracy is impossible without freedom of the press. Complex controversies cannot be solved without freedom of the press, as questions must be aired."

In response to the question, Norwegian Prime Minister Stoltenberg stated that freedom of expression today "not only means preventing censorship and countering infringements of the free word. . . [it] also means broad and good public discussion, in particular through the mass media."

However, a common concern among some of the world leaders is the belief that press freedom must be accompanied by responsible and ethical journalism, while other leaders harped on the challenges related to protecting and expanding press freedom.

One such leader, Austrian Chancellor Schüssel, noted that: "The constitution and freedom of the press were the main battle cries when the middle classes of Central Europe first revolted against antiquated autocratic structures in 1848".

According to him, press freedom has been under constant threat ever since, not only in dictatorships and emerging democracies, but also "in those countries in which entertainment is offered in the form of information and where sensations, quotas and commercialisation of the news have been turned into goods."

Last year in Nigeria, Media Rights Agenda celebrated the event with the presentation of its Media Monitoring project. The organisation said it had chosen to celebrate the occasion in this unorthodox way because its commitment to press freedom and freedom of expression extends to contributing its quota to the improvement of media practice.

Besides seeking to assist the media to strive to overcome all obstacles to fair, accurate and balanced reporting given its strategic position of influencing and shaping public opinion, Media Rights Agenda said the objective of the exercise include to evaluate the role of the media in upholding and promoting democratic culture and practice, ensuring transparency, accountability and good governance.

The exercise established the question of how well the Nigerian media provide a robust atmosphere for the promotion of political debate, democratic governance and public accountability; how the media ensured the fair, accurate and objective coverage of political issues and political interest groups; and how the media ensured fair, accurate and objective coverage of human rights issues and safeguard the rights of disadvantaged and minority groups.

Ten Most Hostile Countries For Media Practice

The Committee to Protect Journalists (CPJ) used the occasion of the World Press Freedom Day to release a list of the world's worst ten places to be a journalist. CPJ said dangers and
restrictions in these countries represent the full range of current threats to press freedom. At the
top of the list is the West Bank, followed by Colombia and Afghanistan. Others countries in the
list are Eritrea, Belarus, Burma, Zimbabwe, Iran, Kyrgyzstan and Cuba.

According to CPJ executive director, Ann Cooper, "in these countries where press freedom is
under attack, journalists endure violent assaults, crackdowns by authoritarian regimes, danger from
military operations, and harsh financial reprisals designed to bankrupt independent voices".
"Incredibly, in many of these places, journalists still manage to report the news—even under
extremely difficult circumstances and at great personal risk," he added.

According to CPJ, when Israeli prime minister Ariel Sharon launched a massive military
offensive in the West Bank in late March, the Israel Defense Forces (IDF) used threats,
imimidation, and, in some cases, potentially lethal force to prevent journalists from covering its
military operations. At various time, IDF troops fired live rounds and stun grenades and rubber
bullets at reporters carrying out their duties.

They have also detained several journalists, confiscated film or press cards from others,
ransacked the offices of private West Bank television and radio stations, and repeatedly attacked
the Palestinian National Authority's broadcasting facilities. They expelled one foreign
 correspondent and refused to accredit Palestinian journalists.

Palestinian militants have also harassed journalists, particularly photographers who
captured unflattering images.

Columbia came second in the inglorious list with a history of 29 journalists murdered in
the last decade. Journalists face hostility from the politicians in government and both leftist
guerrillas and right-wing paramilitaries who are carrying out drug trafficking, corruption, and
violent activities.

Leftist rebels have silenced a local radio station and allegedly tried to attack a television
news studio with a ground-fired rocket. Right-wing forces that have acknowledged murdering
several journalists have publicly accused the press of having "poisonous spirits." Top journalists
are fleeing into exile, and others are in hiding. Meanwhile, presidential front-runner Álvaro Uribe
Vélez, who has been questioned about his alleged ties to paramilitary forces and drug traffickers,
has noted, "...a free press is one thing, and a press at the service of straw men and shady deals is
another thing."

