



ANNUAL IMPLEMENTATION REPORT

January – December 2005

Table of content

Executive Summary

Introduction

Core and Thematic Priorities

Pursue and strengthen our partnership methodology

Innovate for greater effectiveness and impact

Development of the Open Word Centre

Communicating globally

Building a platform for the future

Financial Report

Organisational Update

Programmatic Report

Africa

Asia

Europe

Latin America

Law

Middle East

Annex One – ARTICLE 19 Twenty Ten Strategic Plan

Annex Two – ARTICLE 19 2005 Publications

Annex Three – ARTICLE 19 Partners

Annex Four – Success Stories – Sample

Annex Five – ARTICLE 19 donors

EXECUTIVE SUMMARY

ARTICLE 19 in 2005

WHAT WE AIMED TO ACHIEVE...

ARTICLE 19 2005 OBJECTIVES

1. Implement ARTICLE 19 2005 activities under our **freedom of expression strategy**, including:
 - 1.1. Promote adoption and implementation of progressive access to information globally;
 - 1.2. Safeguard pluralism and diversity of views threatened by terrorism and anti-terrorism legislations
 - 1.3. Protect freedom of expression threatened in post-conflict situations in Liberia and Sudan
 - 1.4. Support Public Service internet and Public Service Broadcasting, and Media diversity
 - 1.5. Defend the rights of women to access sexual and reproductive health information
2. Pursue and strengthen our **partnership methodology**;
3. **Innovate** for greater effectiveness and impact;
4. Strengthen the effective **promotion** and **communication** of ARTICLE 19's and our partners' expertise, and the **findings** of joint work, and
5. Consolidate our internal mechanisms for **strategic positioning, support and resource management**.

WHAT WE DID...

Strengthen open governance globally

In 2005, ARTICLE 19 promoted the adoption and implementation of progressive access to information legislation in the ASEAN region, Western Balkans, and South Caucasus. With our implementing partners, we conducted media monitoring during and following the elections in Moldova, Belarus, and Ukraine. As part of a coalition of 6 NGOs, we prepared detailed analyses of the disclosure policies of the World Bank, European Investment Bank, Asian Development Bank and African Development Bank, and led on the development of an IFI Transparency Charter, intended to articulate civil society's demands for openness at these institutions.

Safeguard pluralism and diversity of views threatened by a climate of intolerance

In 2005, ARTICLE 19 monitored and campaigned against "traditional" and new forms of censorship and the wide-spread use of defamation laws in South Caucasus, South East Europe, Russia, and Thailand. We have monitored the use of incitement to religious hatred legislations in Russia, worked on behalf of a Russian artist fleeing attacks and persecution in Russia and seeking asylum in the UK, and produced a report on religious hatred legislation and freedom of expression in Russia. We have advocated against the proposed amendment to the United Kingdom Racial Act to include incitement to religious hatred, and produced three analyses of the UK anti-terrorist legislations.

Protect freedom of expression threatened by conflicts and security agenda

In 2005, ARTICLE 19 supported peace process in Liberia and Sudan through the development of a legal, policy and media framework with a coalition of national and international partners. We have undertaken a mission in Guatemala to research media legislations and practices and published a major study on Freedom of Expression in Conflict and Post Conflict societies in South East Asia. In partnership with UNESCO, ARTICLE 19 undertook a major project on Iraq that has included the

production of Guidelines for Journalists covering elections in January 2005, the development of freedom of expression clause for inclusion in the new constitution, and two weeks human rights training of trainers for human and women's rights activists and media workers.

Support the free flow of information and ideas within a diverse media landscape

In 2005, ARTICLE 19 promoted the provision of public interest content in the media, through an international conference and the launch of *A Model Public Service Broadcasting Law*, several practical workshops on PSB in Africa and continued advocacy for the transformation of government-owned medias globally. With the BBC World Trust, we developed a code of conduct with local broadcasting and newspaper editors in Somaliland for the media coverage of the upcoming elections. We organised a training programme on freedom of expression and investigative journalism and work-placement for eight journalists from China. In association with the International Federation of Journalists, ARTICLE 19 undertook an in-depth action research on media self-regulation in South Eastern Europe and advocated for stronger and better self-regulation throughout the region.

Strengthen vulnerable groups' right to be heard and right to know

In 2005, we implemented the second phase of a project on Sexual and Reproductive Rights and access to information in Peru. Our successful programme there has been used to develop similar work in Mexico with a range of Mexican organisations. We have worked with local partner organisations in Zambia, India, Indonesia, and Malaysia, to develop new proposals to extend the Peru model elsewhere. ARTICLE 19 also conducted ground-braking policy research on the role of informal information networks and ICTs in the townships in Durban, and on the right to freedom of information in disaster response in the wake of the earthquake and Tsunami in Asia.

Pursue and strengthen our partnership methodology

We developed new partnership with grass root organisations in Abkhazia, Brazil, Iraq, Kazakhstan, Mexico, Nagorny Karabakh, Nepal, South Ossetia, Sudan, and Yemen. We also extended ARTICLE 19 outreach to women's, health, youth, environment, and minority organisations. Throughout 2005, ARTICLE 19, Index English Pen, and six other organisations working on literature have continued their collaboration, initiated in 2004, towards setting up the International Centre for Literature and Freedom of Expression.

Innovate for greater effectiveness and impact

Our 2005 agenda for innovation has focused on strengthening the conceptual, policy, and practical links between development, poverty and freedom of expression through the development and/or implementation of projects on:

- Access to information and anti-poverty legislation and policies,
- Reproductive/Sexual Rights and freedom of expression,
- Access to information and environmental sustainability,
- Freedom of expression in the context of disaster-response and reconstruction relief,

In addition, ARTICLE 19 undertook new legal work analysis on anti-terrorist legislations and on hate speech.

Strengthen the effective promotion and communication of ARTICLE 19 work

We strengthened our communication infrastructure by developing and designing a new website; designing and producing a quarterly newsletter; developing a general contact and media contact database, running a media training for all staff members, integrating media work in all activities and projects, etc.

Consolidate strategic positioning, support and resource management.

ARTICLE 19 strengthened its income stream and financial infrastructure by developing and implementing fund-raising guidelines and strategy, introducing a new financial software and cost-saving measures; etc. In 2005, ARTICLE 19 launched its new **Middle East Programme** through a series of legal initiatives in the region and a capacity-building and training project in Iraq.

OUR IMPACT ...

- In 2005, our work has contributed to major successes such as the decriminalisation of defamation, the adoption of freedom of information laws, and the vetoing or withdrawing of laws that repress the media. ARTICLE 19 recommendations on freedom of information (FoI) legislations were adopted in Azerbaijan, Montenegro, and Macedonia. The de-facto Parliament of Nagorny-Karabakh adopted an advanced FoI Law, following active advocacy work by ARTICLE 19 and our local partner organisation. In Cambodia, the government has asked the Cambodian FoI Coalition to submit the draft FoI law, as a direct result of ARTICLE 19 advocacy. Our longstanding campaigns in the Philippines and Indonesia for the adoption of access to information legislation continue to exert pressure for positive legislation in those countries. The World Bank has adopted a new transparency policy, while the European Investment Bank is considering moving to a real presumption of disclosure.
- In Kosovo, the Prime Minister's Office has developed a draft civil defamation law incorporating ARTICLE 19 standards, as a direct result of our visits, advocacy and campaigning efforts. In the UK, the joint efforts of NGOs (including ARTICLE 19), free speech activists, MPs and Lords has resulted in some much needed amendments to the incitement to racial hatred bill and anti-terrorist legislation.
- In Somaliland, the BBC World Trusts and ARTICLE 19 work has led to the adoption of a Code of Conduct for Elections by Media outlets and political parties. In Iraq, many of ARTICLE 19 provisions on freedom of expression have been incorporated in the Iraqi Constitution adopted in October.
- In Sudan, ARTICLE 19 and its partners, including AMDISS, IMS and NPA have developed and advocated for four Draft Bills on Freedom of Expression and the Press reviewed by the Government and Assembly of Southern Sudan (GoSS). We also successfully facilitated the development of a joint media policy and position on freedom of expression adopted by media, civil society and government representatives of the South and the North (the Khartoum Runbeck declaration on a common policy and legal framework for Media in Sudan). The documents are the result of a long campaign and professional support by the four members of the consortium to ensure that the clauses related to the rights to freedom of expression contained in the Comprehensive Peace Agreement (CPA), the Interim National Constitution and the Interim Constitution of Southern Sudan, are fully protected and respected.
- In Ukraine, the Parliament included many of our recommendations on a public service broadcasting bill. In Latvia, our analysis of a new broadcasting law is currently being considered in Parliament. ARTICLE 19 launched a model law on Public Service Broadcasting at a high-level conference in London in June. The graduate media policy program of Wits University (South Africa) has adopted ARTICLE 19 "Broadcasting in Policy and Practice" as one of its core required readings.
- ARTICLE 19 has actively contributed to sharing and transfer of knowledge and learning through a very active capacity-building programme with our partners. For instance, in Russia, following our trainings of all judges of the Ryazan Oblast court (Raising-funded project), the regional courts of Oryel Oblast, Kursk Oblast and Lipetsk Oblast have expressed their interest to host similar seminars for judges and journalists. Our partner organisations in Macedonia, Montenegro, Albania, and Ukraine have successfully used ARTICLE 19 Freedom of Information Training Manual, including in direct cooperation with government institutions. In Peru, local organisations in Piura and Cusco have made 20 requests for information on sexual and reproductive health issues, which are being followed up through the project's legal clinic.

- As a result of ARTICLE 19 strict financial management, preliminary data indicates that a small surplus should be envisaged, which would assist in reducing ARTICLE 19 current deficit of £140,000.

OUR MAIN OUTPUTS...

- ❖ We ran projects or undertook legal work in 29 countries. We undertook 6 regional projects, including in Southern Europe (media self-regulation), Africa (with media regulators), the Caucasus (on access to information), South East Asia (on conflict and the Media), Asia (base line studies on freedom of expression), Latin America (on freedom of information). By the end of 2005, ARTICLE 19 had 57 implementing partners in 40 countries.
- ❖ We produced 46 legal analysis of Freedom of Information (FoI) and Media legislations, published a Model Public Service Broadcasting law, provided an amicus curiae brief before the Inter-American Commission, and lodged cases at the UN Human Rights Committee and the African Commission on Human and Peoples' Rights
- ❖ We produced around 40 policy and campaigning publications, on such issues as: Freedom of Expression in Conflict and Post Conflict societies in South East Asia, baseline reports on freedom of expression in Asia; the impact of incitement to religious hatred legislation in Russia; Russian election law and media coverage; media self-regulation mechanisms in South-East Europe; reproductive and sexual health, and access to information in Peru; freedom of expression and disaster-response, etc.
- ❖ We conducted a number of capacity-building activities and trainings on freedom of expression and information to approximately 300 NGOs, media and government representatives globally, including: training on freedom of expression and information in West Africa, Transdnistria, South Caucasus, Russia; training and advice to a newly founded local press council in Voronezh oblast; two month long human rights and investigative journalism training and work placement for 8 Chinese financial journalists in London; several trainings for women's groups and health organisations in Peru; three roundtables in Sudan on post-conflict and broadcasting reform; an international conference on Public Service Broadcasting in London, and workshops in Southern, West/Central and East Africa/Horn; a regional seminar on media self-regulation in South East Europe; etc.
- ❖ We developed, often in collaboration with other organisations, resource materials for our partners, including: guidelines for Iraqi journalists; a media policy for South Sudan; training materials on access to information; benchmarking indicators for 'African Freedom of Expression Principles', freedom of expression and the 'Millennium Development Goals; user-friendly guide to access to information; a model law on public service broadcasting, etc.

Introduction

ARTICLE 19 takes its name from the corresponding article of the Universal Declaration of Human Rights, which guarantees the right to freedom of expression and the right to seek, receive and impart information and ideas. Set up in 1987, our mission is *“to promote, protect, develop and fulfil freedom of expression and the free flow of information and ideas in order to strengthen global social justice and empower people to make autonomous choices.”* We monitor, research, publish, lobby, campaign, set standards and litigate on behalf of freedom of expression wherever it is threatened. With 52 close partners in more than 40 countries across the world, we work to strengthen national capacity to protect and promote freedom of expression globally. We advocate for the implementation of access to information legislation to ensure transparency and strengthen citizen’s participation. We campaign against the widespread use of defamation laws, restrictions on media and censorship to safeguard pluralism and diversity of views.

