Nigerians Wait in Pains for NITEL GSM Services

Three years into the life of this administration, majority of Nigerians still don't have access to telephone, which in effect restricts their ability to communicate freely and violates their right to freedom of expression.

The euphoria created by the commencement of operations by the two private Global System for Mobile Communication (GSM) services providers - Econet and MTN Nigeria Ltd, seems to have died down because a broad section of Nigerians that had hoped to be part of the "telephone revolution" have been effectively shut out by the high tariff regime of Econet and MTN thus dashing the hope President Olusegun Obasanjo raised on assumption of office on May 29 1999 that he would make telephone available to the poor.

President Obasanjo had assured Nigerians that his administration would pursue network development projects which would ensure that the country meets and exceeds the International Telecommunication Union’s (ITU) recommended minimum tele-density of one telephone line to 100 inhabitants. He had promised that a minimum of two million fixed lines and 1.2 million mobile lines would be provided within the first two years of his administration.

The long-term objective was to put in place at least five million new fixed and four million mobile lines within five years. Under this plan, telephone facilities would also be brought to within five-kilometer distance of any community in Nigeria.

Both the short term and long term plan of the government seem unrealistic because the faint hope most Nigerians nursed that NITEL GSM services would be within their reach has also turned out to be a mirage. This is because nine months after Econet Wireless and MTN Nigeria Limited rolled out their commercial services, Nigeria Telecommunications Limited
NITEL commenced services on a very low scale- rolling out only about 5,000 lines in Abuja. The lines were its contract/postpaid services and there NITEL. It started GSM operations in Lagos on April 26, as it earlier stated after several postponement and with repeated assurances that it would commence business on that day. NITEL rolled out very limited number of GSM contract package lines. The more popular post paid (pay as you go) was not launched thus disappointing majority of Nigerians who had based their hopes of owning a phone line on the roll out of NITEL GSM services.

NITEL management had earlier assured that it would roll out operations in Lagos with an initial five thousand lines and five Radio Base Stations (RBS) located at Ikeja, Victoria Island, Odunlami, Apapa, Ebute-Metta and Ipori. It added that only people around these areas would enjoy their services when it rolled out before expansion.

Although its failure to deploy enough lines did not come as a total surprise, observers had thought that the smooth takeoff of its rivals (MTN and Econet) would rub-off on it.

Before the advent of the civilian regime, NITEL's history of inefficiency was blamed on past military regime one of whose minister said telephone was not for the poor. Since the soldiers have retreated to the barracks and are no longer available to be blamed, the Minister of Communications came out with a new excuse: that NITEL had been slowed down by privatization which came to a sudden halt because of Investors International (London) Limited (IILL)’s inability to raise the $1.317 billion to purchase 51% shares of the parastatals having emerged the preferred bidder for it.

NITEL became the beautiful bride to most Nigerians who want to hook on to the telephone culture when it became obvious that MTN and Econet were not in a hurry to slash their tariff so that it can be affordable to people within the low income bracket.

While Econet and MTN have between them claimed to have deployed over 800,000 GSM lines, NITEL has so far deployed only about 6,000 with a promise to roll out about 100,000 lines by the end of the year.

But why has NITEL refused to perform? Engr. Ernest Ndukwe of the National Communication Commission (NCC) said it was because of the restriction caused by its planned privatization. He said if there was an organizations qualified to run the GSM business in Nigeria, it is NITEL because it has facilities rolled out all over the country, which it can effectively rely on. Yet MTN and Econet which had to build facilities from the scratch are already in operation while NITEL is still taking unsure steps at deploying the same services.

NITEL's failure to roll out also highlights the problem of telephony in Nigeria. One time Minister of Communications, Engr. Olawale Ige in a paper on the "The Evolution of the Telecommunications Industry" informed that Nigeria gained political independence in 1960 with less than 100,000 telephone lines forty years after by the year 2000 and probably till date, Nigeria is yet to attain a 1,000,000 telephone lines mark for a population of not less than 120,000,000 inhabitants.

Engr. Olawale's views were shared by Vincent Maduka another prominent player in the telecommunication sector who said by 1987 the main services offered the general public by NITEL were telephony, telegraph, telex, and payphones.

"There was also some point to point, private services and the broadcast gateways for international transmissions. NITEL statistics stood at 400,000 installed capacity. Fifteen years on, NITEL’s figure today is about 700,000 and the number of lines per hundred has only risen from an estimated 0.3 to 0.4 in 2001" he said. Maduka said for a developing country to attain a 5 percent GDP growth, it needs a minimum density of 1 percent, Asian Tigers, Ireland parts of China, were doing over 10 percent.

All these suggest that Nigeria is still far behind in the race to make telephone accessible to more Nigerians.
It was thought that NITEL would bridge the gap because it has the facilities that could make its services cheaper. The inability of NITEL to meet the nation's demand highlights its informal repression of Nigerians' right to communicate: to impart and receive information. It is a globally accepted fact that the right to telecommunications facilities is within the ambit of the right of freedom of expression guaranteed by a number of international human rights instruments especially article 19 of the Universal Declaration of Human Rights (UDHR) and article 19 of the International Covenant on Civil and Political Rights (ICCPR). NITEL, and by extension, government's inability to meet the demand of telephone subscribers is a major repression of Nigerian citizens' right to freedom of expression. This view is based on the realization that the right of every person to express himself or herself will be less meaningful if there is undue limitation on access to the means of communication, which appears to have been the case in Nigeria for several decades.

This view has been supported by numerous judgments in several Commonwealth and European Unions countries. Among these are the count of Appeal of the Dominican Republic in Civil No. 5 of 1999 between Marpus Telecoms and Broadcasting Company V. Cable and Wireless Dominica Limited; Groppena Radio AG V. Switzerland (199) 12th ER321); Austronic AG v. Switzerland (1990) 12EH RR. 327; both before the European Court of Human Rights, and Retrofit (PVT) Limited V. Post and Telecommunications Corporation of Zimbabwe.

Although, Nigeria has not witnessed any case challenging the non-availability of telephone lines to those seeking it, there has been a limited telephone network for many years and the waiting list of persons who have applied for telecommunication services is estimated to be over 10 million people.

There are very few digital services available in Nigeria and these have restricted bandwidth to 9.6kbps on many routes.

Besides the non-availability of its GSM services, the acquisition and maintenance of NITEL phone lines are also prohibitive. Although, the government has officially reduced the cost of installation for telephone to N15,000.00, in reality installing a telephone line in many parts of the country particularly in places like Lagos and Port Harcourt still costs between N80,000.00 and N120,000.00 depending on the location and can take several months. In some cases, potentials subscribers wait for years after paying, before securing telephone lines.

In August 1999, the government reduced the installation cost of telephone lines to N20,000 and by early 2000, it further reduced the cost to the present N15,000.

Before August 1999, the official cost of a telephone line from NITEL was N50,000. But intending customers were known to have spent as much as N150,000 and had to queue for several months, and sometimes years, before they could get a line, if they were lucky. These reductions have led to increased demand for telephone lines, which NITEL appeared not to have planned for, thereby further compounding the woes of subscribers on the waiting list.

Early in 1999 when the Obasanjo government initiated its gradual deregulation of the industry, NITEL, besides reducing the cost of installation fees for telephone lines, also began to review its charges.

Under a new tariff structure which came into effect early last year, telephone calls to Europe, the Americas and the Caribbean, which used to cost N222 per minute, were reduced to N165 per minute. Calls to Asia and Oceanic countries were reduced from N280 per minute to N165 per minute. Calls to African countries were reduced to N112.50 per minute as against the former N150 per minute.

The cost reduction also affected fax messages, telegraph services and within country calls in various percentages. For instance, for domestic local and trunk calls, NITEL reduced the rates by 50 per cent for calls made during of peak period (7am - 7pm) and as well during weekends and holiday periods. Despite these measures, respite is far from sight for subscribers.
NITEL presently has 711,250 lines. Out of this number, only 408,558, barely more than half of the total number of lines, are mobilized. The remaining 302,692 lines are idle. (see first table below). There were then approximately 30,000 mobile cellular telephones. But this service is also plagued by inefficiency and ineffectiveness with the result that many subscribers only carry their hardware for cosmetic purposes.

Out of the 408,558 mobilized fixed phones lines, only a little over half are digital. The remaining lines are analog, a system which is already outdated and has been phased out in most parts of the world, including in many countries in Africa. Out of the analog lines, 36,753 lines are idle as a result of the digitalization of the exchanges and the replaced analog equipment are yet to be relocated. Some of these lines are in Oyo in Oyo State, (1,000 lines); Zaria in Kaduna State (2,600 lines); Jos in Plateau State (8,000 lines); Maiduguri in Borno State (6,000 lines); Ijebu-Ode in Ogun State (3,000 lines); and Bauchi in Bauchi State (1,750 lines).

These figures exclude the lines burnt in fire incidents in some parts of the country at various times. These include telephone lines in Apapa (6,000 lines); Ikeja (16,500 lines), both in Lagos; and in Benin City, Edo State (10,000 lines).

They also exclude the number of lines in decommissioned telephone exchanges, which have been put out of the network. These are in Lagos (10,000 lines); Kano in Kano State (10,000 lines); Enugu in Enugu State (10,000 lines); and Abeokuta in Ogun State (5,000 lines).

Thus on the average, Nigeria's teledensity, using an estimated population figure of 120,000,000, was one telephone line to about 300 people. This has increased to roughly one telephone line to 100 people with the deployment of GSM line by MTN and Econet.

In many countries in Western Europe and North America, the average number of telephone lines per 100 people is over 50. But in the less developed world, especially Africa, the picture reveals a marked difference. The state of telecommunications services in Nigeria is even more parlous compared to such other countries as South Africa, Ghana and Algeria.

As at the year 2001, there were about 44 million phone lines in Africa. Most of these phone lines in are concentrated in urban areas with less than 30 percent of the population.

Out of those number of lines in Africa, South Africa accounts for close to 30 per cent with over 14 million lines. It is closely followed by Egypt with over 9 million lines. South Africa’s tele-density is approximately 32.35 lines per 100 people. This figure has, in fact, further improved with the growing number of cellular phones especially with the recent deregulation of the industry in South Africa.

Mauritius, with 600,000 telephone lines has the highest tele-density in Africa. It has 50.56 lines to 100 people.

Compared to South Africa, Nigeria is obviously several years behind with its meager 408,250 active telephone lines in 1999 which rose to about 803,000 installed lines with barely half the number active. Nigeria competes with the low tele-density countries in Africa.

The GSM is considered an important opportunity to address the huge backward tele-density ratio in developing countries, especially in Nigeria, because of a number of reasons. First, it is easy to deploy since it does not require cable; it is easy to expand, access, with clear audio and it is mobile. It is also clone and fraud proof. Besides these, it has versatile services, a wide international application and is in line with modern telecommunications trends worldwide. Perhaps most cheering is the fact that it is cheap, and hence relatively affordable.