In Afghanistan, the country recently a theatre of war on terrorism, eight journalists were
killed in November 2001 while reporting on the U.S.-led military offensive. Post-Taliban
Afghanistan remains dangerous and chaotic. Even U.S. government actions have also hampered
independent reporting as CPJ said it documented three instances where journalists were forcibly
prevented from covering U.S. military activities in the country. In one case, U.S. soldiers
threatened to shoot a Washington Post reporter who was attempting to report on a U.S. missile
strike that may have killed a group of civilians in eastern Afghanistan. In mid-November, U.S.
bombs destroyed the Kabul bureau of the Qatar-based Arabic satellite channel Al-Jazeera. To
date, Pentagon officials have provided no evidence to back their claim that the building was "a
known al-Qaeda facility."

CPJ said the tiny Red Sea nation of Eritrea, is now Africa's foremost jailer of journalists,
with at least 13 reporters behind bars and the entire private press banned since September.
President Isaias Afwerki's government variously accuses independent journalists of "endangering
national unity," of not having proper licenses, and of evading the compulsory national service
program. The ruling party tightly controls the state media. Even so, authorities arrested three state
media employees in mid-February. One was charged with treason for giving a tape of a local
television program to a foreign diplomat. The Afwerki government has been unfazed by
persistent international denunciation of its human rights record and continues to dismiss foreign
critics as enemies.

Another African country, Zimbabwe, which has constantly been in the news of late, also
made the inglorious list. CPJ said the country once known for its vigorous and largely uncensored
An independent press, has become a hostile environment for local reporters and foreign correspondents alike. During the past two years alone, President Robert Mugabe's government has detained more than 50 journalists, tortured at least two, and filed over three dozen lawsuits against reporters and their news outlets. Police and pro-government vigilantes have attacked several journalists, while the independent Daily News has suffered three bomb attacks since 2000.

After September 11, 2001, the Mugabe government adapted White House rhetoric to brand journalists and other critics as "terrorists." Two recent pieces of legislation, the Access to Information and Protection of Privacy Act and the Public Order and Security Act, effectively outlaw all criticism of Mugabe.

Liberian Government Intensifies Attack On The Media, Set To Deport Nigerian Journalist

Press freedom in Liberia which has come under doses of abuse from the government of President Charles Taylor has continued to exist in peril. Immigration authorities in Monrovia have concluded deportation procedures against Ojima I. Davies, a Nigerian journalist, working with the independent DC TV. Ojima is facing deportation without the benefit of a court trial. He was expected to be deported on May 22.

In another instance, the government on May 7 banned "Talk", a popular talk show programme on the independent DC101 FM station in Monrovia, Liberia. The programme has a phone-in segment, which allows listeners to express their views on issues of national concern. No reason was given for the ban. However, Media Foundation for West Africa (MFWA), Liberian sources suggest that President Taylor's government had not been happy about some critical comments made on the programme.

For instance, it is perceived that the renewal of sanctions against Liberia may have been informed, in part at least, by public comments expressed on Talk, while the United Nations Sanctions Committee was in the country in April this year. Incidentally, the programme was ordered off air on the same day that the UN Security Council announced the renewal of the so-called 'smart sanctions' against Taylor's government.

Ojima has been in detention for over two weeks at the National Bureau of Investigation (NBI), following his arrest on Tuesday May 7, for interpreting the word "Dahkpannah" to a religious group. "Dahkpannah" is the middle name of President Charles Taylor, which, in the local Kpelleh dialect, means "Chief Zoe." Ojima reportedly interpreted "Dahkpannah" to mean "Dark Zoe"; which interpretation President Taylor apparently considered indecorous and offensive.

According to MFWA-Liberia sources, Ojima's equipment were confiscated and his family barred from visiting him. The organisation said it sees the action of the government "as further evidence of President Taylor's relentless attempts to clampdown on the independent media, and silence critical public opinion" in Liberia.

In another instance, State Security forces arrested Emmanuel Mondaye, a reporter of the Independent Inquirer newspaper, on May 11. He is currently being detained at the National Police Headquarters in Monrovia.