ARTICLE 19 believes that the most effective and principled way to promote and implement institutional, cultural and legal change is to work in partnership with domestic groups and to engage with governments. This approach enables us to facilitate relationships amongst civil society actors on a national and international level and promote best-practice models from around the world. All our projects build the capacity of local organisations to ensure they are able to continue working in the future with decreasing international involvement and support. At present, we work with 52 implementing partners, active in areas such as human rights, freedom of information, the media, women, health and environment, and around 100 grass-roots organisations. Our work with governments is designed to facilitate practical change, through frequent meetings with public officials, focussed training, capacity-building and assistance in legislative drafting.

ARTICLE 19 is active in key international networks. We were instrumental in establishing the International Freedom of Expression Exchange (IFEX) and we sit on its board and on the steering committee for the Freedom of Information Advocate’s Network. We have consultative status with ECOSOC, the Council of Europe and Organisation of African Unity and work with and through the UN Human Rights Committee, the Inter-American Commission and Court of Human Rights and the African Commission on Human and Peoples’ Rights (ACHPR). We have a long practice of close cooperation with all four special mandates on freedom of expression at the UN, OAS, ACHPR and the OSCE.

At the end of 2004, ARTICLE 19 undertook a strategic review process to strengthen our relevance and impact, better integrate the various components of our mandate and ensure coherence and “multiplier effect” of our work (See Annex One). Our key external strategic goals for 2005-2010 include to:

1. Strengthen open, transparent governance globally;
2. Safeguard media pluralism and diversity of views threatened by a climate of intolerance;
3. Protect freedom of expression threatened by conflicts;
4. Support and strengthen the free flow of information and ideas within a diverse media landscape;
5. Defend and promote marginalised communities’ freedom of information and expression, including as a leverage towards the fulfilment of their human rights.

The core rationale for this strategy lies in the external world: The events of “9/11” and the subsequent so-called “war on terror” have triggered a number of set-backs for the human rights community. ARTICLE 19 and its partners have monitored globally the human rights implications of the growth in anti-terrorist legislation and state secrecy laws, in media censorship and in deepening media biases, and in the erosion of emerging democratisation processes. Economic globalisation too has brought its challenges, driving increased media concentration, eroding public broadcasting and lessening the transparency of powerful economic actors. Our strategy was also the result of our analysis of the organisation’s strengths and weaknesses, and in particular of the realisation that the potential created by ARTICLE 19 diverse network and partnership is limited only by the extent that it is able to invest

in its own organisational infrastructure. Strengthened, this infrastructure can ensure ARTICLE 19 lifts local experiences into the regional and global setting.

We began implementing ARTICLE 19 strategic priorities in 2005 through a focus on ARTICLE 19 partnership, communication, conceptual and policy innovations, and its organisational infrastructure.

Specifically, our operational objectives for 2005 included:

ARTICLE 19 2005 OBJECTIVES

1. Pursue and strengthen our **partnership methodology**;
2. **Innovate** for greater effectiveness and impact;
3. Pursue the development of the **Open Word Centre** – the International Centre for Literature and Freedom of Expression with Index, English Pen and 6 literature organisations.
4. Strengthen the effective **promotion** and **communication** of ARTICLE 19's and our partners' expertise, and the **findings** of joint work, and
5. Consolidate its internal mechanisms for **strategic positioning, support** and **resource management**.
6. Implement ARTICLE 19 2005 activities under our **freedom of expression strategy**, including:
 - 6.1. Promote adoption and implementation of progressive access to information globally;
 - 6.2. Safeguard pluralism and diversity of views threatened by terrorism and anti-terrorism legislations
 - 6.3. Protect freedom of expression threatened in post-conflict situations in Liberia and Sudan
 - 6.4. Support Public Service internet and Public Service Broadcasting, and Media diversity
 - 6.5. Defend the rights of women to access sexual and reproductive health information

As the rest of this report demonstrates, ARTICLE 19 went a long way towards implementing its ambitious programme of work.

ARTICLE 19 CORE AND THEMATIC PRIORITIES

1 - Re-enforce and Extend Equal Partnership Methodology

ARTICLE 19's success resides in its development of an extensive partnership network across the world. It also channels a large percentage of the sums it raises to grass-root organisations. By the end of 2005, ARTICLE 19 worked with fifty-seven organisations in more than forty countries. Our approach has shown to be the most effective and principled way to promote and implement institutional, cultural and legal change. In 2005, ARTICLE 19 pursued its capacity-building and campaigning work with our existing partners and worked with new ones (See Annex Two for a list of our main partners).

- (i) We conducted exploratory missions in Kyrgyzstan, Lebanon, Jordan, Egypt, Indonesia, Nepal, and Yemen to meet with potential new partners, including civil society organisations and government officials where appropriate, assess the needs, issue reports and press releases, and identify ARTICLE 19 possible added value in these countries.
- (ii) We established working relationships with new implementing partners, including in Kazakhstan, Nepal, Abkhazia, South Ossetia and Nagorny Karabakh, Brazil, Mexico, Sudan, and Iraq.
- (iii) We have also extended ARTICLE 19 thematic outreach: ARTICLE 19 has developed relationships with CVOs working outside the sphere of freedom of expression, including women's, health, youth, environment, and minority organisations.

2 - Innovate for greater effectiveness and impact

ARTICLE 19 has built a reputation as one of the world's leading human rights organisations because of its history of sustained partnership with grass root organisations, and its capacity for conceptual and policy innovation. For instance, the organisation was one of the first to connect freedom of expression with development; one of the first to connect access to information with the exercise of reproductive rights.

Our 2005 agenda for innovation has included the following initiatives, many of which will continue and be strengthened in the following years. The agenda for innovation has focused and will continue to focus for the following years on the following main issues: (i) the alleviation of poverty and freedom of expression, (ii) terrorism and anti-terrorism and their impact on freedom of expression; (iii) technological changes and freedom of expression.

Access to Information and Poverty: ARTICLE 19 initiated a new project in 2005 in Brazil seeking to promote the development of a more inclusive and equitable society and improving citizen participation in decision-making processes. We are working in collaboration with local groups towards achieving legislative change which contributes to a more open and transparent public administration, with specific reference to anti-poverty policies and focus.

Reproductive/Sexual Rights and access to information: In 2005, ARTICLE 19 implemented the second phase of a project on Sexual and Reproductive Rights in Peru. We have tested the impact of the new access to information law on sexual and reproductive health rights, and strengthened the capacity of groups working with women in poor areas to use the legislation. We have also trained health officials and ensured a thorough implementation of the legislation. Our successful programme in Peru has been used to develop similar work in Mexico with a range of Mexican organisations. The Ford Foundation and the McArthur Foundation have agreed to fund the new two year project. We have worked with local partner organisations in Zambia, India, Indonesia, and Malaysia, to develop new proposals to extend the Peru model elsewhere. We are waiting to hear from potential donors.

Access to information and corruption: In 2005, ARTICLE 19 has strengthened the link between our freedom of information work and anticorruption activities by: (i) initiating a new project in Mexico

reaching out to the business community and seeking to increase transparency amongst actors in the business sector; (ii) delivering a keynote speech at the IV Global Forum against corruption in Brazilia, (iii) actively participating in the G8BMENA civil Society Dialogue on Transparency and Corruption led by Transparency International.

Ensuring environment sustainability by securing communities' access to relevant environmental information: ARTICLE 19 has launched at the end of 2005 two new projects in Malaysia and Ukraine, on access to environmental information. In Ukraine, ARTICLE 19 will work with *EcoPravo* to empower groups of women, youth and people negatively affected by lack of environmental information to exercise their right to access to information through the use of both domestic legislation, and international standards of freedom of information, and particularly the 1998 Aarhus Convention, to which Ukraine is a signatory. The project also seeks to build the capacity of relevant institutions to act more transparently and disseminate environmental information in the public interest. In Malaysia, ARTICLE 19 together with the *Malaysian FOI Coalition* has launched a new project seeking to increase awareness of the public's right to information, and to build the capacity of civil society to campaign for better access to environmental information.

Freedom of expression and access to information in the context of disaster-response and reconstruction relief: Core funding has allowed ARTICLE 19 to respond to the earthquake and tsunamis that hit South and Southeast Asia on 26 December 2004 through campaigning and lobbying activities. We issued a report "*Humanitarian Disasters and Information Rights*," highlighting the legal and ethical bases for, and the importance of, fulfilling the rights to expression and information in the context of a natural disaster. We subsequently issued advocacy letters and briefings to donor governments and governments of the countries affected by the Tsunami about freedom of expression. We have approached NGOs working in Sri Lanka and Aceh and developed working relationships that led to the development of project proposals on reconstruction and freedom of expression in the two regions. Our next objectives are to implement these projects and to build ARTICLE 19 capacity to respond to crisis and disasters.

ARTICLE 19 APPROACH TO POVERTY ALLEVIATION AND DEVELOPMENT

ARTICLE 19 believes that freedom of expression and access to information are absolutely critical to achieving and sustaining poverty eradication and human rights.

- **Development and the right to a say:** If development is to be realised, people need the freedom to participate in public life, to put forward ideas and potentially have these realised and to demand without fear of recrimination that governments uphold their obligations. Freedom of expression allows individuals the possibility of becoming active actors in the development process, thereby increasing its long-term suitability and sustainability.
- **Development and the right to know:** Poverty eradication entails fundamental reforms to promote broader political participation, to ensure accountability and transparency, and to create a strong role for community groups in policy-making. The free flow of information is the basis for all of these reforms and is key to ensuring the implementation of the MDGs.
- **Empowerment:** It is those communities most affected by poverty which are least able to impart and obtain information, especially relating to basic services. As a result, they are excluded from public debate and unable to influence decisions that have a profound effect on their everyday lives. Information empowers communities to battle the circumstances in which they find themselves and helps balance the unequal power dynamic between people marginalised through poverty and their governments.
- **Development and the media:** The media has a specific task of informing the public; it can enhance the free flow of information and ideas to individuals and communities, which in turn can help them to make informed decisions about choices that affect their lives. A free media, using well-informed, investigative methods, plays a key role in providing knowledge and in giving voice to the marginalized, highlighting corruption and developing a culture of criticism where people are less apprehensive about questioning government action.

Hate Speech, Anti-Terrorist Legislations and freedom of expression: We have reviewed, and monitored legal systems and policies aiming at protecting free speech: we have monitored the use of *incitement to religious hatred* legislations in Russia, worked on behalf of a Russian artist fleeing attacks and persecution in Russia and seeking asylum in the UK, and produced a report on religious hatred legislation and freedom of expression in Russia. We worked with a coalition of UK NGOs monitoring and campaigning against the proposed amendment to the United Kingdom Racial Act to include incitement to religious hatred. We have conducted an in-depth review of Hate Speech Legislations across Europe, as well as in the US, and Nigeria.

Gender-sensitive approach to freedom of expression: We have developed specific projects involving women's organisations as key partners, some of which are currently implemented in Peru, Mexico, and Ukraine. We participated to the organisation of a WAAC campaign on media and gender – launch planned for February 2005. We developed specific projects proposals focusing on disadvantaged women as a key beneficiary group, or focusing on issues with particular relevance to women, e.g. the development of consultative and responsive people-centred policy-making and decision-making, in particular where it concerns the interests of women, in Sukhum, Gudauta and Tkuarchal districts of Abkhazia. We are planning to develop gender-sensitive guidelines in 2006.

3 - Pursue the development of the Open Word Centre – the International Centre for Literature and Freedom of Expression

This project was originally initiated by ARTICLE 19, Index on Censorship and English PEN 3 years ago. Originally focusing on the establishment of a centre for free expression in London, it was extended in 2004 to include 6 more organisations working on literacy. In 2005, the nine member consortium continued to meet on a regular basis, and built on the work undertaken so far to strengthen the development of the Centre. The Consortium has applied to the Arts Council of England for a feasibility study grant towards establishing an international centre for literature and freedom of expression, based on the concept for the Open Word Centre. Following a very rigorous Health Check of Index on Censorship, the Arts Council has recommended a plan of action of further consultation and training activities for the nine members of the consortium. The Arts Council has allocated up to £75,000 to pay for the training and consultation fees involved.