*NITEL Lines As At August 1999*

<table>
<thead>
<tr>
<th>Zone</th>
<th>Total Installed and active</th>
<th>Total Connected</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central</td>
<td>88,096</td>
<td>37,484</td>
<td>50,612</td>
</tr>
<tr>
<td>Lagos</td>
<td>197,043</td>
<td>137,027</td>
<td>60,016</td>
</tr>
<tr>
<td>N/E</td>
<td>56,770</td>
<td>26,387</td>
<td>30,383</td>
</tr>
<tr>
<td>N/W</td>
<td>96,116</td>
<td>56,541</td>
<td>39,575</td>
</tr>
</tbody>
</table>
**Table showing the Teledensity of 20 Selected African Countries (as at 2001)**

<table>
<thead>
<tr>
<th>Country</th>
<th>Population (Million)</th>
<th>Total Telephone (thousands)</th>
<th>Telephone Lines per 100 inhabitants</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Algeria</td>
<td>31.14</td>
<td>1'980.0</td>
<td>6.36</td>
</tr>
<tr>
<td>2. Benin</td>
<td>6.45</td>
<td>184.3</td>
<td>2.86</td>
</tr>
<tr>
<td>4. Cameroon</td>
<td>15.20</td>
<td>411.4</td>
<td>2.71</td>
</tr>
<tr>
<td>5. Cape Verde</td>
<td>0.44</td>
<td>93.8</td>
<td>21.48</td>
</tr>
<tr>
<td>6. Congo</td>
<td>3.11</td>
<td>172.0</td>
<td>5.53</td>
</tr>
<tr>
<td>7. Egypt</td>
<td>64.55</td>
<td>9,443.8</td>
<td>14.63</td>
</tr>
<tr>
<td>8. Ghana</td>
<td>20.93</td>
<td>435.9</td>
<td>2.08</td>
</tr>
<tr>
<td>9. Libya</td>
<td>5.58</td>
<td>660.0</td>
<td>11.83</td>
</tr>
<tr>
<td>10. Mauritius</td>
<td>1.20</td>
<td>606.8</td>
<td>50.56</td>
</tr>
<tr>
<td>11. Namibia</td>
<td>1.79</td>
<td>217.4</td>
<td>12.16</td>
</tr>
<tr>
<td>12. Niger</td>
<td>11.23</td>
<td>23.5</td>
<td>0.21</td>
</tr>
<tr>
<td>13. Nigeria</td>
<td>116.93</td>
<td>830.0</td>
<td>0.71</td>
</tr>
<tr>
<td>14. Senegal</td>
<td>9.66</td>
<td>628.0</td>
<td>6.50</td>
</tr>
<tr>
<td>15. Seychelles</td>
<td>0.08</td>
<td>65.5</td>
<td>81.87</td>
</tr>
<tr>
<td>16. South Africa</td>
<td>43.79</td>
<td>43.79</td>
<td>32.35</td>
</tr>
<tr>
<td>17. Swaziland</td>
<td>1.02</td>
<td>98.0</td>
<td>9.61</td>
</tr>
<tr>
<td>18. Tunisia</td>
<td>9.70</td>
<td>9.70</td>
<td>14.90</td>
</tr>
<tr>
<td>19. Zambia</td>
<td>10.65</td>
<td>183.7</td>
<td>1.72</td>
</tr>
<tr>
<td>20. Zimbabwe</td>
<td>13.65</td>
<td>582.4</td>
<td>4.27</td>
</tr>
</tbody>
</table>

*Source: International Telecommunications Union (ITU) 2002*

**Broadcasting Rights Tussles Laid to Rest**

Nigerians may now relax and watch international and local events of national importance, live on their television sets as the often-controversial issue of broadcast rights seems to have finally been resolved. International and national events can now be watched live without fear of disruption by court injunctions.

This cheering news followed the resolution of the modalities for live broadcast of the forthcoming FIFA World Cup matches between TV Africa, the Mauritius-based content provider for African broadcasting stations, and local Nigerian stations. In addition, the National Assembly may withdraw the "Sole Broadcaster" right over event of national magnitude hitherto conferred on the Nigerian Television Authority (NTA).

TV Africa and Nigerian television stations both private and public under the auspices of the Broadcasting Organisation of Nigeria (BON) met in Abuja on April 17 where the issue and other matters were resolved.

The Nigeria Broadcasting Commission (NBC) brokered the meeting at which representatives of over 50 public and private broadcasting houses in Nigeria attended.

It was agreed that the BON members would automatically be entitled to air all 64 matches played during the competition without paying for the broadcast rights.

Mr. Remi Sogbetun, TV Africa's Regional Director disclosed that Nigerian television houses will however pay $220 about N29,000.00 to acquire TV Africa's decoder and three-
metre satellite dish to decode signals from it. The stations however have the option of leasing the decoder for $50 about N6,700.00 for the period of the world cup.

The caveat to the decision is that: "Each broadcaster would be required to keep TV Africa's pre-sold advertising and sponsorship packages within the broadcast." Mr. Sogbetun disclosed further that: "Each broadcaster will have at least 9 minutes per game for advertising," as well as additional minutes from the half-time break and injury time added to any particular match. Nigerian stations hooking up to TV Africa are also obliged to carry TV Africa and FIFA logos as well as the logos of the six sponsoring firms signed on by TV Africa. Though TV Africa is giving it to the stations on these terms, Mr. Sogbetun disclosed that TV Africa secured the rights from FIFA for $2.5 million.

A ten-point communiqué signed by Messrs Jimmy Atte, for federal broadcast stations; Joseph Ari, for States stations; Chief Raymond Dokpesi, for private stations; Remi Sogbetun for TV Africa; and Mr. Mac Emakpore, Director of Monitoring and Operations of the NBC was released.

Specifically, the following decisions are the highlights of the communiqué:
1. TV Africa has no affiliates but licensed broadcast partners in Nigeria;
2. Nigerian Broadcasting Stations and TV Africa, under the auspices of the National Broadcasting Commission, have agreed to transmit all the 64 matches of FIFA Korea/Japan 2002 World Cup to the Nigerian audience.
3. All Nigerian broadcasting stations shall have the right to relay the Korea/Japan FIFA World Cup 2002 matches free, in accordance with respect to TV Africa's logo and commercials;
4. No tobacco or alcoholic products shall be advertised during the games.
5. NTA shall have the right to take all the 64 games, as provided in the agreement.
6. The signals shall be provided through decoders provided by TV Africa
7. International commentators are provided for all matches, however, TV Africa will allow studio guests who are Africans, including Nigerians;
8. Total advert time for each match, subject to extra time, shall be nine minutes for all sub licensees, and four minutes for TV Africa;
9. Subscribers shall not carry adverts that are competing with those of the sponsors;
10. Non-compliance with agreed terms may lead to the interruption of signals by TV Africa.

Ironically, some of these conditions were the same that TV Africa gave to NTA that it refused asking for a clean slate. They are also the same conditions over which BON in a paid advert said were calculated attempts to deny majority of Nigerians an opportunity to watch the matches and “commercially exploiting Nigerian sponsors” to maximise profits. These are the same conditions that members of BON have now accepted with joy and satisfaction.

When Media Rights Monitor spoke with Mr. Segun Olaleye, TV Africa's Affiliate Relations Manager, in January, he revealed that TV Africa bought the right … with the understanding that it will give it free to air to television stations all over Africa. He said that it gave stations ready to broadcast the matches three conditions - they should carry TV Africa's logo; carry its adverts and make their money by taking 15 minutes of advertising time within the matches. This is in addition to the Nigerian stations' freedom to do whatever they liked with the periods/times prior to the kick-off and after the matches as well as during half time break.

The issue of broadcast rights over national and international sporting events (mainly soccer) had at various times before now been an issue of controversy between one station or group and the other.

During the World Youth Football Championship tagged Nigeria 99, the NTA tenaciously held on to its claim of exclusive right. It took so much pressure from sundry quarters to get NTA to work with the private broadcasters. Such agreement could not be reached during the African Cup of Nations.
During the Confederation of African Football (CAF) Nations Cup matches jointly hosted by Nigeria and Ghana in January and February 2000, issues of rights could not be settled before it went to court.

The Nigerian Television Authority (NTA) took Murhi International Television (MiTV) to court for infringement on broadcast rights to the Nigeria/Tunisia match played on January 23. NTA got a court injunction restraining MiTV from further transmitting subsequent matches as well as an order to seal off MiTV station.

In the suit No: FHC/L/CS/72/2000, Nigerian Television Authority (NTA) Vs. Murhi International Television (MiTV), filed at the Federal High Court of Lagos on January 27, 2000, NTA asked for a declaration that it, being the holders and owners of the copyright in the broadcast of the 16 matches of the 22nd Cup of Nations co-hosted by Ghana and Nigeria, is the only one permitted under the copyright law to broadcast any of the matches in Nigeria. NTA also sought a declaration that the defendant (MiTV) infringed its copyright in the Nigeria/Tunisia match of January 23, 2000, by transmitting and broadcasting the match on that day on its television transmission known as MiTV on the UHF Channel 43 without the prior consent, licence and approval of the NTA.

The NTA also sought for an order of perpetual injunction restraining MiTV, and its agents from further infringing or causing, enabling, or assisting others to infringe on the its copyright in the station's TV broadcast of CAF Ghana/Nigeria 22nd Cup of Nations; and from recording and accepting advert from all categories of the public on their intended airing of the event pending the hearing and determination of a motion on notice to be filed by them.

The Motion was supported by a 22-paragraph affidavit deposed to by one Mr. Rasheed Busari a Principal Administrative Officer of the NTA. By an Order dated 28th day of January 2000, Justice Jega restrained MiTV as asked by NTA and the substantive suit was adjourned to February 23rd 2000.

The National Broadcasting Code which is the legislation that guides the conducts of broadcasting in Nigeria outlaws the issue of exclusive right to events of national importance.

Section 5.4.1 of the code says: coverage of public events of major national importance shall not be exclusive to any single broadcasting station. Also Section 5.4.2 of the code says "where there is any conflict of interest in spite of Section 5.4.1 above, the National Broadcasting Commission shall be the final arbiter."

In another effort to resolve rights issue, the Chairman, Senate Committee on Information, Senator Jonathan Silas Zwingina revealed in February that the National Assembly
has put machinery in motion to amend the Nigeria Television Authority (NTA) Act to extract the clause that gives it exclusive rights to national events held in Nigeria.

Senator Zwingina, made this known when he presented the committee's report at the resumed Senate sitting recently.

Mr. Zwingina said the committee had overhauled the NTA Act and fashioned a new bill entitled: "NTA Bill 2002" and that the bill has been abridged to only 25 sections as against the former 36 section.

The Senate Committee, he said, has deleted Section 7 of the NTA Act, which conferred on the authority exclusive rights to broadcasting in Nigeria. Section 7 of the NTA Act says that: "The Authority shall, to the exclusion of any other broadcasting authority or any person in Nigeria, be responsible for television broadcasting in Nigeria."