Mondaye was arrested in the central provincial city of Gbarnga, where he had gone to report on the alleged looting of homes and shops by government forces. Mondaye's equipment was confiscated when it was discovered that he had taken some pictures of the looting scene.

Journalists and the independent media in Liberia have been victims of incessant acts of intimidation and assault since President Taylor imposed a State of Emergency in February this year in response to rebel advances on the capital, Monrovia. The government has used these State of Emergency powers to impose restrictions on the reporting of human rights abuses and other excesses committed by State Security officers. Persons who dare to go beyond the government's version of information are routinely picked up by security agents.
It would be recalled Analyst newspaper was on April 25 shut and its offices ransacked when it published the text of a speech made by human rights lawyer Tiawan Gongloe, about democracy and peace in the Mano River Union. In that same issue, the regular column "Memo to the President" analyzed President Charles Taylor's alleged shortcomings and those of previous Liberian heads of state.

The government cited the state of emergency laws to justify the action. The media was further instructed not to report on Gongloe's incarceration and torture by State Security agents.

Mr. Gongloe, was himself arrested the previous day for making statements that allegedly "undermined the government" and were "inimical to state security."

According to an Associated Press (AP) report, Monrovia police chief Paul Mulbah said the ban was permanent and refused to give reasons for the closure. "The paper is closed and will not print again. This is a government order," Mulbah told the AP.

According to sources at the paper, the officers did not have documentation authorizing them to close the paper and raid the offices.

Earlier in February, police ordered the newspaper to cease publishing after it ran articles criticizing the state of emergency that the government declared on February 8. The suspension was lifted a week later.

**Mauritania Authorities Descend on the Media**

Agents of the Criminal Investigation Division (CID) on May 31, 2002 arrested and detained Nema Oumar, Editor-in-Chief of the Arabic monthly magazine, EL KHAIMA. No reason was given for the arrest. Earlier on May 30, the country's Ministry of the Interior, Posts and Telecommunications seized the day's edition of the EL KHAIMA, an Arabic weekly newspaper.

According to Ahmedou Guadia, editor-in-chief of EL KHAIMA, the publication was seized for allegedly infringing on the 1991 law on Press Freedom in Mauritania, although no reference was made to any specific offending story. However, sources close to the paper informed MFWA-Mauritania that the Ministry's action was probably based on an article the paper had published on the results of the referendum for constitutional reforms in Tunisia. The referendum proposes amendments that could make Zine El Abedine Ben Ali, president for life.

Article 11 of the July 25, 1991 press law, which provides that newspapers and other publications "may be banned by an order from the Ministry of the Interior", has frequently been invoked to censor unpopular publications in the country. It would be recalled that on May 8, the Ministry cited Article 11 when it ordered the seizure of the entire print runs of the ESSAHIVA weekly newspaper. On each occasion, no specific charge was brought against the publication.

According to Yahya Ould Hamoud, Editor-in-Chief of ESSAHIVA, the Ministry's action was probably related to a story carried by the publication in reference, about the death of a Mauritanian cross-border drug dealer. The story, which also carried an accompanying picture illustration of the corpse, alleged that Senegalese Customs officials on the border between the two countries killed the victim.

The unexplained arrest of journalists and seizure of newspaper publications are a routine part of media practice in Mauritania. On April 12, 2002, Police arrested Mohammed Fall Ould Oumcre, editor of the independent La Tribune weekly newspaper and detained him at the CID Headquarters for nine days.

A week later, on April 18, anti-riot police singled out and violently assaulted journalists covering a civil society demonstration.

The MFWA expressed deep concern about the high-risk fate of journalists and media houses in Mauritania. It condemns the use of state power to suppress press freedom, and the right of the public in Mauritania to be informed and urged the government to respect the universally subscribed rights of all persons to the freedoms of speech and expression and repeal the repressive
press laws in the country. The MFWA called on all lovers of press freedom and freedom of expression to write the government of President Maouïya Ould Sid'Ahmed Taya to protest the situation.