Throughout 2005, ARTICLE 19, Index and English Pen have continued their collaboration, initiated in 2004 when we all moved to the same building. Some of the activities undertaken together have included:

- Campaign against the UK draft amendment on incitement to religious hatred;
- Training and work placement of Chinese journalists;
- Women and Fundamentalism Conference organised by Rights and Democracy;
- Handbook for reporting and monitoring elections in Iraq;
- Work on Tunisia, as part of IFEX
- Meeting of Iraqi women's activists and women journalists;
- Discussion on Hate Speech, with a focus on Russia;
- Strategic Discussion on Moldova;
- Event celebrating Aung San Suu Kyi fiftieth birthday;
- Various meetings with institutional donors;
- Organisation of two workshops on Freedom of Expression for the European Union NGO Forum;
- Provision of work spaces to journalists and freedom of expression activists from Sudan, Kenya, Jordan, India, Belarus, Moldova, Montenegro, Abkhazia, Nagorno-Karabakh, Ukraine, Tajikistan.

4 – Communicate globally

Our key strategic objective with regard to communication is to strengthen the effective **promotion** and **communication** of ARTICLE 19's and our partners' expertise, and the **findings** of joint work. ARTICLE 19 limited presence in Western setting and Western media, and in particular in the United Kingdom, has been identified as one of ARTICLE 19 main weaknesses and an obstacle to fund-raising. In 2005, the limited resources did not allow the organisation to recruit a media and/or communication specialist. Nevertheless, we took important steps towards strengthening ARTICLE 19 profile and impact. We developed a communication action plan for 2005 that aims to integrate and mainstream a media and communication focus in all our activities. Throughout the year, the following activities were implemented:

- *Redesign of ARTICLE 19 Newsletter*, both in terms of format and content. Feedback for the new Newsletter has been overwhelmingly positive.
- *Redesign of the Website* and launch in June. Again, we have received very positive feedback, although some more work needs to be done, in particular with regard to the French, Spanish, Russian and Arabic sites.
- *Redesign of ARTICLE 19 report* – the previous format was not used systematically and we too often relied on outside expensive services.
- *Contact database*: A central database has been set up and consolidated.
- *Development of a media and communication strategy* to accompany the launch of our main reports throughout the year. Our main focus has been to strengthen our appeal and profile with international and UK-based broadcasting outlets. The impact so far has included quotes, and letters to editors, interviews with UK radio and TV's broadcasting, etc.
- *Media training*: a one-day training was held focusing on press releases and communication with the media. A second training, planned for the first half of 2006, will focus on interviewing skills.

By the end of 2005, ARTICLE 19 had greatly improved its media work but further improvement will require direct investment into media and communication, such as one staff member dedicated to media and communication work.

5 - Build a platform for the future

To strengthen the global leverage of its message and coherence across its projects, ARTICLE 19 has met the following objectives:

Enhance ARTICLE 19 strategic planning: this was achieved through:

- The development and implementation of ARTICLE 19 Strategic Plan 2005-2010 and of its 2005 Operational Plan (documents available) following broad discussions and meetings, including with partners and board members;
- The adoption of a cross-programmatic approach to the development of new activities in order to strengthen learning and sharing across regions and our partners: we have identified 12 such projects, involving two or more programs;
- On-going development of ARTICLE 19 Operational Plan 2006-2007 and fund-raising strategy.

Improve ART 19 information technology infrastructure: We have upgraded all computers, replaced five computers, conducted an IT audit, purchased a contact database, re-rendered ARTICLE 19 IT Support.

Strengthen ART 19 governance and policy development: this has been achieved by:

- The organisation of an international board meeting in June 2005, which included a number of substantive discussions, including on Hate Speech and Global Defamation, and on governance policy issues;

- The on-going review of ARTICLE 19 current governance system and the role of the international board members – several options have been identified for a future approach, which aim at strengthening the substantive input from ARTICLE 19 international stakeholders and national partners;
- Holding strategic and operational planning meetings with the trustees of ARTICLE 19 which led to the development and implementation of a Trustee work-plan. It includes such activities as media and communication training for ART 19 staff, run by journalists on the board, the setting up of a legal support group, by the lawyers on the board, *breakfast meetings* with high-profile contacts, etc.

FINANCIAL REPORT

The preliminary 2005 financial report indicates a fairly healthy financial situation by the end of the year. There should be a reasonable surplus that could go some way towards addressing ARTICLE 19 existing deficit of £148,000. If funding continues at current level, ARTICLE 19 Board and senior management estimate that the deficit should be absorbed by the end of 2007.

This is the result of very strict financial management measures taken throughout the year, which have included:

- (i) Cost-saving measures – many of them were introduced towards the end of 2004¹, including: moving to new premises to cut down overhead costs, re-negotiation all contractual agreements for services, etc.
- (ii) The development and implementation of Fund-Raising Guidelines which identifies the cost of most budget items and set procedures for oversight and approval of budgets. The guidelines should prevent deficits from occurring at project level – a problem in the past – and allow for each project to meet its full overhead costs;
- (iii) The development and implementation of budget guidelines at programmatic level which sets financial benchmarks for each program, including core benchmarks;
- (iv) The introduction of a new financial software (Quickbook): while this has proven more time-consuming and difficult than anticipated, it is now nearly complicated – the last and remaining steps include the integration of all projects into the new centrally-run system and regular reconciliations of projects incomes and expenditures;
- (v) The creation of a financial sub-committee at board level: it has allowed for a better and more professional review and oversight of ARTICLE 19's finances and has become an essential instrument in the continuing improvement of ARTICLE 19 financial management and control system;
- (vi) The recruitment of two new board members with a background in finance and accounting, one of whom has since been elected to the post of treasurer (Ann Howarth).

The cost-saving measures introduced towards the end of 2004, in response to the 2003 deficit, have started impacting on ARTICLE 19 finances in 2005. By the end of December 2005, the savings on premises and other overheads cost were estimated to be around £70,000.

Meeting the organisation's core budget has remained a major concern throughout the year. One of ARTICLE 19 core grants – from the Dutch government – came to an end in 2005. ARTICLE 19 has been looking for alternative and additional core support (either through institutional donors or public appeals) and will continue to do so in the future. As the narrative report has highlighted, core support is essential to the organisation – it allows us to explore new areas of work, including for innovative and creative issues for which it is often difficult to raise funds. Core support also allows ARTICLE 19 to be more responsive to immediate crisis for which there is no time to fund-raise. For instance, in 2005, we were able to respond to the Tsunami crisis and to provide some assistance to a Russian artist feeling persecution and seeking asylum in the UK.

Fund-raising successes in 2005 have included:

- ARTICLE 19 core support almost doubled in 2005, thanks to a very generous core grant from the Rausing Trust;
- ARTICLE 19 was one of 25 organisations short-listed by Dfid (out of 135 applicants) to apply for a Programme Partnership Agreement (PPA). Unfortunately, we were not selected for the final grant. Nevertheless, the initial short-listing is a good sign and we hope we will be able to further demonstrate that freedom of expression and access to information are central to the developmental process and the global fight against poverty.

¹ See 2004 Implementation report

- Many project-specific funding applications were successful. The organisation went on an extensive projects development and fund-raising drive in April that was overall very successful. Some projects – particularly those with a more cutting edge dimension - remain unfortunately difficult to fund, such as, for instance, the projects on media concentration in South East Asia and Central America; the effectiveness of hate speech legislations; convergence and internet governance; etc.
- We have succeeded in securing funding from the Hewlett Foundation to open an office in Mexico City, working on freedom of information for two years. Dfid is also funding a 5 year project on freedom of information and poverty in Brazil, which will require Article 19 staff presence in the country. Local presence has been identified as key to our impact and success, and we hope we will be able to emulate the Latin America model elsewhere in the world.

ORGANISATIONAL UPDATE

Changes in Leadership – Trustees of ARTICLE 19

Two trustees left the board in 2005, including Richard Ayre (Chair of ARTICLE 19 for the last three years, and trustee for five years) and Peter Philips (Treasurer of ARTICLE 19 for the last five years).

Five new trustees have joined ARTICLE 19 in 2005, including:

- **Louise Christian**, Human Rights Lawyer, Christian and Kahn law firm
- **Mark Hengstler**, Executive Director, Bike Out, United States, formerly fund-raising director with the International Secretariat of Amnesty international
- **Ann Howarth**, Commercial Director, BBC Commercial Projects
- **Richard Sambrook**, Director, Global News Division, BBC World News
- **Catherine Smadja**, Head of digital and commercial broadcasting policy branch and Director of the Digital Switchover Programme in the UK.

The current **Chair** of ARTICLE 19 is **Heather Rogers**, media lawyer with the MATRIX law firm in London. The current **Treasurer** is **Ann Howarth**.

Human resources changes

Ten new staff members joined ARTICLE 19 in 2005, either to replace colleagues on maternity or sick leave or to implement new projects. They have included: Daniel Simons (Legal Officer), Sophie Redmont (Legal Officer), Rafael Barca (Director, Latin America program, maternity cover); Esa Ennelin (Latin America Program Officer); Heba Morayef (Middle East Program Officer), Laura Salama (Middle East Program Officer), Alexandra Sicotte-Levesque (Africa Program Officer), David Wilson (Office Manager), Pauline Dawkins (Financial Officer).

Two staff members went on maternity leave, including Bethan Grillo, Latin America Program Director, and Sarah Buchanan, Europe Program Officer. Three staff have left the organisation in 2005, including Catrina Pickering (office manager), Sara Buchanan, and Morris Lipson (Legal Officer).

PROGRAMMATIC WORK

AFRICA PROGRAMME

In 2005 a second program officer post was established which contributed to bringing a number of important activities up to speed and developing closer ties and potential new activities in West Africa. The program further developed relationships with African regulatory authorities and for the first time began discussions with the commercial broadcasting sector on public service responsibilities. A number of tools have been developed that have organizational wide benefits, including: a training manual for broadcasting regulators on pluralism and diversity, a CDROM distance learning course on access to information and the development of a set of freedom of expression benchmarks. The Sudan project was the biggest single project in 2005. It enabled the Africa program to establish or strengthen good working relationships with most key players in the future of post-conflict Sudan and to build linkages with national and international partner organizations. Through this work and that conducted in Liberia the program has strengthened its expertise in working in post conflict situations.

OBJECTIVE ONE - Strengthen understanding and protection of freedom of expression by and through African regional mechanisms, including the African Commission Human and Peoples' Rights (ACHPR)

ARTICLE 19 aims to: develop regional standards on FoE, which include the adoption of the Declaration of Principles on Freedom of Expression in Africa and the appointment of a Special Rapporteur on Freedom of Expression, (SR on FoE); sensitize key regional actors about the African Declaration on Freedom of Expression and the ACHPR and other African Union mechanisms, bring forward freedom of expression violations at the regional and sub regional forum. We also aim to use and strengthen existing regional mechanisms such as of the ACHPR, the ECOWAS, the AU and NEPAD/African Peer review Mechanism, to strengthen freedom of expression. MFWA was identified as one of the key implementing partners for several of these activities.

Activities:

- We drafted recommendations for the mandate of the Special Rapporteur on FoE. Our suggestions were taken into account, except for the recommendation on the independence of the mechanism vis a vis the ACHPR.
- We facilitated working groups on FoE at every NGOs Forum prior the ACHPR sessions and by so doing, increased visibility of the work of the SR and the ACHPR.
- We facilitated meeting of the SR with other FoE mechanisms around the world.
- We assisted the Secretariat of the ACHPR to develop an action plan for the Special Rapporteur.
- In cooperation with MFWA, we have approached the ECOWAS Secretariat/ Communication Department and the Civil Society Bureau to organize a seminar in January 2006 at the ECOWAS summit. Unfortunately, the process was delayed and put on hold due to a plane crash in Nigeria and the death of some key ECOWAS staff
- The ACHPR secretariat was also approached for the civil society workshop prior to the 38th Session, and it has responded positively.
- We facilitated a round table discussion on Media, Democratic Governance and African Integration attended by 20 experts from the region, aimed at sensitising the African Union (AU) about the need to strengthen freedom of expression; and to encourage more synergies between institutions and individuals working on freedom of expression issues.

Outputs:

- The Declaration on Freedom of Expression was translated into three more languages: Portuguese, Arabic and Swahili.

- A booklet format of the Declaration has been produced and delivered to the ACHPR and copies distributed to partners and various stakeholders at major events such as the WSIS prep com.

Impact:

- ARTICLE 19 is seen by many human rights groups and the ACHPR as the lead institution on FoE issues in Africa.
- We have contributed to building the capacity of the partners we worked with and encouraged them to use the African regional system to strengthen FoE: Key African freedom of expression organizations that have been involved in the process have shown more interest in the work of the ACHPR and the AU. A number have applied and received their observer status and are now regularly attending ACHPR sessions and using the ACHPR forum to raise concerns about freedom of expression violations. Many others African organizations have registered interest to get observer status in the near future. The African Programme will assist them in the next few months.