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The preamble of the Proposed NTA Act 2002, would now read "a bill for an Act to establish the Nigerian Television Authority to be charged with the partial responsibility for the provision of public television broadcasting in Nigeria and other matters related thereto."

He also disclosed that Sections 14, 15, 16, 17 and 18 which divided the nation into six zones and provided for Zonal boards of NTA as well as the composition and nomination of the boards, their terms of service, and functions which had since been abolished have been deleted in the new bill.

He added that Sections 27, 28 and 29, which indemnified NTA against court actions, judgments and their execution) necessitated the amendment of the NTA Act, following a dispute between the NTA and a private television producer, Charles Oputa alias "Charlie Boy", have also been deleted as they were in conflict with the 1999 Constitution and the National Broadcasting Commission (NBC) Act No. 38 of 1999. Senator Zwingina contended that such sections "were not only outdated, but also unconstitutional," hence, the need to remove them.

If passed, all broadcast stations will have unhindered right to freely record and broadcast national events straight from the venues, especially sport events which have always constituted the contentious bone.

*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: Celebrating the World Press Freedom Day

On May 3, 2002 the world press marked the first year of the second decade of the Windhoek declaration of the World Press Freedom Day. The Windhoek declaration essentially seeks, consistent with article 19 of the Universal Declaration of Human Rights, (UDHR) to, amongst others, strengthen "independent, Pluralistic and free press … essential to the development and maintenance of democracy in a nation, and for economic development."

This right to freedom of expression and the press as well as the right to seek, receive and impart information which the declaration seeks to protect is also enshrined and protected by the International Covenant on Civil and Political Rights (ICCPR), and the African Charter on Human and People's Rights (ACHPR). These are international instruments which the Nigerian government has signed and ratified. The right, to a lesser extent, is also enshrined and protected by the 1999 Nigerian Constitution.

The right to free expression and free press is one that helps promote, protect and sustain all other rights as well as protect democracy and all its noble principles. It enhances a free society through transparency and accountability. Unfortunately, enemies of a free and transparent society have consistently fought against the press. The state, corporations, and individuals have fought tenaciously to prevent a free press. These forces have hounded journalists and media workers. They have killed, maimed and detained and imprisoned journalists all over the world for doing what sets the society free.

Journalists still face various threats especially to their lives in their search to seek information and educate and enlighten the people. They are continually attacked, maimed and killed daily in spite of the installation of democratic governments in most countries all over the world. These various attacks are most often committed with governments' tacit support such that these attacks are carried out with impunity.

According to figures released by Reporters Sans Frontieres (RSF) the Paris France based reporters without borders, 243 journalists were killed in conflict areas in the last decades. Of this number, 176 or 72% were killed "following an assault of a journalist identified as such." This chilling figure gives rise to the need for governments, international and local organisations, the media and editors to come up with measures to limit the risks journalists especially those covering crises and war are exposed to. It is cheering news that the same RSF that collated the figure has also called various groups and stakeholders in the media and crises (reporters, diplomats, military officers, national press editors and international organisations, the International Red Cross Committee and non-governmental representatives) to a roundtable to share their experiences and address the issue. It is pertinent to note that the issue is of a global concern and the world must rise to the challenge.

In addition, over seventy writers and journalists are also reported incarcerated in prisons around the world serving sentences several years long. Most are accused of practising their rights to freedom of expression and association. Many are held in countries that have signed international human rights agreements that specifically protect the right to freedom of expression.

For us in Nigeria, the government and people must be watchful and alert because the present civilian government has not lessened the attacks on journalists. It has in fact opened new forms of attacks not common to the military. Journalists have been barred from venues of obvious events that journalists should normally cover. They have been barred from covering parliamentary and house committee sittings all over the country. They have also been arrested and detained by various security agencies and individuals. It is as if the military is still in power the way the attacks are committed with impunity.

Nigeria and most African countries lack a Freedom of Information law. African governments officially deny journalists and Nigerians access to information in their custody. Information is needed for transparency and accountability, which form the major pillars of democracy. With the guarantee of freedom of expression in most nations' statute books,
democracy can take root. The absence of a Freedom of Information law breeds speculation and suspicion which in turn causes instability.

**Foreign Media Bash Nigeria's Image Abroad**

Just as the furor generated by Jeff Koinange of Cable News Network (CNN) was settling and the government of Nigeria was attempting to re-orientate foreign journalists about accurately reporting Nigeria, another controversy rose up from the still warm ashes of the Koinange issue.

In its April 15 edition Time International magazine, another medium in the Time Warner group, came with a story by Stephen Faris titled "The Whole Truth," the gist of which is that Nigerian journalism is built on and sustained by a culture of bribery and that the Nigerian government is involved in and encourages it.

In "The Whole Truth," Faris reported that the Ministry of Information invited foreign journalists to Abuja, the nation's Federal capital Territory in February and that after a lecture on accurate and honest reporting and "admonition which included request for less negative news, each reporter was presented with a pack containing government reference books. Nestled in the same bag was a brown envelope stuffed with about $400."

While the Faris matter is still smoldering, *The Financial Times* reported in its April 9 edition that "funds totaling 12.3 million pounds for a polio eradication campaign in Nigeria have been diverted by a senior Nigerian official, a friend of the wife of President Olusegun Obasanjo, to a local interest-bearing account without the consent of the donor."

The Faris story went ahead to state that "bribery is one of the challenges Nigeria's press faces as the country makes the difficult transition from dictatorship to democracy. With well over a dozen national dailies and several weekly news magazines struggling for shelf space, Nigeria's press is one of the liveliest in the continent ….but a truly free press must be liberated not only from government oppression, but from the temptations of cash-filled envelopes like those issued by Gana's office."

The report did not go down well with the Nigerian government. It did not go down well with Nigerian journalists as well. Journalists rose to condemn it as a deliberate attempt to slander the Nigerian journalism practitioners. While not denying that cases of bribery are found among its practitioners, they argue that it is not restricted to Nigeria, that it is practiced even in western countries and gave chronicled examples.

The Nigerian government ordered investigation into the matter and the State Security Service (SSS) took up the matter. It quizzed officials of the Ministry of Information and other persons involved.

The investigation panel submitted its findings to Federal Executive Council (FEC) meeting on April 24

It was discovered that the Ministry actually invited foreign journalists to an interactive session with the Minister of Information, that the journalists were given N50,000.00 not ($400) dollars by the ministry. The invitation letter sent to the foreign correspondents with only two days notice stated clearly that the journalists would be reimbursed their transport cost to and from Abuja as well as their hotel accommodation for one night and other incidental expenses within Lagos and Abuja. Two of the 28 correspondent who attended the session turned down the reimbursement. The third, the Reuters' correspondent, returned his later with a note that he was actually in Abuja for another programme.

Justice Minister and Attorney General of the Federation, Mr. Kanu Agabi (SAN) who announced the investigative panel's findings exonerated the Ministry of Information and National Orientation of any impropriety. He said the entire magazine's report was false and targeted at damaging the nation's image at the global level. He said further that: "What Stephen
Faris described as 'The Whole Truth' should more appropriately have been described as the whole lie." He revealed that Stephen Faris was not at the meeting and was not even in the country. He added that during the meeting, the promise to reimburse the journalists’ expenses "was announced severally at the session and during lunch." And argued that: “if the intention was to bribe the journalists, it will be inconceivable that it would be made so open." He said that government has decided to prosecute the reporter warning that any foreign journalist who reports falsehood about the nation would not be allowed to escape justice.

Editors Meet, Chart Course for Election Reporting
Selected senior editors of some of the nation's print and electronic media met at a three-day (April 18-20) seminar in Abuja to brainstorm on the role of the media in the forthcoming elections especially those of 2003.

The seminar, with the theme "The Mass Media and the Challenges of Reporting Elections," was jointly organized by the National Interest Newspaper, the Mass Media Africa Peace Center and the International Foundation for Election System. They called on journalism practitioners to facilitate healthy debates among incumbents and their challenges in the forthcoming elections.

Chief Raymond Dokpesi, the Chairman and Chief Executive of Daar Communications, owners of Ray Power Radio stations and Africa Independent Television (AIT) gave the keynote address. His paper was titled "Deregulated Broadcast Media Environment and the Challenges of 2003 Elections, IBAN perspectives." In it, he urged the media to maintain its credibility, neutrality and transparency notwithstanding the difficult environment in which it is operating. He identified some of the challenges facing the media as the next elections approach as sustaining credibility, trust and confidence.

He expressed concern over the view all over that the media in many states of the federation are now being used as the mouthpiece of the political leadership because government owns most of these media. He contended that if the broadcast media "must continue to retain the faith and patronage of the public, it must resolve to provide impartial, credible and non-partisan reportage."

Ezuiche Ubani, a journalist and presently Special Adviser to the Speaker of the House of Representatives, bemoaned the situation whereby some journalists were recreating realities to suit their mindset with their editors hardly doing anything to make their gate keeping functions more effective. He lamented that some journalists make nonsense of the gate keeping process by banding together to decide on what slant to give to stories and which story to publish and which to kill.

Mr. Reginald Okochi, Director of News of Federal Radio Corporation of Nigeria (FRCN) delivered a paper titled "Strategies for Balanced Reporting of Incumbents and Challengers." He condemned what he called programmed journalism. He said the 'programmed journalism' breeds intolerance and such practitioners are sectional and see nothing good in what people from other sections of the nation say or do. He expressed disappointment over those Nigerian journalists whom he says thrive on deliberate falsehood, sensationalism and immaturity. He regretted that such bodies as Newspapers Proprietors Association of Nigeria (NPAN), the Nigerian Press Council (NPC), the Nigerian Guild of Editors (NGE) and the Nigeria Union of Journalists (NUJ) were mere paper tigers that are unable to perform their regulatory functions.

Former Information Minister, Prince Tony Momoh, also blamed the NPAN and NUJ for resisting the inauguration of the reconstituted board of the NPC for over a year now. Their resistance, he said has made the enforcement of the journalism ethics grounded in its code of conduct and endorsed by the Nigerian Press Organisation (NPO) impossible.
"The complaints against the media have, therefore, no central place for adjudication now. This situation is going to be worsened as we come to grips with election 2003. We must be in a position to ask the question, who monitors the monitor?"

Hon. Nduka Irabor counseled journalists to free themselves from the base sentiments that make them vulnerable to the whims of selfish politicians for the betterment of the nation. He said even if heeding this advice does not free the media from criticism, it will nonetheless help the media to avoid making unnecessary enemies, which the media has been acquiring carelessly.

Participants generally maintained that ethically minded journalists would press for professionalism in the face of booby traps and other constraints on their paths. They agreed that throwing ethics to the dogs exposes journalists to public revulsion and do a great harm to their profession. Okochi recommended undiluted professionalism, fear of God and patriotism as panacea for the malaise in the media.