**ATTACKS ON THE PRESS IN MAY 2002**

**Publisher Goes Underground for Fear of Arrest**

Mr. Gbenga Adebayo, publisher of Lagos Network, a Lagos based weekly went underground following the visits to the tabloid's office by officials of the State Security Service (SSS) to arrest him.

The tabloid's executive editor, Mr. Michael Martins, said in statement that a team of SSS men who claimed they were from the Shagisha office in Ketu, Lagos came to their office in search of Mr. Adebayo. Mr. Martin said the publisher who was not in the office when they came had to go into hiding for fear of arrest. His travail is suspected to be in connection with the cover story of his latest publication titled: Obasanjo may die like Abacha.

Legal adviser of Mic-Sage Communications, publishers of the tabloid, Mr. Olugbenga Ogunleye expressed dismay that in a democratic setting, journalists could be intimidated for informing the public.

**Government officials Eject Media Houses From Quarters**

Officials of the Office of the Head of Service of the Federation on May 6 broke into the official quarters allocated to the Bendel Newspaper Company Limited, publishers of the Nigerian Observer newspapers when the workers were not in the office and threw out their property.

The intruders came protected by some men and officers of the Nigerian Police and on the order of a level 10 officer of the Civil Service Commission to whom the office of the Head of Service of the Federation allocated the house despite legitimate occupation by Bendel Newspapers Corporation. The forceful eviction of Observer was carried out despite the intervention of Prof. Jerry Gana, the Information and National Orientation Minister.

The rampaging officials also served notice of ejection to other media houses including Vanguard, Triumph, Daily Times, Newswatch, Champion, Democrat and Concord newspapers.

The Federal Capital Development Authority (FCDA) to whom they also regularly pay rents officially allocated the quarters in question to the media houses in 1987.

The officer later vacated the flat and Bendel Newspapers Corporation returned, following the revocation of the letter of allocation earlier given to her. The revocation letter noted that the information supplied by the woman upon which the allocation was made was incorrect and misleading and is what led to what amounted to double allocation of the same quarters. It added: "The house has now been confirmed to be officially occupied by staff of the media house (Nigerian Observer) that have legitimate allocation issued by FCDA at the time they were responsible for such allocation."

**Daily Times Executives Receive Anonymous Threats**

Daily Times newspapers Managing Director, Dr. Onukaba Adinoyi-Ojo, and Sunday Times Editor, Tunde Ipinnmosho, are being intimidated by anonymous calls, both in the office and at home especially on their GSM lines. The callers asked them to drop reports on the overseas mansions allegedly purchased by the Kogi State governor, Prince Abubakar Audu.

The callers were reported to have started making their calls to the Agidingbi offices of the paper asking for the whereabouts of the officers but refusing to disclose their identities. Then they shifted the calls to the cell phones. The callers warned them that great perils await them if they didn't drop the stories on Prince Audu. The callers also threatened to go after them assuring the
officers that they know the homes of the officers. One of the callers who claimed to be speaking for an unknown group, Kogi Youth Vanguard threatened to deal with them in a way their survivors will never forget them.

When contacted, the governor's Special Assistant on International Projects and General Duties, Mr. Dan Okolo said the government knew nothing about the strange calls.

**JOURNALISM / PRESS FREEDOM AWARDS**

**Freedom Forum International Journalist-in-Residence Programme**

The Freedom Forum is seeking applications from print and broadcast journalists or other media managers with career goals in journalism for its Journalist-in-Residence Programme. The programme is designed to broaden understanding of the American media.

The three to four-month programme focuses on journalism courses at a major university in a large U.S. city. Participants also visit local media outlets and participate in lectures and seminars. The programme is open to journalists from Africa, Asia, Central and Eastern Europe, the former Soviet Union, and Central and South America.

Applicants must be working journalists with at least two to three years' experience, and proficient in written and spoken English. Preference will be given to those who have had little or no experience in the U.S.