OBJECTIVE TWO – Monitor and Campaign against abuses of freedom of expression in Africa

Key Activities:

- Regular monitoring of abuses of freedom of expression in the region, with a specific focus on Eritrea:
- Participation to an IFEX monitoring mission in Tunisia, to assess the situation of FoE and other human rights. We meet a wide range of civil society groups as well as diplomatic representatives.
- Participation to the WSIS Prep Conf in Geneva and to the launch of the IFEX assessment report on the situation in Tunisia. The report was widely publicized and petition sent to the UN Secretary General.
- The Eritrea complaint has been declared admissible by the ACHPR since last year. The Eritrean government has tried to challenge the decision on admissibility. A follow up communication were sent to the ACHPR raising our concerns about the delays in the case.
- Participation to the African Freedom of Expression organizations conference in Accra from the 27 to the 31st of October, organized by MISA, MFWA, JED and MRA and sponsored by UNESCO.
- Participation to Zimbabwe freedom of expression meetings in South Africa and London; publication of piece in the *Zimbabwe Times*
- Participation to the WSIS in Tunis, launch of publication on ICT and development that included field research on ICT and development in South Africa.

Outputs:

- Report: Experiencing Technical Difficulties: The Urgent Need to Rewire and Reboot the ICT-Development Machine, October 2005
- A number of press releases and letters to governments

Impact:

- In December 2005, the African commission on Human and Peoples' Rights adopted a Resolution against the continued violations of human rights and freedom of expression in Eritrea, and confirmed the admissibility of the case submitted by ARTICLE 19 on behalf of the Eritrean journalists and politicians in prison since 2001. The Resolution denounces among others, the arbitrary detention without trial of journalists and political leaders and calls for their immediate release. ARTICLE 19 considers this Resolution as a milestone in the fight for justice and human rights in Eritrea and will continue to pursue the case on behalf of the detainees.

The role of Informal Information and Communication Networks

In the summer of 2005, ARTICLE 19 launched a new research project critiquing the extent to which ICT (Information and Communication technologies) will deliver on their development promises, and on the role of informal information and communication networks in providing disadvantaged populations with access to vital information. The projects focused on the townships populations and Zimbabwe farm workers in Limpopo, KwaZulu-Natal and Eastern Cape in [South Africa](#). The report was launched on the occasion of the World Summit of Information technology (WSIS) in Tunis, in November 2005.

OBJECTIVE THREE – Strengthen understanding and awareness of Freedom of Expression abuses in conflict and post-conflict situations in Liberia and Sudan

In 2005, ARTICLE 19 continued to support the peace processes in Liberia and initiated a similar project in Sudan aiming at the development of a legal, policy and media framework to strengthen nascent democracy and broader popular participation. We have delivered civil society policy platforms, coalitions of support across governments and civil societies and small scale, strategic media development projects.

Key activities:

- Facilitation in August 2005 of the third round table on media laws and policy reform in Liberia for members of the working group on the reform and lawyers involved in the drafting process
- Review of a first draft law and policy to transform the Liberia state broadcaster into a truly public service broadcaster (developed by the Ministry of information). The draft draws substantively from ARTICLE 19 recommendations and standards.
- Appointment and orientation of two six month – part-time coordinators for the Sudan project (Nairobi & Khartoum)
- Attended Norad conference on the role of media and peace building, made presentation on Sudan project and held discussions on future of the project.
- Field trips to Rumbek and Juba, Southern Sudan and facilitation of Southern Sudan roundtable – six person task force formed and proposed media framework for Southern Sudan handed to South Sudan Vice-President.
- Organization and facilitation of Northern and Southern roundtables held in Khartoum and development of joint North/South declaration – national task force formed and draft legislation submitted

Outputs:

- Media Policy Framework for Southern Sudan
- Initial draft legislation for Government of South Sudan (Broadcasting Act, PSB Act and FoI Act)
- Discussion paper on future of Sudan project
- Brochure on Sudan Roundtable Project in English and Arabic
- Khartoum-Rumbeck Declaration

Impact:

- The Vice President of Southern Sudan called on the Southern Sudanese media to produce a media policy framework for Sudan that was handed formally to the Vice-President in early October 2005. We have now been asked to assist the roundtable process to draft media legislation for the new government.

- ARTICLE 19 successfully facilitated the development of a joint media policy and position on freedom of expression adopted by media, civil society and government representatives of the South and the North (the Khartoum - Rumbeck declaration)

OBJECTIVE FOUR – Strengthen and promote independent and public service broadcasting in Africa.

In 2005, Article 19 drafted a curriculum on “Broadcasting Diversity and Pluralism” for media regulators, in collaboration with its advisory group consisting of academics from Europe and Africa. The draft curriculum concentrates on issues such as general principles of broadcasting regulation, structures of regulatory bodies, licensing, regulation of content (local content, hate speech, etc.) and complaints/sanctions mechanisms. A pilot “summer school” was conducted in January 2006 in Kampala, Uganda to evaluate the content and structure of the course and appraise its efficiency. ARTICLE 19 plans to make the curriculum available in French and Portuguese in 2006.

In November and December 2005, Article 19 organised three PSB roundtables.

The East African roundtable was conducted in Kampala, Uganda in collaboration with Makerere University. Private media owners and media regulators from Kenya, Tanzania and Uganda were present to discuss issues regarding public interest broadcasting for commercial broadcasters. The participants produced a “Statement on Public Service Broadcasting” which takes note of specific problems relating to PSB in Eastern Africa and makes recommendations for a proper broadcasting environment in the region in public interest. This enabled the participants and Article 19 to identify key issues relating to PSB which must be addressed by further action and research.

The Southern African roundtable was conducted in Johannesburg, South Africa in collaboration with the Independent Communications Authority of South Africa (ICASA). Media regulators from six SADC countries were present to discuss the issue of PSB and satellite regulation. Although each country had very different experiences in the area of satellite regulation, common challenges were identified. For instance, the group discussed the issue of local content and how the lack of infrastructures in many SADC countries prevented the production of local content. Participants made recommendations to Article 19 and pledged to continue working together to address these issues.

The West African roundtable was conducted in Dakar in collaboration with Panos Institute for West Africa and discussed the public service mission of private and community broadcasters in West Africa. The roundtable was attended by the Minister of Information of Senegal, broadcast regulators, directors and senior editors of private and community radios operating in 13 countries in West Africa.

Key Activities:

- Facilitation of three PSB seminars, East Africa (Uganda), Southern Africa (South Africa) West Africa (Senegal)
- Preparation of training curriculum for regulators on /regulation for pluralism and diversity
- Conducting a pilot “summer school” in Uganda for regulators
- Facilitation of workshop in Somaliland with editors and media associations in conjunction with the Electoral Commission to develop a Code of conduct and monitoring mechanism for reporting on the upcoming Somaliland elections.

Outputs

- Training of media regulators from 6 African countries on “Broadcasting Diversity and Pluralism”
- Curriculum revised and enhanced according to input from participants and co-facilitators.
- Attendance by President of ACRAN
- Increased understanding of PSB key issues in the region

- Identification of common challenges and ground for further work
- Declarations adopted

Impact

- Thanks to this pilot course, where media regulators from six different countries were represented, the curriculum is now being revised and will then be published through a “Creative Commons” copyright license. ARTICLE 19 will now work with academic institutions in Africa to incorporate this curriculum within their established programmes.
- Broadcasters decided to develop a sub- regional Charter which will serve as a blue print for public service broadcasting in West Africa. To that effect, ARTICLE 19 and IPAO have agreed to provide support for the drafting of the Charter.

OBJECTIVE FIVE - Develop awareness and understanding of freedom of information

In early 2005 ARTICLE 19 and Fahamu launched a CDrom long-distance course titled “Campaigning for Access to Information.” Members from a variety of civil society groups throughout Africa participated in the first course, which enabled them to gain tools on how to successfully campaign for the right to know in their respective countries. In October 2005 a follow-up workshop was conducted for the course participants in Nairobi, Kenya. All participants were therefore able to meet, discuss and brainstorm on their national campaign plans. A second regional course will begin early in 2006. ARTICLE 19 plans to conduct national based courses in selected countries throughout 2006 and to translate the course into French and Portuguese.

Other Activities:

- Co- facilitated a training course on FoI in Niger with the Danish Institute for Human Rights. Participants were selected from government departments, national media regulatory and human right institutions and other civil society organisations.
- Distance course conducted on Access to information
- Follow-up workshop for “Campaigning for Access to Information” long-distance course, held in Nairobi, Kenya

Output:

- Participants developed advocacy plans for their respective countries
- Participants exchanged and discussed common challenges
- Initial information gathered for future prioritisation of FoI advocacy activities

Impact:

There has been increased awareness of the role and opportunities offered by access to information. The opportunity to move the project from regional to national level has been strengthened.

ASIA PROGRAMME

In 2005, the Asia Programme completed major baseline studies on Freedom of Expression for seven ASEAN countries which will provide a valuable resource for sustaining and encouraging local and international activists and campaigners working to promote freedom of expression. These will also enable ARTICLE 19 to better define its strategy and amplify its programme portfolio in the region. The Asia Programme has also initiated development of more innovative linkages between freedom of expression/freedom of information and conflict, and humanitarian disasters. This work is assisting ARTICLE 19 to design intervention strategies. It is also expected to catalyse greater attention to this issue by civil society, governments and donors.

OBJECTIVE ONE – Strengthen national and regional capacity to advocate for freedom of information legislation in Asia

Activities:

- Consultation for the Cambodian FoI coalition, through our Cambodian partner who is one of the coordinators of the coalition.
- Organisation of a workshop in Cambodia on Freedom of Information
- Participation in a workshop on Freedom of Information in Indonesia, organised jointly by the World Bank and British High Commission
- Organisation of a planning meeting with partners in Malaysia for a Freedom of Information project in Malaysia

Outputs:

- A draft of FOI law completed by Cambodian FoI Coalition
- A set of principles for a Cambodian freedom of information law was agreed amongst the civil society and government representatives present at our FoI workshop in Cambodia.
- Translation of ARTICLE 19 FoI principles and model FoI law into Khmer and Thai
- An agreement was drawn up for the implementation of Malaysia Freedom of Information project
- Agreement was reached with local NGOs to promote the adoption of a Freedom of Information Act in Indonesia and to work at the district level to monitor transparency and accountability laws
- Letter to Indonesian President to expedite the adoption of FoI law (21 March 2005)

Impact / success stories:

- The FoI workshop that we organised in Cambodia was attended by high ranking public officers, including one of prime minister's advisors. It received good media coverage in Cambodian media. Following the workshop, the government has moved forward with their plan for drafting FoI law, and has asked for the Draft FoI law that the FoI coalition prepared.
- According to our Malaysian partner's monitoring, the notions of right to information and freedom of information are used more widely by Malaysian press these days. The government also seems to have taken positive steps in promoting transparency and combating secrecy, shown by their decision to make public the API (air pollution index) during the haze crisis in mid 2005. Previously, the API was usually treated as a "state secret".
- The draft of Indonesian FoI law is currently under the final stage of elaboration at the parliament.

OBJECTIVE TWO – Campaign against restrictions to freedom of expression in different sub-regions

Our work on this objective arises out of our experience in the region, which has provided us with knowledge of the major obstacles to freedom of expression. The overall aim is to work proactively to respond to these challenges. Two key activities have included:

- The finalisation of 7 base line studies on freedom of expression and information in the ASEAN region, with a focus on Indonesia, East Timor, the Philippines, Cambodia, Thailand and Malaysia. Working with 7 human rights or media organisations, ARTICLE 19 reviewed, edited and produced the studies which should play the role of essential reference manual with a long shelf-life.
- Advocacy for freedom of expression in Nepal, in the wake of the February 2005 coup: In July, ARTICLE 19 and eleven other international organisations undertook a one week advocacy mission to Nepal to raise our concerns with the authorities and to demonstrate our solidarity with the Nepalese media and human rights community. ARTICLE 19 subsequently reviewed the new Media Ordinance promulgated by the Nepalese authorities, and campaigned through various means to protect the freedom of expression of Nepalese human rights defenders and media workers.