In a 14-point communiqué issued at the end of the seminar, participants said for a smooth run election, particularly for electorates to make informed choices, the mass media should not only educate the public on electoral processes, they should also facilitate debates among politicians.

The communiqué welcomed the proscription of beat association and other sub groups by the (NPAN) and urged the (NGE) to strengthen the gate-keeping process.

It also called on public and private individuals to stop offering inducements to journalists.

Continuing, it also noted that given the sensitive nature the broadcast media in electioneering process has, it called on both the state and federal government to ensure their media give equal access and opportunity to all political participants.

Noting the intimidation and harassment usually unleashed on journalists covering elections, it called on politicians and those in authority to desist from such act.

The communiqué emphasized the respect for ethics in journalism, which seemed to have been abandoned by journalists, and urged media houses to set up internal ombudsman to enforce ethical standards in newsroom. It also cautioned against stories that could lead to defamation calling on media houses to be mindful of what they publish.

Other highlights of the communiqué are: that the media should be vigilant sensitive and responsible, minding the nation's mood during the pre-ballot and post-ballot stages; that the Nigerian Press Organisation (NPO) should hasten process of making the Nigerian Press Council (NPC) vibrant for the enforcement of ethical standards while media houses should set up manpower training programs for their staff on regular basis.

**Journalists, Government Trade Accusations**

The Enugu State Council of the Nigerian Union of Journalists (NUJ) has protested the harassment of its members by suspected agent of the state government. The Enugu State Special Assistant on Media Matters, Mr. Igbonkwu Ogazimorh however refuted the accusation saying it is an attempt to champion detraction for the opposition.

The state chairman of the NUJ, Mr. Chukwudi Achife decried the continued harassment of and threats to journalists while performing their duties. He called on the Enugu state government to allow journalists to perform their duties freely and according to the ethics of their profession.

Mr. Achife gave the names of four journalists who had been harassed by officials of the Enugu State government. They include: Mr. Emeka Mammah of *Vanguard* newspapers, Mr. Emmanuel Obe of *The Punch*, Mr. Abuchi Ameyia of *National Interest* and Ahamefula Ogbu
of Thisday newspapers. He said these men have all complained of being physically threatened in addition to efforts to remove them from their employments.

He has warned those involved in the intimidations to desist henceforth or face the wrath of the union while reminding the government officials "that the press is neither an appendage nor and agency of government and as such journalists should be allowed the freedom and opportunity to practise their profession according to their professional training.

The NUJ enjoined government officials and individuals aggrieved by any published report "to seek established and lawful means of redress as is expected rather than a resorting to crude and inhuman methods."

In his refutation, Mr. Ogazimorah described the report as a source of a great shock to the Enugu State government. He described the claim as falsehood and an attempt to champion detraction for the opposition.

He said: "It is indeed unbelievable and a source of great shock … that the state council of the NUJ could make a statement claiming that newspaper correspondents have come under physical threat from government either now or at any moment." He added that it was mind boggling that the council would give the names of the journalists but not state the specific nature of the threat or harassment.

He remarked that it was strange and curious that Mr. Mammah, whom Mr. Ogazimorah claimed circulated the NUJ statement and who is not based in Enugu was listed as having come under threat of the Enugu State government. He also expressed surprise at the reason why the Council would issue a statement on behalf of Ahamefula Ogbu whom he said maintained a good interaction with his office and who had never complained of any threat to his life or Emmanuel Obe whom Mr. Ogazimorah said was new in the state and not known to have been threatened. While he spoke and commented on three of the four journalists mentioned, he was silent on the case of Mr. Abuchi Ameiya, whether he was threatened or not.

He questioned the altruism of the council which would issue a statement of such consequence without any enquiries from government to at least get its side of the story. Mr. Achife, he said was in daily contact with the officers of the governor’s media managers. He called Mr. Achife’s action “an abuse of platform, which if it is not blackmail may have resulted from loss of touch with the age-old tradition of balance in the newsroom.”

Putting a political tone to it, he said: “We only hope that it has not also been suked into the machinery of detractors of government which had worked hard at manipulating some elements of the mass media against the government.

He concluded by saying that: “The Enugu State government believes strongly in the freedom of expression, movement and association. It cannot engage in impeding the normal life and operations of law abiding citizens who are indeed provided for in the Constitution of the Federal Republic.”

**Federal Government Begins to Commission Radio & TV Stations Across the Nation**

Following its promise to establish 76 TV and 37 radio stations across the country in order to reach the grassroots, the federal government has begun to commission these radio and television stations. At the last count, two television and one radio stations had been commissioned by the government. These are the Nigerian Television Authority, Yola in Adamawa State, Federal Radio Corporation of Nigeria (FRCN) and NTA, both in Akure, Ondo State.

Though government claims to be establishing these stations to enhance the dissemination of information to the grassroots, the honesty of such claim is doubtful given the zeal with which the same government has been trying to privatise most of its parastatals.
Observers are not losing sight of the fact that 2003, the election year fast approaching and this was the same gimmick used by politicians of the second republic to counter the voices of political opponents.

The commissioning of NTA Yola saw in attendance, the Vice President of the country, Alhaji Atiku Abubakar, The Director General of NTA, Mr. Ben Murray-Bruce; Information and National Orientation Minister, Prof. Jerry Gana and a host of others. Vice President Abubakar did the commissioning

Commissioning the NTA Channel 11 and FRCN 102.5FM in Akure on April 20, President Olusegun Obasanjo stressed that information dissemination was important and that with the commissioning of the two stations, "Nigerian do not need to go to the university to be educated. Farmers can tune to their radios in the farm and be well informed." The Information Minister, Prof. Jerry Gana said in his own speech that the commissioning was in fulfillment of the earlier promise to enhance information dissemination to the people. He added that the network was essentially for educational purposes and the promotion of federal government's Universal Basic Education (UBE) programme.

Sustainability in terms of finance for salaries, programmes and maintenance of the stations are some of the fears of watchers of the Nigerian political and media environments. After the election, old problems will emerge to bedevil the stations. Lack of funds to maintain equipment, pay salaries, produce quality and sustainable programmes will emerge.

Questions observers ask were: Why the need and rush for so many stations that will gulp billions of Naira and Dollars of tax payers' money when NTA and FRCN stations that are on the ground are operating with obsolete equipment and can hardly reach their target audience? Why not upgrade them and expand their reach. Why these new stations when the federal government is privatizing most of its parastatals? Why not liberalise the legal frame work to encourage community broadcasting which is cheaper and more grassroots oriented?

**Media Bodies Seek Amendment to Press Laws**

Two media organisations: the Nigerian Guild of Editors (NGE) and Broadcasting of Nigeria (BON) met at two different fora in April and called on the federal government to scrap all anti-free press laws and amend others.

The Nigerian Guild of Editors (NGE) met in Lagos between April 11 and 14 at a workshop held in conjunction with the World Bank Institute, Canadian International Development Agency, Commonwealth Press Union and the West African Newsmedia and Development Centre. At the end of the workshop, it called on the federal government to scrap all obnoxious laws that hamper the effective practice of journalism in the country

The NGE held that these obnoxious laws strip journalists of their constitutional role of holding elected officials accountable to the public and nurturing societal development by waging war against corruption. It observed that good governance was the only route to the economic and social development of the country. It also called on journalists to always "reflect the concerns of the people on issues related to the fight against poverty, disease and ignorance."

The NGE also expressed support for Newspapers Proprietors Association of Nigeria (NPAN)'s ban of beats associations which the Guild accused of having transformed themselves into cartels that could no longer be tolerated in the practice of journalism. While supporting specialization in the media, it has put in place a regulatory mechanism to check abuses and excess of journalists and complaints by members of the public against them and also put measures in place to publicise, popularise and enforce the provisions of the code of ethics for journalism.
The workshop mandated the NGE to commission the working condition of journalists for the benefit of its members and other stakeholders such as NPAN and Nigeria Union of Journalists (NUJ).

BON held its 31st General Assembly meeting between April 26 and 27 in Warri Delta State where it also called on the federal government to comprehensively review the broadcast laws in the nation's statute books. It requested that: "Nigeria's broadcast laws be reviewed within the framework of protecting the professional rights of broadcasters against arbitrariness by political office holders."

The meeting which came out with a 15-point communiqué called on broadcasters to grant equal air time to political parties and also work to guarantee freedom of expression. It also called for a summit of the Independent National Electoral Commission (INEC), the National Broadcasting Commission (NBC), and BON to facilitate better understanding that would guarantee sustainable democracy.

The communiqué also called on BON to "strengthen and expand its collaboration and cooperation with representatives of US, French, German Embassies, European Union and UN agencies in Nigeria as well as calling on the federal government to exempt all broadcast equipment from duties usually imposed on imported goods.

Nassarawa State to Expand its Access to the Internet

Governor Abdullahi Adamu of Nassarawa State has promised to expand the existing Internet facilities within Nassarawa State to check the lack of access of its citizens to the Information superhighway. To this end, he plans to establish five rural based resource centres in recognition of the importance of Information technology to the state's programme of economic development.

The governor disclosed that the expansion was being handled by ABG Communications Limited which would provide wireless access to the rural populace. In addition, he said that the centres to be opened at remote locations across the state would also serve as computer and information training centres for the state's youth population. Graduates of these centres, according to the governor, would be encouraged to exploit the huge information technology market in the country for gainful employment.

Nassarawa state launched its website: www.nassarawastate.org in 1999 and it is one of the five states with internet site in Nigeria and the only one in the northern part of the country.

The Punch Newspaper Wins Libel Suit

An Abuja High Court judge, Justice U.M. Kushnerki has thrown out a libel suit filed by a former Minister of Information, Dr. Walter Ofonagoro, against Punch Nigeria Limited, publishers of The Punch titles.

Justice Kushnerki held that Ofonagoro could not sustain the suit. The court also ruled that the defence of absolute privilege The Punch and the two co-defendants pleaded were correct because the publication complained of was a fair and accurate report of the proceedings, publicly heard before the Justice Chukwudifu Oputa-led Human Rights Violations Investigation Commission (HRVIC) in Enugu, Enugu state capital on April 19, 2001.

Ofonagoro had sued The Punch, its then Enugu State correspondent, Enyim O. Enyim and a petitioner to the Oputa panel, Mr. Godson Offoaro, over a story headlined; "Ex-minister implicated in journalist's disappearance." In the suit, he claimed that the publication which appeared on the April 20, 2001 edition of the newspaper 'maliciously' injured his reputation and character.
The Punch in its statement of defence contended that the words complained of 'are absolutely privileged being a fair and accurate report of proceedings publicly heard before the Oputa panel and published contemporaneously with the said proceedings.

They also argued the publication consisted entirely of a fair and accurate news report of Offoaro's oral testimony in support of his petition at the commission's proceedings.

On that basis, counsel to The Punch, Mr. Adeyinka Olumide-Fusika, argued that the publication could not form the basis of libel action and prayed the court to dismiss Ofonagoro's claim.