Submissions should include: 1) A 300-500 word essay, in English, discussing a) your career goals and aspirations, and how a training programme at a university in the U.S. might help you accomplish those goals, b) your primary area of interest, such as writing, editing, advertising, media ethics, photojournalism, or political reporting and how it relates to your career goals, c) what freedom of the press means to you. 2) A copy of working press credentials or equivalent. 3) Three samples of your journalistic work, such as newspaper stories, editorials, transcripts or radio or video broadcast, or other published articles or photos. Do not send audio or video tapes. 4) A letter of recommendation or endorsement from your news organization. The letter should include a guarantee that your position will be held upon return. 5) A current resume and photo.

Online applications are available at Web site: www.freedomforum.org.

Contact: Robert Paul, E-mail: int@freedomforum.org;

DEADLINE: Late August/early September

**CJFE Seeks Nominations For International Press Freedom Award**

Canadian Journalists for Free Expression (CJFE) is seeking nominations for the 2002 CJFE International Press Freedom Awards. Each year, two prizes are awarded to journalists who "overcome enormous odds" to report the news. The awards are open to journalists or media outlets who demonstrate a commitment to human rights, report on issues issues rarely covered by other media, and have taken personal risks or suffered physical reprisals for their work. Those who have been previously awarded a major press freedom prize are not eligible.

Nominations should include a cover letter, biographical information on the nominee, samples of the nominee's work and contact details. The awards are each worth CDN$3,000 (US$1,965) and will be presented to the winners at a ceremony in Toronto on November 13.

For further information or to send nominations, contact: Joel Ruimy at E-mail: ruimy@cjfe.org.

**Award For Investigative Reporting Available**

The International Consortium of Investigative Journalists (ICIJ) has called for entries for its excellence in investigative journalism award. The award prize is 20,000 US$ for first-place prize and up to five finalist awards of 1,000 US$ each.
ICIJ say the story or series must involve reporting in at least two countries. Work is eligible without regard to the language in which it originally appeared. However, entries submitted in the original language must be accompanied by an English translation.

Deadline: July 15, 2002

Applications Open for Human Rights Advocates Training Programme

Columbia University has started to receive application for the 2002 session of its annual Human Rights Advocates Training Programme directed mainly at human rights activists based in developing countries.

Each year, the Center for the Study of Human Rights hosts a four-month intensive training programme for human rights activists. The Human Rights Advocates Training Program seeks to equip emerging human rights leaders with the tools and information necessary to resolve human rights issues in their own communities, and with the resources needed to link their issues to a broader struggle. Fellows will undergo theoretical and practical training in the principles and theories of human rights with practical workshops on issues such as human rights reporting and fundraising. Advocates also participate in regular visits to international human rights institutions based in New York City and Washington, DC.

Based on the premise that human rights are inter-related and universal, the Advocates Programme brings together activists from around the world working on a wide range of human rights issues. In addition to supporting emerging leaders from countries with significant abuses of civil and political rights, the Center supports new areas of struggle for rights protection, such as indigenous rights, Roma rights, and gay and lesbian rights, to expose Programme participants to a broad vision of human rights.

The Program is designed for lawyers, journalists, teachers and other human rights activists working for non-governmental human rights organizations in developing countries. Participants are selected on the basis of their previous work experience and commitment to the human rights field, as well as the appropriateness of a semester-long training at Columbia. Preference is given to candidates from countries where human rights work is most difficult, and where the existing human rights networks are least developed. In addition, priority is given to applicants who have had limited opportunities to study or travel abroad.

Advocates must currently be working for a human rights organization, and must make a commitment to returning to that organization upon completion of the Programme. Fluency in English is required. Up to fifteen applicants are accepted to the programme, which takes place from January to May each year.

Deadline for application is by 5:00 PM on August 1, 2002.

Applicants can download forms at website at http://www.columbia.edu/cu/humanrights/adv.html

Irish Centre For Human Rights Seeks Fellowship

The Irish Centre for Human Rights, NUI Galway, in conjunction with the Bank of Ireland has announced a one-year fellowship in Human Rights Law for a scholar of note from a developing country.