Activities:

- Publication of 7 baseline studies assessing a wide range of restrictions on freedom of expression in Thailand, Cambodia, Malaysia, Singapore, Indonesia, the Philippines and East Timor
- Participation in a joint mission to Nepal
- Research on a new Media Ordinance in Nepal which undermines freedom of expression
- Legal analyses on 10 cases/laws (existing or proposed) which threaten freedom of expression in the region
- Organisation of a London event to commemorate the 60th Birthday of Aung San Suu Kyi, in order to raise awareness of the human rights situation in Burma
- Participation in meetings with NGOs to devise strategy for working on freedom of expression in the Maldives
- Monitoring cases of FOE violation, in particular on broadcasting and defamation
- Legal submission to the Thai Court concerning the criminal defamation case against campaigner Supinya Klangnarong (August 2005)

Outputs:

Nepal Campaign:

- Letter to UN bodies and foreign ministries on the royal coup (18 February 2005)
- Publication and dissemination of joint International Mission Report on freedom of expression in Nepal
- Publication and dissemination of legal analysis on Media Ordinance in Nepal
- Joint statement by international NGOs on the further restrictions on press freedom and freedom of expression in Nepal (October 2005)
- Press Release on Nepal: *A Small Victory for Freedom of Expression* (12 August 2005)
- Press Release on Nepal: ARTICLE 19 Condemns further crackdown on media freedom in Nepal (10 October 2005)

FOE Campaign on other countries:

- Press release condemning the murder of a Sri Lankan journalist (29 April 2005)
- Letter to Chinese President regarding Liu Hongbin's case (5 May 2005)
- Press release calling for the release of Aung San Suu Kyi, (18 June 2005)
- Letter to Prime Minister of Malaysia on the arrest of pro Aung San Suu Kyi demonstrators (28 June 2005)

- Letter to Prime Minister of Thailand on the imposition of state of emergency and violence in South Thailand (25 July 2005)
- Letter to the President of Maldives on the arrest of activists (16 August 2005)
- Press release protesting against the detentions of Cambodian journalist and activists under defamation law (20 October 2005)

Impact / success stories:

- International attention given to the issue of freedom of expression and press freedom in Nepal by international NGOs and IGOs.
- Greater awareness of human rights situation in Burma and strengthened links between ARTICLE 19 and other NGOs working on Burma
- Release of Cambodian journalist and activists and suspension of the defamation cases against them.

OBJECTIVE THREE – Strengthen understanding and awareness of Freedom of Expression abuses in conflict situations in South Asia

This project, initiated in 2003, builds on ARTICLE 19 involvement in the region which had highlighted a number of key issues relating to conflict and freedom of expression. ARTICLE 19 undertook a major study on freedom of expression and conflict, focusing on Sri Lanka, Nepal, India and Pakistan. All 4 countries have been involved in different kinds of conflicts – international, ethnic, political – and are at various stages of the conflict-peace continuum – starting to negotiate peace, peace process has broken down, peace process moving forward with difficulties. The study analyses the way in which restrictions on freedom of expression are justified by conflict and the extent to which, under international law, such restrictions are legitimate.

Activities:

- Drafting the introductory chapter to the comparative analysis
- Editing country and legal chapters
- printing and dissemination of the study

Outputs:

- Publication of “War of Words: Freedom of Expression and Conflict in South Asia”
- 150 copies have been disseminated so far

Impact:

The report seems to have been well received, and additional copies were requested by our partner in Sri Lanka. Further impact can be assessed following distribution and dissemination of the studies, which is planned for early 2006.

OBJECTIVE FOUR – Promoting the Independent Media’s Role in improving the Transparency of Financial Markets in China

Since 2003, ARTICLE 19 has been working with the British Council to organise a 2 month training for Chinese financial journalists. The training programme aims at strengthening dialogue between Chinese and British media workers, and professional competence in investigative techniques and to encourage discussion on global policy issues with particular reference to human rights.

From 25 July to 16 September, eight journalists undertook four-weeks training in freedom of expression and investigative journalism and a subsequent four-week work placement at various London-based media and human rights organisations. As part of the training the journalists visited a

number of media outlets and various organisations, such as Bloomberg, the Foreign and Commonwealth Office, and the Press Complaint Commission. This year, the BBC, Reuters, The Times and Index on Censorship have provided work placements for the journalists. Two months of intensive training have allowed for an in-depth and better understanding of how Western media works. Some of the journalists were of the opinion that freedom of expression could be pushed and developed further in China, including through the media. Yet they also admitted that it will be difficult to apply a number of the concepts or practices that are at the heart of freedom of expression and free media.

Activities:

- Training of 8 young investigative journalists using the tailor-made curriculum that was used in the 1st year training
- Coordinating work placements for the training participants

OBJECTIVE FIVE – To promote disaster-affected populations right to freedom of expression and information

The earthquake and tsunamis that hit South and Southeast Asia on 26 December 2004 resulted in a tragedy of enormous proportions. More than 178,000 people have died and around 130,000 are missing, presumed dead. Many more have seen their homes and livelihoods destroyed. International and national responses to disasters so far suggest that insufficient weight has been placed on the need to promote and respect freedom of expression and information. ARTICLE 19's report *Humanitarian Disasters and Information Rights*,⁷ and subsequent advocacy with the agencies responsible for humanitarian and reconstruction efforts highlighted the importance of fulfilling the rights to expression and information in the context of a natural disaster.

Outputs:

- Research on freedom of information in disaster response
- Publication of report on *Humanitarian Disasters and Information Rights: Legal and Ethical Standards in Disaster Response*, (April 2005)
- Press releases and letters to national and international authorities regarding the importance of access to information and freedom of expression in disaster response.

EUROPE PROGRAM

The Europe Programme in 2005 continued to be one of ARTICLE 19's biggest and busiest programmes. We worked in about fifteen countries of South Eastern Europe and the Former Soviet Union, in close collaboration with more than twenty partner organisations in those countries.

We issued a number of publications that had significant resonance, such as a study on lessons learned from initiatives on media self-regulation in South East Europe, a report of our media monitoring during the Ukrainian elections in November and December 2005 and the Orange Revolution, and a substantive report on obstacles to access to information in the South Caucasus. We also issued a statement for the asylum case of Oleg Yanushevski, a Russian artist who was persecuted in his home country by groups promoting Orthodox Christian religious extremism. The statement has contributed to Oleg Yanushevski being granted asylum in the UK. Moreover, we released a separate report on incitement to religious hatred in Russia.

During 2005, the Europe Programme developed its capacity-building and training activities in its target countries. The Freedom of Information Manual for Public Officials with Notes for Trainers, already available in Spanish and most of the languages of South-East Europe, was also translated into Ukrainian and Russian. The training of trainers programme on freedom of information, which has successfully been run in South-East Europe in previous years, was also held in Ukraine and Macedonia. In several countries, trainers previously trained by ARTICLE 19 and/or our partner organisations succeeded in setting up their own series of training programmes, including by raising funds for it. Some events were held in formal cooperation with public administration academies (in Albania) or various public institutions (Ukraine, Macedonia).

Several new laws were passed this year, whose development was bought about through ARTICLE 19's and its partners' advocacy and campaigning work, and which directly incorporated ARTICLE 19 recommendations. Examples are the FOI law in Montenegro, the FOI law in Azerbaijan and the (soon to be adopted) Civil Defamation Law in Kosovo.

[OBJECTIVE ONE: Strengthen freedom of information and free and open elections throughout Europe](#)

Azerbaijan: FOI advocacy

As the Azerbaijani authorities delayed the adoption of the FOI Law, in 2005 our main effort was directed at the (successful) lobbying for adoption of the law in its second reading. This was done jointly with our local partner organisation, the Yeni Nesil Union of Journalists

ARTICLE 19 and Yeni Nesil carried out the following activities:

- Presentation of an analysis of the latest FOI draft law and recommendations for further action at a Round Table in April.
- Consultations and lobbying with key officials from the Parliament, the Presidential Administration, diplomatic missions, NGOs and the media.
- Consultation with a group of 20 NGOs/Media in Baku to discuss an advocacy strategy for lobbying for the adoption of the FOI law. We encouraged local civil society groups to form a larger coalition to lobby for the adoption of the law.
- In order to promote better understanding of the FOI concept and principles and gain stronger public support for the FOI draft law, Yeni Nesil produced three talk shows on FOI and broadcast them live on the SPACE TV channel, a television channel with a national coverage.

- Yeni Nesil produced 1000 copies of the educational booklet “You Have a Right To Know. How Does Society Benefit From FOI?”. They were disseminated in the local communities.
- Yeni Nesil also produced one social advertising “How Does Society Benefit From FOI?”, of 59 seconds’ duration. It was broadcast 8 times on the SPACE and AzTV-1 channels. It built on the FOI booklet, with added information from preceding elections, public gatherings, and cases of environmental pollution caused by leaking oil and industrial waste.

Outputs:

- Press Releases, including: “Azerbaijan: Draft Law on Freedom of Information” (5 April 2005); “Azerbaijani Draft Law on Freedom of Information Has Improved But Needs More Work” (18 April 2005);
- Open Letter on the Azerbaijani FOI Law addressed to the (then) Chairman of Milli Mejlis,. The letter was co-signed by ABA/CEELI in Baku, OSI-Azerbaijan, Yeni Nesil, the Association of Young Lawyers and a coalition of environmental organisations (5 July 2005);
- Three live talk shows on FOI on TV;
- Educational booklet “You Have a Right To Know. How Does Society Benefit From FOI?”
- Social advert “How Does Society Benefits From FOI?”

Impact

- An important success in 2005 was the adoption by the Azerbaijani Parliament on 30 September 2005 of a FOI law that is in line with international standards. It contains a provision for the information commission, extends its coverage to private parties, has a public interest override, starts from a presumption of openness, and clearly defines procedures/timeframe for submitting information requests/providing information. At the parliamentary session Rizvan Jabiyev, (then) head of the joint Parliamentary-NGO working group, gave credit to ARTICLE 19’s work dedicated to the adoption of the law.

Belarus / Moldova / Ukraine

In 2005, ARTICLE 19 undertook the following activities in Belarus, Ukraine and Moldova:

- Providing support to media monitors in Moldova for the monitoring of the 2005 elections, including in the producing of monitoring newsletter.
- Compiling a report on media and elections in Ukraine (from the monitoring undertaken the previous year)
- Legal analysis of election legislation in Moldova and Ukraine;
- Training of public officials in FOI (including ToT);
- Translation of the FOI training manual into Ukrainian, publication and dissemination;
- Legal analyses of election legislation in Ukraine (for the Parliamentary elections);
- Analysis of draft state secrets provisions and new FOI provisions in Moldova;
- Compiling statements/protest letters for the 3 countries.

Outputs:

- Moldova media monitoring newsletters and final report
- A report on media and elections: *The Politics of Media. Freedom of Expression and the 2004 Ukrainian elections.*
- Statement on “Ukraine’s Law on the Election of People’s Deputies”
- Written analysis of Moldovan election legislation (Statement ‘On the Provisions relating to the Coverage of the 6 March 2006 Parliamentary Elections)
- Analysis of draft state secrets provisions and new FOI provisions in Moldova

- Approximately 7 new trainers on FOI in Ukraine, of whom 4 public officials. Approximately 20 public officials/judges trained in FOI.
- Translation of the FOI training manual into Ukrainian and dissemination
- A legal analysis of election legislation and the media in Ukraine

Impact:

- Increased knowledge and awareness of FOI among Ukrainian public officials. Some of them stated their willingness to undertake more training and to facilitate the training of other public officials in their departments
- The monitoring and legal analyses contributed to the discussions in Moldova concerning the fact that the election legislation did not provide sufficient time for election debates among candidates. The legislation was then amended.
- The draft state secrets and FOI provisions were dropped in Moldova.

Caucasus

In April ARTICLE 19 produced a research report on “Freedom of Information and the Media in Armenia, Azerbaijan and Georgia”, which was largely disseminated to key stakeholders both from the South Caucasus and the region as a whole. The report contains a detailed analysis of the state of the media, related legislation and difficulties in obtaining information in the three South Caucasus countries, as well as recommendations for the key stakeholders.

Impact:

- The recommendations in the report were used by the Azerbaijani Parliamentary Working Group on the FOI Law when preparing the second draft of a bill. In response to some of our recommendations, at a meeting with the heads of press services on 11 May 2005, the head of the Azerbaijani Presidential administration requested that the heads of the press services of the central government bodies made sure that the media are provided with timely and precise information on the work of government agencies, and that the state agencies respond to telephone information requests from the media within two hours. He also stressed the need for the Azerbaijani government agencies to update their websites regularly to provide up-to-date lists of senior officials. Azerbaijan, heavily criticised in the report, adopted the FOI law in September 2005.