In a motion on notice brought pursuant to order 24, Rule 2 of the high court of the FCT (Civil Procedure) Rules 1989, The Punch also asked that the matter be set down for hearing before trial to determine:

Whether in view of section 10 of the Defamation Act, Cap 492, Laws of Federal Republic of Nigeria (LFN) 1990, the publication admittedly made the 1st and 2nd defendants/applicants (The Punch and Enyim) privileged or can rightly form the basis of an action in libel?

They further prayed for an order dismissing 'the plaintiff's suit in limine'.

Kusherki, in his ruling held that the publication was 'a fair representation of the proceedings' at the Oputa Panel.

He declared that Ofonagoro could not sustain the action and accordingly, dismissed it in line with the provision of Order 24, rule 3 of the FCT High Court rules.

NBC Set to Monitor the Airwaves, Acquire Equipment

The National Broadcasting Commission (NBC) awakening to its responsibility of monitoring the content of broadcasting stations in Nigeria is to acquire equipment that can simultaneously monitor all TV stations in Nigeria even as it indicted the Nigeria Television Authority (NTA) stations and 17 others of violating the NBC code.

The NBC’s action seem to be in response to the call by the Principal of the Television College, Jos, Mallam Sule Bello who advised the NBC to pay more attention to the performance of broadcast media in the country. This, according to him, will go a long way in curbing the violation of rules and regulations guiding the practice of the profession. He also suggested the compilation and production of a weekly report on such monitoring.

Mallam Bello also called on stations to "take NBC monitoring reports in good faith and use the reports to address problems identified, as well as build on their positive aspects." He also advised managers to always maintain a balanced and timely dissemination of information as part of their social responsibility.

Mallam Bello spoke at a workshop organized by the NBC on April 2 in Jos.

The Minister of Information and National Orientation, Prof. Jerry Gana on April 3 disclosed to newsmen in Abuja the nation's capital that the NBC will soon acquire a device that will enable it monitor the broadcasts of all television stations in the country simultaneously.

Prof. Gana disclosed that the facility, a broadcast server base monitoring system could monitor 60 television stations at the same time. The equipment would cost the NBC N80.3 million.

He said the facility, to be installed in various part of the country soon would enable the Commission to easily monitor and record the programmes of all stations both private, state or federal government owned without demanding recorded copies of programmes from individual stations.

Tacitly endorsing the Nigerian Television Authority and giving them a clean bill in their programming and news/information balance, fairness and objectivity, he said that with the approach of the 2003 elections, the federal government would not want to take chances with what some of the state or private stations could relay to their viewers. He made no reference to the NTA possibly broadcasting programmes that are not people oriented or fair.
He declared that government would not tolerate any broadcast that could cause disharmony in the country adding that the NBC had had cause in the past to warn some private and state owned radio and television stations over materials they transmit to the public. The federal government, he stressed was determined to enforce laid down rules and regulations on private broadcast.

Meanwhile, The NBC accused NTA stations of being among those that breach the NBC code on time frame for alcohol and tobacco advertisement in the last edition of its journal, NBC News. It said that NTA stations were the most consistent offenders which have indiscriminately advertised alcoholic products at the wrong times, especially during sporting events. The National Assembly had also indicted NTA stations of being used as Presidency mouthpiece to the detriment of the Legislature. The Assembly was so piqued that it proposed setting up radio and television stations to broadcast news and programmes from its own perspective.

The NBC News rated Edo Broadcasting Service (EBS) Benin City as the worst offender of the 17 stations it indicted of breaching the NBC code based on the fact that it "very evidently flouted the entire spectrum of the NBC code." The journal said "the stations have been overtaken by all manner of disquieting breaches which have reached an alarming stage."

Other stations indicted are Africa Independent Television (AIT), Alagbado-Lagos; Rhythm 93.7, Lagos; Cool FM, Lagos; Adamawa Broadcasting Corporation (ABC), Yola; Ondo State Broadcasting Corporation (OSBC) AM, Akure; Plateau Radio Television (PRTV), Jos; Enugu Broadcasting Service (EBS), Enugu; Independent Television (ITV) Benin; Borno State Radio Television (BRTV) Maiduguri; and Taraba State Broadcasting Service (TSBS), Jalingo.

Not stating specifically what the Commission intends to do, the journal says the situation calls for action.

**Governor Sues Newspaper**

Prince Abubakar Audu, the governor of Kogi State has dragged Sunday Times to the Kogi State Hight Court in Lokoja for libel. He is demanding the sum of N500 million for damages. Joined as co-defendants in the suit are the Managing Director of Daily Times Plc, Dr. Onukaba Adinoyi-Ojo and the Editor of Sunday Times newspaper.

The suit was a sequel to a series of publications by the Sunday Times which reported that the governor acquired choice property worth millions of dollars in exclusive areas in the United States and Britain.

The Kogi State Attorney General and Commissioner for Justice, Mallam Haruna Abdullahi disclosed this development to journalists while reacting to the issue. He disclosed that the High Court has granted an interim injunction restraining Sunday Times from further publishing any materials on the said property.

A group of Senior Advocates of Nigeria (SAN) are said to have been assembled by Price Audu to prosecute the case.

**Government Influences Editorial Issues in The Gambia - Agnes Kumasi**

In April, Media Rights Agenda's Osaro Odemwingie who was in Ghana interviewed two journalists, one from The Gambia and the other from Sierra Leone on the state of the media in their countries.

Among the issues raised were whether the Media in their countries operate under a conducive socio-cultural, political and legal environment. These and other questions Agnes Kumasi,
Can you please tell me your name and background

My name is Agnes Kumasi. I am a media practitioner by profession. I worked previously for Radio Gambia. I worked there for five years as a newscaster and reporter. After leaving, I worked for sometimes as an Information Officer while writing for a newspaper called Independent as a columnist focusing on gender issue. At the moment I am freelancing but at the same time working with a magazine, a newly established one for young people called Future Watch. It is a magazine for young people in Senegal and The Gambia. So we have it in both French and English.

How would you describe journalism practice in your country in terms of professionalism exhibited by your journalists in relation to what you have seen operate in other West African countries which you have had the privilege of visiting?

To start with, I must give you a background of The Gambia being a very small country and in terms of education. For a long time we ‘ve been going through primary to high school - the sixth form - but after that you had to leave the country if you want to further your education because we had no university at the time. We only had The Gambia College which offered teaching practice and school of nursing and public health something like that, so anybody who wanted to do any thing other than these had to leave the country. So in a sense when we talk of the media; at most people have been leaving school and then just go into media houses and it is there that you have your in-house training.

So what has been happening is that the Public Media could provide adequate training for their staff by sending them abroad. And so for the media in The Gambia, most of the people or media practitioners who are well trained are those who work for the public media or who used to work for the public media.

For the private press, we have people working for the private press. Now things are changing and they are also training their people in house and also due to support from different human rights organizations and so on people are going out for training.

You can see the media is at a very young stage in The Gambia. As I always say, it is at the stage of infancy. Well we are still struggling with professionalism and yes, we do have professionals but practicing for the public media goes with a lot of things. Your professionalism at times is at stake because the public media is seen to be a government arm and for that matter, all that is being broadcast is pro-government and during the course of your practice especially in the newsroom, writing news stories you have to be choosy as to what to bring or not and for that matter some people have had to leave because they felt they had to be professional. Another example was the case of a journalist who was dismissed by government because of a statement he published which the government denied making, but we gathered that a story was written and this person as an editor edited it.

His Name?

His name is Peter, Peter Gomez.

The president denied the story and Peter was asked to revoke or try to retract what he published. But for him, what ever has been written is what has been said and after some days he was just dismissed. But he is now okay, he is now working somewhere else. So this is just to show you what is happening. The private press is doing well also but I think there is a need for more professionalism, more training and exposure for journalists working for the private press.

What is the legal framework for journalism practice there both as a practitioner and then may be if you want to set up a media operation. Do you think the legal framework encourages media practice or they constitute an impediment?
Well, previously it was easy but now there are certain criteria set for the establishment of media house-newspapers, magazines. We still have the same process of having to go for license, income tax and so on. But the government has introduced the payment of money. I actually don't know how much or a plot of land, I believe, equivalent to that amount of money. So you have to produce something to show you have these and so on and so forth before you then go through the legal processes of establishing a media house. I think you have sureties too, may be two, I am not so sure when it comes to that but I know also they are operating under a constitution and various things enshrined in the constitution. Yes there is a legal framework.

What is the relationship generally between the government media and the private media? I ask this because you would find out that in some countries there seems to be some kind of suspicion between them, an attitude that suggests that well we have our own agenda you have your own agenda, you do your things we do our things. I mean we don't cross each other's path, is that the kind of thing that operates in your country?

There used to be harmony between the government owned media and the private media. But now there is a sort of disparity because some of the private press have been described as people representing the opposition party and surely those working for the public media would not like to be associated with opposition because there is this belief that the public media is for government and if you are for government then you should be pro-government.

*Let's look at ethnicity and religion. How do they play out in your country's media? I understood you have some Muslims and some Christians in your country. How do the media cope with religious issues. Do religion and ethnicity influence how the media report in your country?*

No for The Gambia we have been very lucky. We have about 5% Christians. The Christians percentage is very small. Muslims dominate the country but despite that, we have had a very good relationship, Muslims and Christians. We see ourselves as Gambians first and then comes religion. Ethnicity too, there is no problem at all, we coexist as brothers and sisters. Christians go to their churches and the Muslims to their mosques but we recognize the different religious. Everybody recognizes this, because what happened also is that as a Christian, you have Muslim relatives and as a Muslim you have Christian relatives in The Gambia. So we co-exist very well.

We've not been having religious or ethnic problems. And so it didn't call for the media doing any special reportage or intervention in terms of Christians and Muslims or this ethnic group against that ethnic group because we are fine with that. We see ourselves as Gambians first.

*How has the latest development in information technology, Internet and all that, influenced and impacted on the media in your country. Is there easy access to this new source of information dissemination and how is it playing out?*

Yes. Information technology is playing a very big role now in The Gambia because access to the Internet is easy. You have easy access to the Internet; you have Gamtel, which is the Gambian Telecommunications Services and different small groups and so on offering these services and now with the computer age, many people have been trained. Previously when I used to work for the radio we used to listen, record BBC and then transcribe before we broadcast. Now we just go to the net and then you have... you have BBC, you have a lot of choices then you know you can take from them and do your thing. So it has been great, it has made media work easier. The other benefit also is that now from different countries wherever you are you can report to your various media house what you are doing, you can send news items and... and it has made things different and good.
Abdulrahman Forrey, a Sierra Leonian also spoke on the media environment in Sierra Leone, that survived a civil war. During the war, the media was not spared. No less than ten journalists were killed, either by ECOMOG, rebels or government soldiers. Below is excerpt of his interview with Osaro Odemwingie.

Would you mind giving us your name and background?

