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WORLD PRESS FREEDOM DAY

Free Media and Freedom of Information

“One of the objects of a newspaper is to understand the popular feeling and give expression to it; another is to arouse among the people certain desirable sentiments; the third is fearlessly to expose popular defects.”

- Mohandas Karamchand (Mahatma) Gandhi

The phrase “information is power” is just part of the story. The Right to Information is an enabling and empowering right which has taken the world by storm over the past two decades, but it cannot be fully realised without the forth pillar of democracy: a free media.

Without a free media, the information people receive is often incomplete, biased, unverifiable, minimal and largely ineffectual. Hand in hand with a free media, the Right to Information changes power dynamics, creating much more responsive and responsible states and governments.

Around the world, ARTICLE 19 offices are recognising World Press Freedom Day and the Right to Information with a number of events. In Senegal, ARTICLE 19 and the Economic Community of West Africa (ECOWAS) are launching a new initiative to support media access to information. In Mexico, ARTICLE 19 is launching a security manual for Journalists. In Azerbaijan, ARTICLE 19 is running a journalist forum and in Brazil, ARTICLE 19 is working with MTV and other journalists linking free media with the Right to Information.

This global snapshot highlights a selection of case studies showing how only a free media can impart the information people need to make decisions about their lives.

Brazil

For the 600 inhabitants of the small town of Tejuco in the state of Minas Gerais, until anti-corruption journalist Fábio Oliva arrived, only those that supported the governing political party were allowed access to local water during the eight-month dry season. Those that did not support the party had to travel 14 kilometres instead, sometimes daily, to get to the next water source.

In March 2010, Oliva published an article in Tejuca describing how local officials had co-opted public money meant for delivering thousands of metres of water pipes and instead built wells in their own properties, and spent the remaining funds on buying vehicles and livestock. Following Oliva’s publication, the Public Prosecutor began to

investigate all irregularities in the town and brought lawsuits against dozens of community leaders and officials for corruption. The Brazilian authorities have also promised to deliver a new water system to Tejuco by late 2011.

Jordan

Following on from the global financial crisis, attempts by the media in Jordan to find out the extent to which the national bank is hit by bad debts, have been blocked by the Comptroller Department of the Central Bank of Jordan.

There is huge public interest in uncovering the strength of the Jordanian economy, and its potential to crash, creating mass unemployment and inflation in the country. Despite public outcry, *Ammam Net* reported on 5 January 2010 that the Central Bank of Jordan refused to reveal to a journalist from *Radio al-Balad* any information on the percentage of bad loans on its books.

Jordan is the only country in the Middle East where the people's Right to Information is protected with an access to information law. The Comptroller Department of the Bank justified their refusal under a 1971 banking code, despite the National Library Department, which is responsible for receiving complaints on violations of the Access to Information Law, stating that the Bank's refusal was not legally founded.

Indonesia

A Balinese court handed down a life sentence to former legislative candidate Nyoman Susrama from the Indonesia Democratic Party of Struggle after being convicted of killing journalist AA Narendra Prabangsa, who was found dead on 16 February 2009.

Prabangsa had been working on uncovering corruption in a US\$386,200 construction project being undertaken by the education bureau in Bangli regency. The project had not been publicly put out to tender and instead private developers had been directly appointed to construct and renovate several schools.

Witnesses at the court hearing testified that Susrama was so infuriated by Prabangsa's attempts to uncover information in the public interest that he had ordered the killing.

Iraq

In September 2008, a media officer within the Health Department of the Babil Governorate in central Iraq denied entry to journalists arriving to cover a specially arranged conference on an outbreak of cholera that was spreading quickly within the region.

Due to an absence of good governance in Iraq, journalists have become a lifeline for many by covering health issues and informing people about diseases and other health concerns. In the Babil Governorate, journalists have extensively covered cholera outbreaks and reported calls for the director of the Department of Health to resign for failing to support people's Right to Information. The Department of Health has announced a ban on giving press statements and banned journalists from entering hospitals.

Iran

Shiva Nazar Ahari founded the Committee for Human Rights Reporters in 2006 to solely focus on disseminating information on human rights within Iran. Shiva was arrested on a bus between Tehran and Qom on 20 December 2009 and told her family on 11 February that she is now being held in “cage-like” solitary confinement.

Shiva, a blogger, journalist and human rights defender, was first arrested in July 2004 for telling the world via the international media what was happening in Iran, taking part in protests, and for articles on her blog azadiezah.blogspot.com.