Montenegro: Advocacy for freedom of information

ARTICLE 19 contributed to a round table held in Montenegro during 17-19 May 2005. The purpose of the roundtable was to persuade the government of the need to speed up the process of adopting the draft “Law on Free Access to Information as a Democratic Right” as well as making a number of amendments. We continued to campaign for access to information in Montenegro.

Impact:

- As a result of an active advocacy campaign, FOI Law was adopted in Montenegro in December 2005. It includes a three-part-test and a provision for the protection of whistleblowers.
- After many years of advocacy and campaigning by ARTICLE 19, a freedom of information law which enshrines some of the most important international standards was passed in **Montenegro** in December 2005. The drafters have taken many of ARTICLE 19’s recommendations on board. It includes a three-part-test and a provision for the protection of whistleblowers.

OBJECTIVE TWO: Campaign against defamation and abuses of freedom of expression, including hate speech laws

In 2005, ARTICLE 19 monitored and campaigned against the wide-spread use of defamation laws in South Caucasus, South East Europe, and Russia. We also monitored the use of *incitement to religious hatred* legislation in Russia, worked on behalf of a Russian artist fleeing attacks and persecution in Russia and seeking asylum in the UK, and produced a report on religious hatred legislation and freedom of expression in Russia.

South East Europe: Campaigning for decriminalising defamation

Activities:

- Legal analysis on the draft civil defamation law in Kosovo
- Discussion of the legal analysis in a meeting with legal drafters from the Prime Minister's office in Kosovo;
- Organisation of one roundtable discussion with journalists on the benefits of reform of defamation legislation and development of media self-regulation;
- Writing a joint letter with the Association of Professional Journalists in Kosovo, the new Kosovo Press Council, and the IFJ to urge the government to pass a civil defamation law;
- Compiling a comparative assessment of the situation of defamation law and practice in Albania, Montenegro, Romania, Kosovo and Serbia, with short legal analyses and recommendations.

Outputs:

- Memorandum on the Kosovo draft civil defamation law (October 2005);
- Letter to the Speaker of the Albanian Parliament urging him to pass proposed amendments to defamation legislation, which would decriminalise defamation (April 2005);
- A statement on the situation of defamation law and practice in Albania, Montenegro, Romania, Kosovo and Serbia and its dissemination. (October 2005).

Impact:

- In Kosovo, the office of the Prime Minister has developed a civil defamation law and used ARTICLE 19's materials and advice in the drafting process.
- We believe our advocacy has also contributed to convincing the Albanian government to prepare proposals that, once passed in parliament, will eliminate defamation from the criminal code.

Belarus/Moldova/Ukraine: freedom of expression monitoring

Activities:

- Compiling reports and monitoring bulletins
- A roundtable on the issue of defamation and proposed amendments to the civil code in Ukraine (some of the drafters were in attendance)

Outputs:

- 3-monthly Freedom of Expression monitoring bulletins on all 3 countries incl. on the issue of defamation.
- One report on defamation in the three countries

Impact

- A19 contributed to the amendments to the Ukrainian civil code and its defamation provisions were adopted in January 2006. The new provisions are mostly in line with international standards.

Azerbaijan: Monitoring and advocacy

The ARTICLE 19 Europe Programme continued its campaigning and advocacy work on freedom of expression concerns in Azerbaijan

Outputs:

- Press Release “ARTICLE 19 on Impediments to a Public Service Broadcasting Reform in Azerbaijan” (12 November 2004);
- Press Release “Azerbaijan: Murder of Journalist Elmar Huseinov” (3 March 2005);
- Press Release “Azerbaijan: 3 Days Left as Commitment to Freedom of Expression Put to The Test” (3 November 2005) – related to the Parliamentary Elections of 6 November 2005;
- Statement “Freedom of Expression is Curtailed as Parliamentary Elections Approach (7 October 2005)”.

Russia:

ARTICLE 19 continued its campaigning and advocacy work on freedom of expression concerns in Russia, including through missions and meetings with key actors, namely NGOs, parliamentarians, lawyers, journalists, academics, and our partner organisation, the Mass Media Defence Centre.

Outputs:

- Report *Art, Religion and Hatred. Religious Intolerance in Russia and its Effects on Art.*
- Statement for the asylum trial of Oleg Yanushevski, a Russian artist who fled Russia after being persecuted for his art by religious extremist groups
- Statement (*Russian President must honour promise not to harm Russian civil society*) on the Russian draft law ‘Introducing Changes to Certain Russian Federation Legislative Acts’

Impact:

Thanks among other things to ARTICLE 19’s statement and participation to the appeal hearing, Oleg Yanushevski and son were granted refugee status on appeal.

OBJECTIVE THREE - Support self-regulation and Public Service Broadcasting

In 2005, ARTICLE 19 promoted the provision of public interest content in the European media, and the development of effective self-regulation mechanisms in South Europe. ARTICLE 19, in association with the *International Federation of Journalists*, undertook an in-depth action research on media self-regulation in South Eastern Europe. Developments in Albania, Bulgaria, Bosnia and Herzegovina, Romania and Slovenia have been critically explored through interviews, surveys and discussions with key stakeholders such as media owners, editors, journalists and non-governmental organisations.

Building capacity for media self-regulation in South East Europe

Activities:

- Publication of a comparative study of media self-regulation models, initiatives, experiences in the region
- Advanced ARTICLE 19’s internal policy discussion and development of a position on self-regulation
- Organisation by partner organisations of promotional activities to promote self-regulation in the region (press conferences in Serbia and Montenegro and small roundtable discussions in

Albania; general campaigning in Romania). Translation of the self-regulation study into Albanian, Serbian, Montenegrin, and Bulgarian languages. Dissemination of the self-regulation report by the partner organisations.

- Organisation of A19 meetings in Kosovo to promote self-regulation.

Outputs:

- Publication of a comparative study of media self-regulation models, initiatives, experiences in the region
- Regional Conference on Self-Regulation

Impact:

- Through the publication of our report on media self-regulation in South East Europe we have made a significant contribution to the debate on media ethics and self-regulation in the region.

Belarus/Ukraine/Moldova

Activities:

- Research on the feasibility of genuine PSB in the 3 countries.
- General campaigning on the creation of PSB in Ukraine.

Outputs

- Legal analysis on a draft PSB law in Ukraine (Memorandum on the Public Service Broadcasting Law of Ukraine).
- The study *State to Public: Genuine Public Service Broadcasting in Belarus, Moldova and Ukraine?*

Impact

- Some of our recommendations were taken into consideration in the development of the draft for the second reading for the PSB law of Ukraine.

OBJECTIVE FOUR - Improve transfer of know-how and expertise between ARTICLE 19 and partners, and amongst ARTICLE 19 partners

Activities:

Media Monitoring (Belarus / Moldova / Ukraine)

- Adaptation and installation of media monitoring database in Moldova
- Training for media monitors in Moldova: Developed and tested methods/exercises for the training of media monitors.

Training of trainers/Trainings

- Organisation of 2-weeks training course for 18 journalists, lawyers and NGO activists from across the South Caucasus region on the theory and practice of FOE. It was the first time ARTICLE 19 held a comprehensive training covering all key topics of FOE and FOI, and constituted in this sense a sort of pilot programme. The aim was to enhance skills and knowledge of selected lawyers and human rights NGO activists to defend freedom of expression and access to information as key contributors to democratic reforms in the region. Another purpose of the training was to bring together a group of professionals from the region with an interest in further working on FOE/FOI, and to offer them an opportunity to network and jointly strategise with colleagues from neighbouring countries.

- One training of trainers/training of public officials workshop in Ukraine on freedom of information using ARTICLE 19's training manual and methodology.
- Development of training modules and presentations for the course and comprehensive training handouts.
- Development of a CD Rom, containing a 'library' of resource materials, to which users can add more materials over time.

Capacity-building for FOI implementation

- Organisation in Kosovo of two awareness raising workshops on freedom of information for civil society organisations (February 2005)
- Participation in a FOI training of trainers programme fundraised for and organised by our partner organisation PRO MEDIA in Macedonia (October 2005)

Workshops and Skills Sharing

- Workshop on fundamental FOE concepts with young professionals from Transdnistria (April); Materials and training exercises tested with new stakeholders
- Regional meeting for partners from BMU (Kyiv, December)
- Participation of A19 in a second seminar on FOI in Ukraine organised by our Ukrainian partner organisation
- South East Europe: Organisation of a regional seminar to exchange experience and good practice on media self-regulation for representatives of the media community from SEE.
- Participation of A19 in a seminar on FOI in Macedonia organised by our partner organisation
- Russia: Journalists training and founding of a press council in Voronezh oblast

Translation and dissemination

- Translation of FOI manual into Ukrainian, publication and dissemination
- ARTICLE 19's FOI Training Manual for Public Officials has been translated into Russian. 230 copies of it were printed in Spring 2005. In addition, we have produced and started disseminating to the targeted audiences 230 CD ROMs containing English, Russian and some other language versions of the Manual, and an additional useful information on access to official information. We plan to use it during training activities both in the South Caucasus and in other regions where Russian is a widely used language.

5 Study Tours and Internships

In 2005 ARTICLE 19 hosted three interns from our partner organisations in Belarus, Moldova and Ukraine, and two interns from our partner organisations in the Caucasus – Sukhum Media Club (Abkhazia) and Stepanakert Press Club (Nagorny-Karabakh). They spent three weeks in London – having meetings with various professional groups and newspapers and doing two research projects – on PSB and on the role of FOI/media in peace processes. They also went on a one-week study tour to Northern Ireland to learn more about the second part of their research. Two remaining interns - from Azerbaijan and South Ossetia – will come to London in 2006.

Impact:

- Monitors and partners trained on media monitoring. Good skills in media monitoring during elections gained by the partners in Moldova.
- Partner organisation in Ukraine carried out FOI Training of Trainers. Positive assessment of the ability of our partners to carry out FOI ToTs. ARTICLE 19 Ukrainian partners received further funding to carry out more similar activities using the ARTICLE 19 training methodology.
- Partners in Transdnistria successfully carried out a workshop on fundamental FOE concepts with young professionals

- Exchanges of experience and good practice on media self-regulation for representatives of the media community from SEE (Sarajevo, July).
- Exchange of partners from Belarus, Moldova and Ukraine at the regional meeting, and evaluation of activities.
- The internships in London were fruitful and positively assessed by the interns.
- The evaluation of the Caucasus training on FoE, as well as verbal feedback received from various people since the training, demonstrated that the event had been successful, useful and practical, and could therefore be replicated elsewhere. Thanks to a competitive recruitment process, ARTICLE 19 met new organisations from the region with whom, hopefully, we can work also in the future.

Minorities and Access to information

We focused our exploratory work in 2005 on Kurds in Turkey, the Roma in Europe, and indigenous communities in Central America. We have monitored various law suits against Kurds in Turkey – we are currently exploring the possibility of contributing an *amicus brief* to one of these - and the situation of Kurds in Germany. We have established new relationships with two specialised NGOs: the *Roma Scholarship Foundation* in Montenegro and the *Media Monitoring Agency* in Romania. We have developed a cross-regional project to improve access to information on sexual and reproductive rights in marginalised communities in the context of which we plan to work in a Roma community in Romania (Maraseti, Vrancea county). Finally, we have developed a project proposal on Freedom of expression, media and diversity in the Central Andean region.

LAW PROGRAMME

In 2005, the ARTICLE 19 Law Programme continued to provide an impressive array of outputs in support of freedom of expression globally. Among other things, we produced some 45 legal analyses and published two key standard-setting documents, the *Charter for International Financial Institutions Transparency* and *A Model Public Service Broadcasting Law*. We expanded our work very significantly in the Middle East, playing a key role in helping to re-launch the organisation's Middle East Programme. A new project to address the problem of criminal defamation was launched in 2005. We also initiated a new program of work on Iraq and begun the process towards taking cases from Zimbabwe to the African Commission on Human and Peoples' Rights. Good and constructive relations were maintained with Inter-Governmental Organisations, including through facilitating the adoption of a Joint Declaration by the three special mandates on freedom of expression and the UN, OSCE and OAS. Thematic papers in areas such as anti-terrorism laws and freedom of expression, and wireless communications devices were also published.