I'm Abdulrahman Forrey, I work as a sub-editor for the Independent Observer newspaper, a daily newspaper as well as being a correspondent for the West Africa magazine in Sierra Leone. So basically those are my duties as of now. I'm also the correspondent for The Media Foundation for West Africa and I also do some consultancy duties with some media operations in Sierra Leone.

How would you summarize the state of media freedom in Sierra Leone?

Well to a large extent, what I can talk about, under the multi-party dispensation, we do enjoy a little bit of freedom, freedom in a sense that there is no censorship, we do operate under a free and fair atmosphere. The only problem we used to have was during the height of the war when we were intimidated by fighters from different factions: the military, the civil defence forces and even from the rebels.

At that time there was no free movement, in fact we can't report on the spot. We report from people coming from rebel zones, coming from areas where there are military operations and in that sense we can't say we get first hand news, we get news from people and news coming from military officials those in the public relations department of the various factions including the civil defence forces. To a large extent we just report from Freetown what really we are told was happening at the war front and other areas.

What is the state of the legal framework for media operations in Sierra Leone? Do journalists have to go through a lot of constraints and do you also go through a lot to meet criteria for setting up a news media?

With the exception of this present government of Tejan Kabbah, in 1997, there was a bill passed in parliament to regulate press. At that time, the bill was described as draconian because there are clauses in it which were aimed at silencing the press, the press fought against it during the time Tejan Kabbah government was overthrown by Johny Paul [Koroma].

When democracy was restored again and Tejan Kabbah returned to power, he too did not sign that particular bill that was passed by the parliament. He was advised maybe by some international experts that "you cannot introduce such bill to silence the press what you will do, let the media or the Association of Journalists in Sierra Leone or the National Press Union fight to regulate it. You empower the union so that it can regulate its own members.”

What they did in the interim was to form a commission called Independent Media Commission [IMC] which, I can say, is working presently in collaboration with the Sierra Leone Association of Journalists. A draft bill was presented to parliament, some amendments were made with a large input by the Sierra Leone Association of Journalists and it was passed by the Independent Media Commission to regulate press in Sierra Leone. They came up with their own conditions that every media house should fulfill by having at least an office, well qualified staff that are well paid so that there will be some professionalism, I believe that is the bottom line and that was passed, up till now, the Media Commission is not yet well equipped though they have funding from elsewhere. Although they've not started operation yet, they've started dropping sledge hammers hacking critical press of course. Recently, you have the case of daily newspaper called the African Champion, it was suspended for publishing an article on the son of the President which they didn't take kindly. Maybe the report was eh ..., there was a complaint against the newspaper and the Independent Media Commission went into action by suspending it, though the suspension was infact challenged by the Africa Champion. In fact,
they violated it and went ahead to publish disregarding the suspension action by the I.M.C noting that the IMC has not done anything like ethics that would give them any guideline that they can operate on so they went ahead to disregard that suspension. As at now, that’s the situation.

**During the war, what was the relationship between ECOMOG and the Media? Because we had reports that it was on the tempestuous side.**

First of all I must say here that during the war, when the war was escalating, there was a polarization of the press, in fact most of the press took sides in the conflict. We called some of the press houses pro-democracy press, and called some of the press houses anti-democracy press. Some of the press houses were calling for non-military intervention in Sierra Leone, some were saying that there should be military intervention that is when the Junta was in power.

So there was this conflict and then democracy was restored in 1998. ECOMOG forces that were in Freetown were hostile to all those who were anti democracy, so some of the journalists … some were killed, I can’t say by the ECOMOG force. But if you look, may be some of the actions were condoned by them. There’s a whole lot of things, you know, and most of these press houses were exposing the bad activities of ECOMOG troops especially the Nigerian fighters that were there. In fact, what happened, there were some clandestine publications, some in the Internet, in webpages, what we refer to as ‘Ninja.’ The ‘Ninja’ was exposing every activity of the Nigerian soldiers.

To a certain extent, I also fell victim in my newspaper. There was a Nigerian Major, he was so aggressive, he was a good fighter, he fought the war, he was well respected, they were the ones who repelled the soldiers but when it comes to his private life, he looks so aggressive. At that time, Nigeria soldiers were feared, they feared only Kabbah, in fact Kabbah cannot challenge them, they had the power. So there was an article in our paper, telling the Nigerian major that his behaviour should be checked and that this is not oga’s land. He took offence so he used another strategy. He went into our office in the night because there was curfew planted ammunition there he harvested it in the morning during a search operation, an operation which was well orchestrated it was a charade to make people believe that journalists were hoarding ammunition which was not true.

We never hoarded any ammunition, we are pro-democrats. Most of us were locked up, my editors was locked in a container for three weeks by the Rebel so there was no reason why people should believe but they made it look as if it was something that was real. Infact the thing was publicised on the television, they brought in a lot of ammunition from somewhere to an office which was not occupied by us alone but other Newspaper houses in that country. But all said and done some of us were beaten, some of our colleagues were locked up and then they were charged with espionage, or let me say hoarding ammunition and treason. We were there at the maximum prison centre for a week, some two weeks. Some of our guys were there for one month. When we were out the government started begging us not to go on to the BBC, not to say anything, that at least they’ve realised that the thing was not true, that they didn't want to mix politics with military. That was the situation then.

**The war has ended now, normalcy as it were, has return to Sierra Leone, now what is the government doing to bring to book all those who perpetrated all these atrocities against the media and perhaps generally the human right activists there. At least people who perpetrated crime against both the media and the people especially given that in one year, over ten journalists were killed.**

O.K. In a nut shell, I don't think whether government really dared to defend the press, this is a talk of general crime against humanity the press is not excluded but what I can see in that regard is the Special Court set up by the United Nations, there are those who are identified already that are going to be charged with war crimes provided there are evidences, concrete
evidence. Of course there are a whole lot of perpetrators who have questions to answer but the problem is how to produce these evidences. Who have we to stand as witness to say yes that this was the man who killed this person.

But there is a whole problem about that but UN, according to my own understanding, wants to handle the situation independent of government interference though government is going to have some inputs may be by providing logistics and maybe they would like to know some of our lawyers the UN is going to make use of, and to say the least the prosecutors, Registrar General, are they all going to be foreigners? or other countries? Are they US or Australian or British? So there is this whole arrangement about this special court. But who is to appear before this special court is for the UN to determine.

**Togolese Government Tightens the Noose on Independent Media**

Togo’s abysmal press freedom record is deteriorating as the country's security apparatus acting on orders from higher authorities routinely and with impunity close down media houses and confiscate their equipment and publications almost on a daily basis. Independent journalists in the country are facing official intimidation: being hounded, arbitrarily arrested and detained. Some have had to run into hiding knowing fully well the fate that awaits them if they are caught. There is hardly any recourse to the courts of law by government or any of its security apparatus. This appalling situation was made possible by the coming into effect of a new, restrictive Press and Communication Code for the country in January 2000.

On April 4, police, acting on orders from Interior Minister Sizing Walla, seized about 2,000 copies of La Tribune du Peuple from newsstands. Sizing Walla accused the pro-opposition weekly of publishing "offensive comments" sequel to an article in that week's edition, which reported that two Togolese Armed Forces agents assaulted a mechanic, suspected of theft. The following week, Police again confiscated copies of the same weekly.

Again on April 8, police seized most copies of the weekly Motion d'Information from newsstands following an article in the paper alleging that a dozen student activists with close ties to the opposition had evaded arrest.

Meanwhile, Kodjo Afatsao Siliadin, editor of La Tribune du Peuple, and Abass Derman Mikaila, editor of Le Regard, both went into hiding to avoid arrest after their papers were seized.

On April 9, police confiscated nearly the entire print run of Le Regard because of an article about Prime Minister Agbeyome Kodjo's recent appearance at a conference in Geneva sponsored by the United Nations Human Rights Commission. The author of the piece argued that the Commission voted to halt investigations into human rights abuses in Togo because most of the states that participated in the vote were themselves human-rights violators.

In the weeks of April 14 to 27, thousands of copies of more than five different newspapers were seized for allegedly "infringing" Article 168 of the new Press Code.

Victims of the latest of such clampdowns include the weekly Le Regard which copies were confiscated by the police on April 17 the fourth instance of an official seizure of issues of the weekly. Again, the weeklies, Motion d'Information and Le Combat du Peuple which copies were, on April 22, seized. The offence of these publications was that they published a memorandum by Dahuku Péré, a Member of Parliament of the ruling Togolese People's Rally (RPT) which called for internal reforms within the RPT. The Nouvel Echo weekly was also banned on April 17.

Augustin Amégah, editor of the Le Reporter des Temps Nouveaux newspaper went into hiding on April 18 in fear for his life, following reports of a "manhunt" for him by the Togolese gendarmerie. He was however arrested by personnel of Togo's national gendarmerie according to close family sources in the morning of April 29 while on his way to a clinic to visit his wife who had delivered.
The April 18 edition of his newspaper had reported that a Major in the Togolese army had confided in a Captain that "the seizures of the La Tribune du Peuple weekly ordered by General Walla are abusive." Togolese state security authorities presumed that as editor of the newspaper, Mr Amégah knows the identities of the two unnamed officers. In spite of his disclaimer in La Tribune newspaper, the gendarmerie is clearly determined not to let him go free but to exact a forced "confession" from him.

These incidents follow the closure of the private station Radio Victoire on February 7 when Interior Ministry's agents seized Radio Victoire's broadcasting equipment, forcing it off air. Officials claimed that the reason for the closure was that Radio Victoire's temporary licence had expired. However, informed local sources believe that the real reason was the station's programmes which are frequently critical of the government.

In November 2001, Togo's official media regulatory body, the High Authority for Audio-Visual Communications (HAAC), banned two Radio Victoire news programmes that it considered "controversial" and "defamatory [of authorities]." Local sources suspect that the station's closure resulted from official discontent with Radio Victoire's news and phone-in programs, during which callers often denounced the ruling RPT.

Lucien Messan, editor of Le Combat du Peuple who spent almost five months in jail last year on trumped-up fraud charges, has also recently received death threats after he reported that Defence Minister Assani Tidjani had asked him to reveal his sources for a previous article.

The Canadian Journalists for Free Expression (CJFE) through its Executive Director, Joel Ruimy, protested these attacks on the media in Togo. In a letter to the President of Togo, Gnassingbé Eyadéma, CJFE complained that: "These incidents against the media in Togo are disturbing and demonstrate a willingness on the part of the state to silence the press in order to muzzle opposition and critical voices." It therefore called on him "to ensure that such harassment cease and that journalists be able to practise their profession freely."

In the same vein, the Media Foundation for West Africa (MFWA), seriously concerned about this distressing trend of official harassments and abuses of media freedom and freedom of expression generally, has urged the government of President Eyadema to repeal this obnoxious Press Code, and to allow for the development of a free and pluralistic media culture in the country.