The Committee for Human Rights Reporters regularly wrote about the Kahrizak Detention Center, which then became infamous for detaining people during the 12 July 2009 demonstrations in Iran. Shiva herself was arrested two days later. “Wherever an individual’s rights are violated, these reporters write about it,” says Shiva’s mother.

Mexico

Despite being a normal part of a democratic state, community broadcasting is illegal in Mexico. *Radio Ñomndaa* (lapalabradelagua.org) in Guerrero state has constantly received threats of criminal proceedings and closure from local and federal authorities, despite its central function of supporting the Nancue Ñomndaa, one of Mexico’s 62 recognised indigenous groups, to learn about and reflect on issues discussed in their own language.

Radio Ñomndaa has broadcast across geographically isolated communities in Mexico and via the internet to the community around the world since 2004. The station is funded and maintained by the community and much of the programming is focused on education and rights. The participation of women is consolidated through a programme called “Xochistlahuaca Women” which for the first time has given women a voice, addressed women’s rights, reproductive health issues and problems inside the family.

United Nations Special Rapporteur on Human Rights and Fundamental Freedoms of Indigenous Peoples, Rodolfo Stavenhagen, has specifically recommended that the Mexican government guarantee indigenous communities access to and management of communications media, noting that this constitutes an instrument for their development and allows them to enjoy access to their culture and customs.

Russia

In June 2009, the Russian Ministry of Defence published an article on their website written by a military historian titled “Fabrications and falsifications in evaluating the role of the U.S.S.R. on the eve and at early stages of WW2”, claiming Poland was responsible for starting World War II by not complying with Hitler’s “reasonable” demands. The article denied any contributing role in the war by Russia and followed President Medvedev’s creation a few weeks earlier of a commission “for Counteracting Attempts to Falsify History to the Detriment of Russia's Interests”.

Despite democratising in the 1990s, Russia's media is increasingly unable to publish a range of information and opinions about Russia's past. The 2007 film *Katyn*, which documents the killing of 20,000 Polish intellectuals and military officers, was barred from broad distribution in Russia, the de facto ban being apparently instigated by the Kremlin due to their dislike of its version of Russian and Polish history.

Senegal

Private radio stations such as *Walfajiri* are playing an important role in supporting the Senegalese people to learn about and participate in development issues and decisions. The key to *Walfajiri*'s success is its concentration on providing information in the Wolof language to the disadvantaged urban poor residing in Pikine, Guediawaye, Keur Massarr, Yemeul and Rufisque.

One particular weekly programme titled "Face the Citizenry" has enabled local communities to raise issues such as unemployment, poor housing conditions, flooding and lack of sanitation directly with public officials who are asked to respond by revealing what they are doing to tackle such issues.

Some local research has shown that increasing media focus on delivering the people's Right to Information has resulted in more demands in the same area for social justice. The government of Senegal has also reacted in creating the National Agency for the Employment of Youths specifically to tackle the issues raised by media programmes such as *Walfajiri* and "Face the Citizenry".

Vietnam

Two journalists that uncovered high-level corruption in Vietnam, Nguyen Viet Chien and Nguyen Van Hai, were arrested and sentenced in 2008 for daring to publish information that undermined the government. The journalists, who worked for the newspapers *Thanh Nien* and *Tuoi Tre* respectively, wrote reports on the so-called "PMU-18" scandal, which alleged that development aid for building bridges and roads was instead spent on gambling on European football games.

On 15 October 2008 the Hanoi People's Court sentenced both journalists under Article 258 of the Vietnamese Penal Code, for "*abusing democratic freedoms to infringe upon the interest of the State, the legitimate rights and interests of organizations and/or citizens*".

Chien was given a sentence of two-years imprisonment after pleading his innocence, while Hai was handed a non-custodial two-year "re-education" sentence, after pleading guilty.

Yemen

In Yemen even the simplest of information in the public interest cannot be accessed by the media. National organisation HOOD contacted 35 government bodies and local authorities to request information on their annual budget for the year 2008. Of the 35 only one replied with the data required.

Of the remainder, one government body said that it had no budget for 2008, another asked for an apology as it claimed the language of the request letter was “inappropriate”. Five other government bodies said that HOOD would need to submit the request again, 11 bodies refused even to receive the request claiming that staff were not authorised to receive such requests from NGOs. 15 government bodies were so hidden from the public, that HOOD could not even discover their address or could not find anyone in the supposed building.

FURTHER INFORMATION:

- For more information please contact: Oliver Spencer, oliver@article19.org, +44 20 7324 2500
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.