OBJECTIVE ONE – Promote the adoption of laws and practices which conform to best international and comparative standards in the area of freedom of expression

Under the rubric of the Media Law Analysis Unit programme, the Law Programme maintained its impressive record of commenting on the compliance of national laws with international standards in the area of freedom of expression, as well as an active litigation profile. A comprehensive Pocketbook on Freedom of Expression, aimed primarily at audiences in Central Asia, is nearing completion and will be published in English and Russian early in 2006. We continue to receive contributions to our online Handbook, although the actual launch has been delayed to 2006.

Early in the year, we provided a detailed *amicus curiae* brief in a case arguing for a right to access information held by public authorities before the Inter-American Commission of Human Rights. The decision, issued later the same year, was a resounding victory for freedom of information and it has now been put before the Inter-American Court of Human Rights.

We have worked closely with our partners in different countries to prepare draft laws on a range of issues, including public broadcasting and access to information. While these laws have not yet been adopted, we remain confident that, when they are, they will reflect international standards in this area much better as a result of our involvement. We have also participated in numerous conferences aimed at law reform efforts, providing expertise on various subjects.

In April 2005, we started work on a new project to produce a number of key defamation tools to assist campaigners and legal professionals addressing problems in the area of defamation law. These tools will include, among other things, a series of brochures on key defamation issues, and a detailed legal commentary on our defamation principles, *Defining Defamation*, published in 2000.

Outputs:

- Publication and dissemination of over **45 analyses** of national laws affecting freedom of expression from all regions of the world.
- The provision of expert assistance to NGOs in **Mozambique** working on an access to information law.
- The provision of expert assistance to our partners in **Argentina** who are assisting the authorities to draft an access to information law.
- The provision of comments on an officially mandated audit of **Namibia**'s laws relating to the media compared to African standards on freedom of expression.
- Participation in a number of national conferences on laws relating to freedom of expression, including:

- Macedonia (access to information law);
- Montenegro (access to information law);
- Brazil (anti-corruption legislation);
- Yemen (press law); and
- Mexico (access to information law).
- Submission of 2 detailed *amicus curiae* briefs in cases before the Thai criminal court and the Inter-American Court of Human Rights, as well as the launch of the first of two cases against Zimbabwe at the African Commission on Human and Peoples' Rights.
- The near completion of a Pocketbook on Freedom of Expression, aimed at Central Asia and outlining major international and comparative standards in a wide range of thematic freedom of expression areas.
- The ongoing development of the online Handbook on Freedom of Expression, with approximately 250 new national and international cases ready for uploading.

Impact:

- Our work in analysing laws has led to a number of concrete positive developments. Our comments and ongoing engagement in relation to the Montenegrin draft access to information law led to a number of concrete changes in the law.
- The sustained interventions by a large number of UK NGOs and individuals on various UK anti-terrorism laws, (which would have outlawed the mere 'glorification' or terrorism), have led to a complete overhaul of these standards, including a requirement of intent.

OBJECTIVE TWO – Strengthen Open Governance by IGOs and IFIs and promote freedom of expression

ARTICLE 19 has played a central role in the Global Transparency Initiative (GTI), a global grouping of organisations promoting openness among the international financial institutions. The central thrust of our work with the GTI has been to develop the Charter on IFI Transparency, a leading statement of the standards which we believe these bodies should conform to. A very long consultation period around this document, which started at the end of 2004, is now very nearly at an end and we are looking forward to finalising and publishing the document early in 2006.

The law program has continued to work closely with IGOs in a number of other ways. We assisted the three special mandates on freedom of expression at the UN, OAS and OSCE to produce a Joint Declaration on key freedom of expression issues, this year on anti-terrorism laws and freedom of expression, and threats to Internet freedom. We provided a detailed written submission to the UN Human Rights Committee on Paraguay in the context of regular country reporting.

The Law Programme has firmly established itself as the leading centre for expertise on freedom of expression among Inter Governmental Organisations working in this area – including the OSCE, COE and UNESCO, as well as the Inter-Parliamentary Union and even the EU. In this context, we are invited to numerous conferences on an annual basis where we provide expertise on a range of thematic and country freedom of expression issues.

Outputs:

- Work is nearly complete on the Charter on IFTI Transparency, which has undergone extensive civil society consultation.
- Extensive advocacy aimed at IFIs, including the provision of 2 analyses of IFI policies and contributions to several more such analyses.
- A submission to the UN Human Rights Committee on Paraguay.
- The development of a Joint Declaration on the Internet and anti-terrorism laws by the three special mandates on freedom of expression at the UN, OSCE and OAS.
- Participation in numerous conferences hosted by IGOs, at their request (and normally on their budgets) on thematic or country issues, including:

- giving a presentation to parliamentarians on the occasion of the WSIS in Tunis;
- participation in UNESCO WSIS preparatory meetings;
- an OSCE conference on the Internet;
- a COE meeting on criminal defamation;
- giving a keynote speech at the OSCE Meeting on the Human Dimension in Warsaw;
- participation in the EU-China dialogue on human rights;
- co-hosting a conference on parliamentarians and freedom of expression with the Inter-Parliamentary Union, followed by participation in a Wilton Park conference co-hosted by the IPU; and
- participation in the UNESCO World Press Freedom Day event.

Impact:

Advocacy efforts directed at the IFIs has led to impressive results, with the Asian Development Bank adopting the most progressive policy to date in March 2005, for which the GTI generally, and ARTICLE 19, specifically, can take substantial credit. The European Investment Bank is also reviewing its policy this year and has already made substantial changes to both the consultative process and the substance, largely in response to pressure from the GTI, again directly involving ARTICLE 19.

OBJECTIVE THREE - Ensure appropriate freedom of expression legislations in post-conflict situations

ARTICLE 19 has worked closely with both governments and local civil society partners in the preparation of appropriate laws affecting freedom of expression in post-conflict situations.

We provided extensive input into the drafting process for the **Iraqi** constitution, preparing an extremely detailed background briefing on comparative constitutional provisions, drafting proposed text for the constitution and hosting two workshops involving a range of stakeholders from Iraq (in Jordan). We were also invited by UNESCO to provide assistance to the Palestinian National Authority Ministry of Information in preparing four laws, on broadcasting, public broadcasting, the national news agency and press. An initial mission and the provision of initial advice on this was carried out late in 2005, which is expected to be followed up by further inputs.

Outputs:

- Provision of expert assistance, along with an advocacy mission, to an NGO in **Palestine** working on an access to information law.
- Provision of expert assistance, in the context of a mission, to the authorities in **Palestine** working on a broadcasting law, a press law, a public broadcasting law and a law to govern the national news agency.
- Provision of expert assistance to a group of stakeholders involving both government and civil society in **Liberia** preparing a public broadcasting law.
- Publication of a detailed comparative constitutional analysis of freedom of expression and information provisions, along with a document containing concrete drafting suggestions, in the context of the **Iraqi** constitutional development process.

OBJECTIVE FOUR – Support Public Service Broadcasting

In June, the law programme published *A Model Public Service Broadcasting Law* and hosted a major international conference, bringing together an impressive range of leading thinkers on this issue from around the world. The Model Law is part of our ongoing International Standards Series, which have been relied on very extensively by campaigners, legal professionals, journalists, IGO workers and officials to understand the implications of freedom of expression in different thematic areas.

Outputs: Model Public Service Broadcasting Law

OBJECTIVE FIVE - Provide legal assistance to ARTICLE 19 regional programmes

In 2005, the Law Programme continued to provide legal support to the other ARTICLE 19 programmes. This took numerous forms, including drafting legal texts to support their country or regional work, contributing legal text to general publications, reviewing work to ensure high legal standards, and participating in programmatic work by providing legal expertise (for example in the form of participation at conferences or training sessions). These activities by the Law Programme deliver a number of benefits to the organisation, including ensuring a consistent policy approach across the organisation, promoting quality work and ensuring the inclusion of legal analysis in much of our work.

LATIN AMERICA PROGRAMME

During 2005, ARTICLE 19's Latin America Programme strengthened its presence in the region as part of a commitment and plan to decentralise its activities within the next 3 years. The Latin America Program Director (maternity cover) relocated in Buenos Aires (Argentina) while a number of steps were taken towards the opening of an office in Mexico City, and the sustainability of our work and presence in Brazil. The Latin America programme strengthened its ground-breaking work on sexual and reproductive rights and access to information in Peru and initiated a similar project in Mexico. We undertook a regional advocacy programme of work on Access to Information legislation and on the actual and effective use of existing legislation. The overall objective of the programme is to promote and protect socio-economic rights and enhance transparency. The Programme has also contributed to local anti-defamation campaigns and undertook a research and advocacy mission in Guatemala.

OBJECTIVE ONE: Advocate for freedom of information legislation and strengthen the use of access to information and its impact on poverty

Advocating for Access to Information legislation in Argentina and Brazil

As part of a regional initiative, we supported national campaigns to secure access to information legislation in both countries.

In Argentina, the issue has been central to the political discussion that preceded the October 2005 legislative elections. This, unfortunately, resulted in a stalemate situation as at one point there were two different and opposing proposed bills in parliament, one in the lower chamber, one in the upper chamber; one sponsored by the government, the other by the President's wife.

During this situation, and in partnership with our Argentinean partner organisation ADC, we prepared legal analysis of the legislation, lobbied Congress men and women as well as Senators and ensured that NGOs working on the issue were informed of our position and activities through ADC.

In Brazil, the issue is not, yet, as front line as in Argentina. Together with the local journalist association ABRAJI, we have supported the creation of a legal group that meets on a regular basis and that includes high level lawyers and a former Justice Minister. In 2005, the legal group successfully attracted the support of the Senate's President who has offered the technical support of Senate's lawyers to ensure the smooth drafting of an Access to Information law. The group is working on the basis of a draft piece of legislation presented by a member of parliament who has also supported the work of the legal group.

We have analysed the existing draft legislation and advise the legal group on international standards. We have supported ABRAJI in successfully convening a National Forum of different NGOs in support of an Access to Information bill. 17 different organisations are now members of the Forum.

Outputs:

- One strategic planning meeting
- Outline of access to information manual (Argentina)
- Campaigning strategy and materials (Brazil)
- Document containing comparative legal analysis of two draft Access to Information laws before Argentinean Parliament
- Brazilian Legal Group
- Analysis of draft Brazilian Access to Information law
- Guidelines for a Brazilian Access to Information law
- List of Argentinean journalists to be targeted with Access to Information material and communication pack

- Argentinean cartoon booklet designer recruited
- Argentinean Access to Information manual designer recruited
- President of Brazil's Senate commits help from his office in the drafting process of the law
- Guidelines for a Brazilian Access to Information law
- A panel discussion on Access to Information during the first international seminar of investigative journalism convened by ABRAJI in October 2005.

Impact:

The most significant impact has been the public and concrete support of the Brazilian President to the idea of an Access to information law and to the work of the legal group.

Promote Access to Information in Brazil as a tool to combat poverty

In the last quarter of 2005 we have initiated this five-year project funded by DFID. We met ABRAJI's Executive Director in October and had an strategy meeting with ABRAJI's board in November to agree on the strategic and operational approach for implementing the different activities. It was also decided that we should invite members of the National Forum to work with ARTICLE 19. We have reviewed and adapted the proposal accordingly.

Promote the use of Access to Information legislation to protect and promote social and economic rights and achieve greater transparency in Mexico and Peru.

Mexico and Peru enjoy Access to Information laws, but these are still not very well known or used by the general population or by specialised sectors like the business and health communities. In other countries, these sectors are among the main champions of the law and the right to access and use information held by the state to protect other rights, such as sexual and reproductive rights, and to fight corruption through greater transparency.

Working in partnership with our local partners - Flora Tristan and IPYS , and following research missions to four different provinces of Peru, we launched the report "Reproductive and sexual rights in Peru: a platform for change" written by national experts and ARTICLE 19 staff members. The report includes forewords from the UN Special Rapporteur for Health and the Organization of American States (OAS) Special Rapporteur for Freedom of Expression. The report has been released in English in March 2006.

The initial findings on ARTICLE 19's research on access to information and reproductive and sexual health rights were presented at a seminar in Lima in April. The seminar brought together participants from civil society organizations and government institutions in the four areas where research has been conducted by ARTICLE 19 over a six month period: Lima, Piura, Tarapoto and Cusco. Civil society representatives from Mexico also attended the seminar in order to share their experiences of using access to information legislation to obtain public documents relevant to their diverse strategies to advocate the reproductive and sexual health rights of individuals. We have also produced different materials including a Friendly Guide to the use of the law which has been widely distributed through the training workshops.