Applications for this fellowship are invited from academics from any developing country whose research output and teaching focus on the area of human rights. While the Centre is engaged in the teaching and research of international human rights law, this fellowship is not restricted to scholars with legal backgrounds. Interested candidates should send in their complete CV, outlining their engagement with human rights issues or organisations and teaching interests. In addition candidates are also requested to send a brief abstract of research they wish to pursue during their time at the Irish Centre for Human Rights.

Interested applicants should contact Professor William Schabas, Director, Irish Centre for Human Rights, at william.schabas@nuigalway.ie.
CPU Invites Nominations For Astor Award

The Commonwealth Press Union (CPU) is seeking nominations for the 2002 Astor Award, presented annually to an individual who has made an outstanding contribution to press freedom or to the promotion of the Commonwealth newspaper industry. The award is to be presented in October at CPU's biennial conference in Sri Lanka.

Nominations must be received by August 31 and include the name of the nominee, details about their newspaper and a brief paragraph stating why they should be nominated.

The Astor Award was named in honour of Lord Astor of Hever, a past president of the CPU. Send nominations to: Lindsay Ross, CPU Press Freedom Director at Lindsay@cpu.org.uk

For more information, see www.cpu.org.uk/astor.html.

Geoffrey Nyarota wins The Golden Pen of Freedom Award

The Paris-based World Association of Newspapers on May 27 announced that it had awarded its annual press freedom prize, the 2002 Golden Pen of Freedom, to Geoffrey Nyarota, Editor of the Daily News in Zimbabwe, in recognition of his outstanding service to the cause of press freedom in the face of constant persecution.

"I receive this award today on behalf of the beleaguered and much terrorized journalists of Zimbabwe," said Mr Nyarota, in accepting the award just one week after he was arrested and briefly jailed in a continuing campaign of government harassment.

"It is my very sincere hope, nay, my fervent prayer that in the not-too-distant future the people of Zimbabwe will collectively receive a major media award befitting of our once prosperous national genuine press," he said.

The presentation was made at the 55th World Newspaper Congress and 9th World Editors Forum, held in Belgium.

Mr Nyarota, 50, is Editor-in-Chief of the privately-owned Daily News, which was launched in 1999 and has become the largest circulating daily newspaper in Zimbabwe with sales of more than 100,000 copies per day. Its most serious rival, the government-controlled Herald, has seen its circulation decline from more than 150,000 to about 60,000 a day over the same period.

The newspaper achieved its success with independent coverage and investigative reporting of corruption, human rights abuses and economic mismanagement. That has brought down the wrath of the government and its supporters.

A bomb destroyed the printing press of the Daily News last year and its offices were attacked in April 2000. Its editors and reporters have been arrested on numerous occasions and a reported plot to kill Mr Nyarota failed last year.

Most recently, Mr Nyarota was arrested and briefly detained on May 20 on allegations of publishing "falsehoods" and violating the draconian Access to Information and Protection Act.

Mr Nyarota rose to prominence in Zimbabwe when he was appointed editor of the Bulawayo daily The Chronicle in 1983, three years after Robert Mugabe had been elected president.

In a tense and violent political climate, The Chronicle was one of the few Zimbabwean newspapers to pursue investigations into government corruption. When Mr Nyarota exposed the "Willowgate" scandal, forcing five cabinet ministers to resign, he was removed from his editorial position by his company, Zimbabwe Newspapers, for his "own safety."

Mr Nyarota became Editor for the weekly Financial Gazette in 1991 but was dismissed in a dispute over editorial control of the paper. He then joined the Nordic School of Journalism in Maputo, Mozambique, and travelled and taught extensively in southern Africa. He returned to Zimbabwe in 1998 with the formation of Associated Newspapers of Zimbabwe, which was soon to launch the Daily News.

He is also the 2002 laureate of the UNESCO Guillermo Cano World Press Freedom Prize.
“Freedom of information is a fundamental human right and the touchstone of all the freedoms to which the United Nations is consecrated.”

UN Resolution 59(1) 1946

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