Liberian Authorities Brutalise Human Rights Lawyer, Close Down Independent Newspaper

Tiawan Gongloe, a prominent human rights lawyer and ardent advocate of freedom of expression in Liberia, was on the night of April 26 arrested and severely brutalised in Monrovia by policemen for speaking at a civil society movement meeting in Guinea, Conakry while the offices of the independent newspaper, The Analyst was closed down for reporting his speech. He is currently hospitalised under armed police guard at the SDA COOPER Hospital in Sinkor, Monrovia.

Eleven armed officers of the Liberia National Police, led by officer Mark Dolo, had effected his arrest without warrant or charge. They reportedly stripped him naked and placed him behind bars in the company of hard core criminals. Later on, he was taken to the basement of the police headquarters and after being briefly questioned about a presentation he made on "Political Activities for the Attainment of Peace and Development in the Mano River Basin," two plainclothes policemen proceeded to severely beat and kick him through the night. The next morning, Mr Gongloe, who could hardly stand on his feet, had to be carried to the hospital by some lawyers, with a bloodied face, a bleeding right eye and an injured left ear.
The government and its security agencies ordered the media in Liberia not to publish anything about the attacks on Mr. Gongloe. In fact, police shut down the offices of The Analyst for carrying the text of Mr. Gongloe's speech. One staff of the paper was arrested, while the Managing Editor and Editor-in-Chief are also currently in hiding. The Liberian Police had on April 26 searched the offices of The Analyst and ordered it closed the second time this year. On February 13, police in the capital, Monrovia, arrested four of the newspaper's journalists, including managing editor Stanley Seakor and reporter James Lloyd.

According to the Liberian Information Minister Reginald Goodridge, the action was taken so that an investigation could be made. Mr. Goodridge claimed that the newspaper was suspected of being "an agent for political detractors by inciting the public to create chaos" during the state of emergency.

Police chief Mulbah, on his part disclosed that the journalists were detained because of several articles that were "not out for peace" and "poisoned the minds of the people." He cited several of the newspaper's headlines, such as "Liberians drowning in horrors", "Emergency power pinch businesses" and "What rights and freedoms can the President suspend?" He warned that any journalist who tried to "subvert the peace" would be prosecuted and he is reported to have said the newspaper might not appear again.

On April 29, Reporters Sans Frontieres (RSF) in a letter to the Information Minister strongly condemned the Liberian government's closure of the newspaper and called for the arbitrary ban to be lifted at once.

The Liberian leader, Charles Taylor is not known to be a friend of the press and he has never concealed his dislike for media houses. He had shut media houses and clamped journalists in jail at will.

Publication Director Jailed Four Months for Defamation

Mamadou Oumar Ndiaye, publication director of the Dakar-based weekly Le Témoin and Pape Ndiaye, a reporter were each sentenced to four months jail term with no parole for "defamation" and "insult." They were also fined a total of three million CFA francs (approx. US$4,110) by a Dakar Regional Tribunal.

Victor Cabrita, director of the Sainte Marie de Hann Catholic school, had filed a complaint following the publication of an article in September 2001 which found fault with the administration of the school. Cabrita was notably accused of misappropriating funds.

In a letter to Justice Minister Basile Senghor, Reporters Sans Frontieres (RSF) expressed concern over the sentencing of Mamadou Oumar Ndiaye. In the Letter signed by Robert Ménard, the RSF's secretary-general, it reminded him that "a prison sentence with no parole for 'defamation' is viewed by international human rights bodies as 'disproportionate' to the harm suffered by the victim." RSF underlined that United Nations Special Rapporteur for Freedom of Opinion and Expression, Abid Hussain considers that "imprisonment as punishment for the peaceful expression of an opinion constitutes a serious human rights violation."

RSF also recalled that Prime Minister Mame Madior Boye has taken legal action against journalists Ousseynou Nar Guèye and Cheikh Touré Guèye, publication director and computer graphics technician with the daily Le Tract, respectively, for "insults to a member of the government" and "distribution of false news through the use of false or fabricated documents". The newspaper's August 1, 2001 edition featured a front-page photomontage of Madior Boye in a swimsuit.

Their lawyers plan to appeal their sentences.
Anti-Terrorism Legislation Restricted Access to Information - Freedom House

The resulting war against terrorism following the terrorist attacks against the United States on 11 September 2001, did not lead to major setbacks in press freedom last year, but some laws adopted by democratic states have restricted access to information says Freedom House in a report it recently released.

Leonard Sussman, author of the report's essay on media and the war on terrorism said evidence that the war on terrorism contributed to a decline in press freedom has been mixed. While "press reporting of the war in Afghanistan has been robust, from battlefield accounts to analyses of future strategy," a number of authoritarian governments, on the other hand, have "exploited the terrorism threat to reinforce their illegitimate rule."

In the wake of September 11 terrorists attack on the US, many countries enacted anti-terrorism legislation that carry potential negative consequences for the press.

In Jordan, the government amended the penal code to subject journalists to imprisonment for disseminating information that "could breach national unity, divide the population or damage the image and reputation of the state." Saudi Arabia demanded that all Internet service providers keep records of all Internet users, including their addresses and phone numbers. A new anti-terrorism law in Germany gave intelligence officials power to access stored telecommunications data and monitor e-mail messages.

In the United States, the government tightened public access to the Freedom of Information Act and passed a new law enabling Federal Bureau of Investigation to install e-mail monitoring programs on the servers of major Internet service providers.

Sussman says that a new contract between the press and the government is needed in wartime. He posits that on the one hand, there is "the need to use communication technologies to track terrorists before they strike." On the other hand, there is the need to "preserve the privacy of individuals and the freedom of the independent press to monitor government activities." He advocates that the government should, through public debate, define what kinds of information must be kept secret and under what conditions. And journalists should "maintain an adversarial stance without becoming purely antagonistic or an enemy of the government."

Freedom House's report surveyed 186 countries. Of these, it considered 75 countries as "Free", 50 as "Partly Free" and 61 as "Not Free." In the survey, free countries have no significant restrictions on the news media, while "partly free" refers to countries where some restrictions exist. Countries that are "not free" have state-controlled media.

Freedom House notes that in the year 2001, Ghana, Peru and Vanuatu experienced notable improvements in press freedom after the installation of new governments. On the contrary, Mongolia, Bangladesh and Haiti had their status downgraded. Mongolia became Partly Free as a result of harassment of the press through libel lawsuits and tax audits while Bangladesh and Haiti were downgraded to Not Free because of overt harassment of the media.

Meanwhile, there are growing fears that China's recently-amended anti-terrorism legislation contains provisions that could be used to further suppress freedom of expression. Amnesty International (AI) expressed this fear when the group released a report, "China's Anti-Terrorism Legislation and Repression in the Xinjiang Uighur Autonomous Region." The report notes that new provisions in China's Criminal Law provide for jail terms of at least five years for anyone who "fabricates information" or disseminates false information about an "explosion or biological or radioactive threat." No maximum sentence is specified.

AI faulted the legislation saying the provisions do not define clearly what "fabricating information" or "disseminating" such information means. This flaw opens the possibility that it could be used to punish those who peacefully exercise their right to free expression. The group also expressed concern that the Chinese government is using this legislation to intensify its
harsh crackdown on ethnic Uighur opponents and independent religious leaders in Xinjiang by trying to link them to "international terrorism.

The Council Of Europe Holds Hearing On Free Expression And Terrorism

On its part, the Council of Europe's Steering Committee on the Mass Media slated May 14 to discuss issues relating to the war against terrorism and freedom of expression at a hearing on media and terrorism in Strasbourg, France.

The committee plans to address, at the discussion such questions as: In the war against terrorism, what restrictions on press freedom are justifiable? To what extent should government officials withhold information or even produce false information?

The meeting also plans to discuss whether the Council of Europe should take initiatives to ensure that free-expression rights guaranteed under the European Convention on Human Rights are not being trampled in the war on terrorism.

UNESCO-Sponsored Conference Discusses Terrorism and the Media

Participants at the UNESCO-sponsored conference on Terrorism and Media, met in Manila, the Philippines between May 1 and 2, 2002 and adopted a resolution 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, which had five plenary sessions 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 observed the following:

- Recalling the fundamental role of the media in meeting the public's right to know, including about issues relating to terrorism;
- Condemning killing of, attacks on, threats against and harassment of journalists reporting on terrorism and conflicts;
- Concerned about the restrictions imposed on the right to freedom of expression and to freedom of information by a growing number of States in the aftermath of the attacks of September 11;
- Convinced that open public debate and the free flow of information are essential to any long-term solutions to the problems of terrorism;
- Noting the Joint Messages for World Press Freedom Day on 3rd May 2002, by Kofi Annan, Secretary-General of the UN, Mary Robinson, UN High Commissioner for Human Rights, and Koichiro Matsuura, Director-General of UNESCO, which recognised the importance of press freedom and freedom of expression in the fight against terrorism.

The Conference Resolved as Follows:

Any strategy to address the threat of terrorism must promote greater respect for freedom of expression and of the media, rather than imposing restrictions on these fundamental rights;

**Right to Report on Terrorism**

That the media has both a right and a duty to report fully on terrorism in the interest of the public's right to know and to promote open, informed debate about terrorism.
That all parties to conflicts should respect the right of journalists to investigate and report freely on conflict and to have maximum access to conflict areas.

That threat of terrorism should not be used as an excuse to impose restrictions on the right to freedom of expression and of the media, or on freedom of information, and specifically on the following rights:
Right to editorial independence.
Right to protect confidential sources of information.
Right to access information held by public bodies.
Right to freedom of movement and right to privacy of communications.

That Media outlets, journalists and publishers and broadcasters associations, academic institutions and other civil society organisations should take measures to enhance the capacity of the media to report professionally on terrorism and to promote tolerance, including through training and providing opportunities for discussion of ethical issues relating to reporting on terrorism;

**Safety of Journalists**

That states at peace, as well as all parties to conflicts, should take effective measures to ensure that the military forces, combatants, as well as secret and intelligence services and other officials engaged in combating terrorism, understand and respect the rights of journalists as civilians under the Geneva Conventions and their Additional Protocols, as well as their right to freedom of expression;

States should devote sufficient resources and attention to preventing attacks on journalists, to investigating such attacks when they occur and to bringing those responsible to justice without delay;

That States at peace, as well as all parties to conflicts, should never allow their agents or combatants to pose as journalists, or attempt to use journalists as agents;

That Media outlets, journalists and publishers and broadcasters associations and other civil society organisations should take measures to promote the safety of journalists reporting on conflict and terrorism, including through training, the development of safety guidelines and the provision of appropriate equipment; and

Finally the news media industry and the international community should consider establishing a fund to assist under-resourced media organisations and freelance journalists to have access to safety training and equipment.


**Court Arraigns Photojournalists for Contempt**

Four photojournalists who went to cover the Resource Control suit at the Supreme Court headed by Justice Mohammed Uwais were on April 5, arraigned by the court for contempt.

One of them had taken a shot of the Court proceedings while the judge was delivering judgment following which Justice Uwais in annoyance ordered their arrest. They were interrogated and arraigned when they refused to disclose the person who took the shot. The films in their cameras were removed when they refused to identify the culprit

The journalists are from the stable of *Thisday* newspapers, Ovation magazine and two others from Akwa Ibom and Bayelsa States Information Units.

Justice Uwais said that their items were confiscated because they refused to tell the truth. He warned them that: "next time this happens, you will go to jail." Justice Uwais let them
go but said: "We have decided that no photograph should be taken while the court is in session except on ceremonial occasions.

Taking photographs during court proceedings amounts to contempt of court and is not allowed.

ATTACKS ON THE PRESS IN APRIL 2002

SSS Interrogate Journalist
The State security Service (SSS) on April 12, invited to their offices and interrogated Eziuche Ubani the Special adviser on Media Affairs to the Speaker of the House of Representative Alhaji Umar Ghali Na'abba.

Mr. Ubani, a former editor of a national daily was interrogated for over two hours after being accused of sponsoring and masterminding anti-Obasanjo publications. Eziuche revealed that he was also accused of sponsoring publications that compared the late Gen. Sani Abacha with Obasanjo as well as his speech and activities at the National Assembly which the SSS said undermined national security. He was also questioned on other issues including his relationship with some media houses considered hostile to Obasanjo's second coming bid.

The only publication which the SSS showed Mr. Ubani was a publication named Awake and Aware with a cover story titled: "The Great Puzzle" which he said he had never seen until the day the SSS showed it to him. The said publication compares Obasanjo with Abacha and concluded that Abacha was a better administrator.

Unknown Persons Threaten Journalist's Life
Following a story he did for his magazine, Mr. Tajudeen Suleiman, TheNews magazine correspondent in Kano State alleged on April 20 that he had received numerous death threats from anonymous individuals.

Mr. Suleiman said sequel to the publication of the story titled "Nigeria's Notorious Homosexuals", unknown persons had severally visited his home and office where they left messages warning him to leave town or risk being conveyed home in a casket.

In an instance, they visited his house on April 19 and threatened his wife and urged her to advise him not to sleep in his house because they were ready to harm him. The said people threatening him had allegedly told his wife that some powerful people in Kano were offended by the story and so he should leave the town or face the consequences. He said he is only able to sleep in his house with the intervention of policemen.

These threats, according to Tajudeen are carried to the extent that these persons call him on his mobile phone.

Federal Govt. Threatens to Prosecute Foreign Journalists
marting from international embarrassments arising from negative news reports by some foreign international media, the federal government has threatened to prosecute foreign journalists who come to Nigeria and write "malicious falsehoods" about the country.

The Minister of Justice and Attorney, Kanu Agabi warned that government can no longer take such situation kindly.

Two journalists on the payroll of Time Warner group had published news reports which portray Nigeria and its government in negative light. Cable Network International's Jeff Koinanje had reported that more than 25% of the nation's population preferred and called for a return of military rule while Time International Magazine's Stephen Farris's reported that the government of Nigeria offered $400 bride to foreign journalists for the N50,000.00 given to
foreign journalists to cover their accommodation and transport allowances when the Federal Government invited them to a training programme.

NSE Verbally Abuses, Threatens Journalists

The Director General of the Nigerian Stock Exchange (NSE), Dr. (Mrs.) Ndi Okereke-Onyuke on April 16 poured abuses on journalists accusing them of writing rubbish about the stock market apart from other unprintable words with which she described them. She also threatened to shut them out of the stock market.

Her grouse was that some newspapers wrote a news story to the effect that some capital market operators escaped plane crash on April 13.

She said she was shocked when friends, relations and well-wishers started calling her in the morning to confirm the story adding that at no time did their plane develop any fault during their flight which she said was smooth and safe.

JOURNALISM / PRESS FREEDOM AWARDS

Rotary Foundation One Year Ambassadorial Scholarships

Journalists have a chance to apply for Rotary Club’s award to do one academic study year abroad at a study institution assigned by Rotary Foundation Trustees. Applicants are expected to be proficient in the host country's language; be citizens of a country in which there is a Rotary Club; and have completed at least two years of university course work when the scholarship begins.

Rotary Foundation provides a scholarship of $10,000 to $23,000 or its equivalent to be used for fees and tuition, living expenses, round-trip transportation and one month of intensive language training if assigned by Rotary Foundation.

The primary purpose is to further friendly relations and international understanding among people of different countries.

For further information contact: Rotary Foundation of Rotary International, One Rotary Center, 1560 Sherman Avenue, Evanston, IL 60201; Tel: (847) 866-3000; Fax: (847) 328-8554 Web Site: http://www.rotary.org. Deadline is set by individual Rotary Clubs between March and July for the following year’s awards.

Fund for Photojournalists

Ikon Inc. is making available $25,000 grants to photographers for a documentary photojournalism project in humanistic photography.

The primary grant is $20,000 while the remaining $5,000 will be distributed at the discretion of the jury.

For more information and an application send a 55-cent self-addressed envelope to W. Eugene Smith Memorial Fund, c/o International Center of Photography, 1130 Fifth Avenue, New York, NY 10128; Tel: (212) 8601777 ext. 186; Fax: (212) 360-6490. Deadline is July 15.

Fellowship For Journalists Working In Dangerous Conditions

The Canadian Journalists for Free Expression (CJFE) in partnership with the University of Toronto's Massey College and the Donner Foundation are providing a haven in Toronto, Canada for journalists working in dangerous conditions in any part of the world.
CJFE announced the creation of the Donner/CJFE for journalist At Risk Fellowship, which will bring a deserving mid-career foreign journalist to Toronto to seek respite and for a year of academic study.

The fellowship will cover expenses for the journalist to spend eight months at Massey College, auditing courses of his or her choice. (S)he will also have the opportunity to meet Canadian journalists and to hone his or her skills further.

A CJFE jury will select the first Fellow later this Spring and bring the journalist in September 2002 to begin studies. For more information, contact Joel Ruimy, CJFE Executive Director by e-mail: ruimy@cjfe.org or visit www.cjfe.org.

Serbian Newspaper Wins IPI Free Media Pioneer Award

PI presented its 2002 Free Media Pioneer Award to an independent Belgrade newspaper Danas in recognition of its efforts to provide accurate, impartial reporting while standing up to constant pressure from Serbian authorities.

Danas was buffeted from all sides under the regime of former President Slobodan Milosevic; it endured a lot of threats, harassment, fines and censorship and was banned in October 1998 for providing what the government called "unpatriotic" reporting.

In July 2000, one of its reporters was sentenced to seven years imprisonment for reporting on Yugoslav army's atrocities in Kosovo.

In spite of the change of government in October 2000, officials have verbally attacked Danas for its critical reporting on President Vojislav Kostunica.

Previous winners of the Free Media Pioneer Award include Indonesia's Alliance of Independent Journalists, Ethiopian Free Press Journalists' Association and the Institute for Press and Society (Instituto Prensa y Sociedad, IPYS). The award is co-sponsored by Freedom Forum.

IWMF To Honour Three Courageous Journalists

Three journalists from Canada, Russia and Zimbabwe have been chosen to be honoured with the 2002 Courage in Journalism award for showing "exceptional courage and bravery in the face of grave danger" by the International Women's Media Foundation (IWMF).

The journalists, Kathy Gannon, chief correspondent in Afghanistan and Pakistan for the Associated Press; Novaya Gazeta reporter Anna Politkovskaya and Zimbabwean Sandra Nyaira, political editor at The Daily News, are reported to have "faced repression, threats to their lives, the horrors of war and the difficulty of day-to-day reporting under extraordinary circumstances."

IWMF said: "They have done this with courage in a year when so many have lost their lives."

It announced that the journalists would be presented with awards at ceremonies to be held in New York and Los Angeles in October. IWMF will also present its Lifetime Achievement Award to Washington Post columnist Mary McGrory in recognition of her "leadership role in media."

Burmese Poet and Uighur Historian Win 2002 PEN Awards

A Burmese poet, Aung Myint, serving a 21-year prison term for distributing a press release to foreign diplomats and press, and Tohti Tunyaz, an ethnic Uighur historian and writer condemned to 11 years in prison for researching his people's history in the People's Republic of China, were named recipients of the PEN American Center's 2002 PEN/Barbara Goldsmith Freedom to Write Awards.

The awards honour international literary figures who have been persecuted or imprisoned for exercising or defending the right to freedom of expression. The awards were presented at PEN's Annual Gala on April 24, 2002 at the Pierre Hotel in New York City.
Distinguished writer, historian, and PEN member Barbara Goldsmith underwrites the two awards at $20,000 per year.

International PEN and any of its 129 constituent PEN Centers around the world nominate candidates. They are then screened by PEN American Center and an Advisory Board comprising of some of the most distinguished experts in the field.

On September 14, 2000, poet Aung Myint and his assistant Kyaw Sein Oo were arrested by members of Myanmar's Military Intelligence Service for distributing information about persecution of National League for Democracy figures to international press agencies and Western diplomats based in Rangoon. Mr. Aung was charged with violating the State Protection and Emergency Provision Acts and on December 20, 2000 was sentenced by a military court to 21 years' imprisonment.

On February 6, 1998, historian and writer Tohti Tunyaz was arrested a few weeks into a research trip to Xinjiang Uighur Autonomous Region in northwest China. Mr. Tunyaz, an ethnic Uighur who grew up in the region, was studying for a Ph.D at Tokyo University's School of Humanities at the time, specializing in the history of China's policy toward minorities in the 19th and 20th centuries. His only proven "crime" appears to be copying part of a 50-year-old document obtained for him by an official librarian.

On November 10, 1998, Chinese authorities charged Mr. Tunyaz with "stealing state secrets for foreign persons" and "inciting national disunity." He was convicted by the Urumqi Intermediate People's Court on March 10, 1999, and following an appeal, was sentenced by China's Supreme Court on February 15, 2000 to 11 years in prison with an additional two years' deprivation of political rights.

Zimbabwean Editor Wins 2002 UNESCO Press Freedom Prize

Zimbabwean journalist Geoffrey Nyarota, the editor-in-chief of Zimbabwe's only independent newspaper, The DailyNews, was nominated the winner of the 2002 UNESCO/Guillermo Cano World Press Freedom Prize

UNESCO says Nyarota "has been tireless in denouncing corruption and criminal activities among top government officials in his country despite two bomb attacks against his paper."

The prize, worth US$25,000, is named after Colombian journalist Guillermo Cano, murdered for criticising the activities of powerful drug barons in his country. It is awarded each year to honour the work of an individual, organization or institution defending or promoting freedom of expression anywhere in the world.

UNESCO Director-General Koichiro Matsuura on 3 May presented the Prize to him.

“Freedom of information is a fundamental human right and the touchstone of all the freedoms to which the United Nations is consecrated.”
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