In Mexico, and working through our local Mexican partners, we have conducted a benchmarking exercise in two different states and established contact with different business associations.

Outputs:

- Research report on Sexual and Reproductive Health and Access to Information in Peru in Spanish
- International seminar in Peru
- User friendly guide to the Peruvian Access to Information law
- 4 workshops to Peruvian civil society and public officials

- Benchmarking exercise and document in Mexico
- Leaflet on Access to Information and the private sector in Mexico

Impact:

- The Peru seminar and the report have provided a very sound basis for our advocacy work with the Ministry of Health and a comprehensive access to information training programme for civil society groups and public officials to start in October 2005 and continue in 2006.

OBJECTIVE TWO – Campaign against abuses of freedom of expression

In February 2005, we conducted a mission to Guatemala research media ownership concentration in the country and other issues related to freedom of expression and information. We produced an interim report that will serve as an analytical tool for a further mission in 2006.

We have produced a general analysis and report for the UN human rights commission on the issue of freedom of expression and information in Paraguay with special emphasis on the issue of defamation, which was signalled out by the Commission in its final report.

Outputs:

- Internal research report on media freedom in Guatemala
- Report to UN Human Rights Commission on freedom of expression and information in Paraguay

OBJECTIVE THREE – Establish and strengthen regional presence

The Latin America Programme is committed to, and implementing, a programme aiming at strengthening the programme regional anchorage and presence. The Program Director has relocated in Argentina from where he has been initiating or overseeing the implementation of the programme's five ambitious projects. First steps have been taken during the last months of 2005 to establish the Mexico office. We have held meetings with our donors, logistical companies and with national organisations in order to identify the best approaches, from an organisational point of view, to establish Article 19's presence in the country and implement the programme of work as envisaged in the project proposal. We have conducted the first round of interviews in Mexico City for the recruitment of a coordinator and two program officers, and will continue with the second round in January 2006.

MIDDLE EAST PROGRAM

In 2005, ARTICLE 19 re-launched its **Middle East Programme** through a series of legal initiatives in the region and a capacity-building and training project in Iraq. The Law Programme very substantially expanded its work in the MENA region, and obtained funding for a number of projects in the region, which allowed us to initiate a formal programme in this region. Dedicated programme staff was hired in September 2005 to manage and develop ARTICLE 19's programmatic activities in the Middle East.

- In mid-2005 ARTICLE 19 reviewed **press legislation** in **Jordan**, providing a number of analyses and engaging with local actors in mutually supportive advocacy work and other activities, which included hosting an intern from Jordan.
- The Law Program undertook missions to **Yemen** to promote greater understanding about freedom of expression and law reform. In late 2005, a **detailed analysis of the Press and Publications Law** was conducted, followed by an advocacy mission engaging various civil society actors with the aim of building support for positive reform in this area.
- In **Palestine** ARTICLE 19 worked closely with a local partner organisation to prepare an **access to information law**. This included providing comments on the original draft, as well as participation in a workshop in Ramallah to discuss the draft and popularise the idea of access to information. In December 2005, ARTICLE 19 and UNESCO undertook a mission to Palestine to work with a local team of legal experts on the drafting of new media legislation for the Palestinian National Authority. *Hamas'* election in January 2006 means that we will have to wait to see if this commitment to reform remains as firm but hopes are that it will. If so, this could represent one of the most promising developments in the Middle East where adoption of progressive media legislation is concerned.
- A wide reaching programme of activities was developed in **Iraq** in partnership with UNESCO focused on supporting and empowering the media, public sector and civil community throughout the transitional changes underway in the country in 2005. The first stage of work involved the **development of election guidelines** and media briefing notes prior to the January 2005 elections for the Transitional Assembly, which included and a series of nineteen Briefing Notes discussing the key obligations and responsibilities of the media during elections.
- The second stage of work in **Iraq** involved input into the **constitutional drafting process**, working with public officials media experts to promote as full an understanding of freedom of expression as possible in the process of preparing the constitutional provisions, and ensure that draft provisions were in accordance with international standards and best practice. Throughout July, August and September, ARTICLE 19 legal team ran workshops with Iraqi legislators, NGOs and media representatives to develop constitutional clauses that would provide the strongest possible protection for freedom of expression. The Constitution was finally adopted on October 15th and while the end-result was not all we had asked for, a number of our recommendations were adopted nonetheless. Currently ARTICLE 19 is working with the Iraqi ministry of human rights on the revision of the Constitution, as well as on the bringing of Iraq's general legal regime for freedom of expression into line with international standards.
- In late 2005 a **training of trainers course** on was developed by ARTICLE 19 targeting the Iraqi media and human rights community, building the capacity of participants to advocate for **freedom of expression, human rights and the role of the media** in upholding and promoting broader awareness about human rights and women's rights. A ten day pilot course was tested in a pilot workshop held in Cairo from the 4th to the 14th December, involving a diverse audience consisting of media professionals, human and women's rights activists and media academics. Future work in the country, currently being planned, will focus on building the capacity of civil society organisations in Iraq to ensure that access to Media legislation processes in Iraq are significantly influenced by substantive and qualitative input from the Iraqi media and civil society.

ANNEX ONE

ARTICLE 19 TWENTY TEN STRATEGIC PLAN

ARTICLE 19 GOALS FOR GREATER IMPACT

1 – Strengthen open governance globally

- Promote adoption and implementation of progressive access to information legislation globally
- Ensure people’s participation to fair and transparent elections, and ability to make informed choices, including through media monitoring
- Promote transparency and accountability of international actors, including IGOs and multi-nationals

2 – Safeguard pluralism and diversity of views threatened by a climate of intolerance

- Monitor and campaign against new and old forms of censorship
- Monitor and campaign against the wide-spread use of defamation laws
- Review, and monitor legal systems and policies aiming at protecting free speech and combating hate speech.

3 – Protect and strengthen freedom of expression threatened by conflicts and security agendas

- Monitor the illegitimate use and impact of the security agenda, including anti-terrorist legislation, on the right to freedom of expression
- Safeguard freedom of expression in conflict situations
- Promote participation and access to information in truth and reconciliation processes
- Re-enforce the role of freedom of expression in conflict resolution

4 – Support and strengthen the free flow of information and ideas within a diverse media landscape

- Promote the provision of public interest content in the media
- Address the threats to diversity and pluralism posed by media concentration
- Explore the opportunities for, and threats to, pluralism and diversity posed by new media and convergence.

5 – Strengthen vulnerable groups’ right to be heard and right to know, including as a leverage towards the fulfilment of their human rights

- Protect and promote the reproductive and health rights of vulnerable social groups, by securing better access to information, focussing on women and people living with HIV/AIDS
- Ensure environmental sustainability by securing communities’ access to relevant environmental information
- Ensure governments’ accountability by strengthening disadvantaged groups’ access to public information.
- Protect and promote the right to freedom of expression and to access information of all, through a focus on Ethnic and religious minorities, Refugees, Economic migrants, gays and lesbians

ARTICLE 19 GOALS FOR BETTER IMPACT

6 –Innovate for greater effectiveness and impact

- Revitalise ARTICLE 19’s capacity for conceptual and policy innovation.

- Strengthen external input and internal expertise on innovative themes
- Build ARTICLE 19 expertise on cutting edge issues

7 - Revitalize ARTICLE 19 communications for greater impact

- Build communication as a core competency
- Promote ARTICLE 19 global image and brand
- Strengthen the production of locally relevant communication messages

8 – Strengthen and extend local and global partnership

- Develop innovative approaches to freedom of expression beyond traditional media and human rights circles, and outside urban centres
- Commit to long-term partnership to ensure relevance and legitimacy of ARTICLE 19
- Build or strengthen global partnership with international actors
- Continue our commitment and contribution to build local capacities

9. Strengthen our global presence

- Explore options for local ARTICLE 19 regional presence
- Ensure Trade Mark registration
- Strengthen ARTICLE 19 local presence in each region

10. Mainstream gender perspective throughout our work

- Develop or strengthen gender-sensitive ARTICLE 19 policies
- Adopt a gender-sensitive approach in working with partners

ARTICLE 19 GOALS FOR A MORE EFFECTIVE AND EFFICIENT ORGANISATION

11. Strengthen ARTICLE 19 organisational platform

- Enhance strategic planning capacities and operational implementation
- Enhance its human resources management
- Strengthen its governance and policy development

12. Promote long-term growth and stability

- Strengthen financial management and financial systems
- Broaden our fund-raising approach through public donations, big gifts, corporate fund-raising
- Strengthen core and basket fund-raising

13. Be a Learning Organisation

- Systematically evaluate our work to verify impact and ensure relevance and institutional learning
- Build on existing expertise and share knowledge within the organisation
- Address lack of communication across programs through regular meetings, retreats, theme-focused discussions and the development of country, regional and thematic strategies
- Develop skills and expertise within the staff

ANNEX TWO

ARTICLE 19 2006 MAIN PUBLICATIONS

- **Argentina:** Memorandum on Two Drafts of the Law on Access to Public Information of Argentina, September 05
- **Armenia:** Statement on Constitutional Reform in Armenia: Focus on Freedom of Expression, September 05;
- **Armenia:** Note on Proposed Amendments to Armenia's Television and Radio Law to Strengthen the Independence of Regulatory Bodies in the Broadcast Sector, November 05;
- **Armenia:** Note on Proposed Amendments to Armenia's Law on Mass Communication, November 2005;
- **Armenia:** Criminal liability for insulting a public official: Abolition of Article 318 of the Armenian Criminal Code, December 2005
- **Asia:** Humanitarian Disasters and Information Rights: Legal and ethical standards on freedom of expression in the context of disaster response, March 2005
- **Brazil:** Memorandum on a proposed draft Bill on Freedom of Information for Brazil, Nov. 05
- **Cambodia,** Baseline study on freedom of expression and the Media, Dec.05
- **Caucasus:** Access to information and the media in Georgia, Armenia, and Azerbaijan; June 2005
- **Defamation:** Putting expression behind bars: criminal defamation and freedom of expression (November 2005)
- **EIB:** Memorandum on **European Investment Bank's** Public Disclosure Policy (Draft II), November 05
- **Georgia:** Guide to the Law of Georgia on Freedom of Speech and Expression, April 2005
- **ICT:** Experiencing Technical Difficulties: The Urgent Need to Rewire and Reboot the ICT-Development Machine, Oct 2005
- **Indonesia,** Baseline study on freedom of expression and the Media, Dec.05
- Note on Problems with the **International Finance Corporation** Proposed Exceptions Regime, October 05
- **Jordan:** Memorandum on Jordan's Protection of State Secrets & Documents Provisional Law No. (50), December 2005;
- **Jordan:** Memorandum on Jordanian draft Law on Guarantee of Access to Information, December 2005
- Note on **Kazakhstan's** Regulations for the Allocation of Domain Space, October 05
- **Kyrgyzstan:** Memorandum on the Kyrgyz Mass Media Law and the Law on Journalists Activities, September 2005;
- **Kyrgyzstan:** Memorandum on Laws of the Republic of Kyrgyzstan relating to the Protection of Reputation, September 2005
- **Moldova:** Country Bulletin on Freedom of Expression; January & April 2005
- **Kosovo:** The Law on the Independent Media Commission and Broadcasting, February 05
- **International Standard:** Model Public Service Broadcasting Law, June 05
- **Liberia:** Comments on the Liberian draft Law and Policy Providing for the Establishment of the National Public Broadcasting Service, October 05
- **Malaysia,** Baseline study on freedom of expression and the Media, Dec.05
- **Montenegro:** Notes on the draft Law on Free Access to Information of Montenegro, March 2005 and May 2005 (twice)
- **Montenegro:** Memorandum on the draft Law of Montenegro on Archives, March 05
- **Mozambique:** Note on the draft Law of Mozambique on Access to Official Sources of Information
- **Nepal:** The Defence of Press Freedom and Freedom of Expression in Nepal, August 2005

- **Nepal:** Memorandum on the Ordinance ‘Amending Some of the Nepal Act Relating to the Media’, 2062, October 05
- **Palestine:** Memorandum on a proposal for a draft Law on Access to Information of Palestine, May 05
- **Palestine:** Memorandum on the draft **Palestinian** Law on National Council for Audiovisual, December 2005
- **Peru:** *Epoca de Cambio: la promocion y proteccion del acceso a la informacion y los derechos a la salud sexual y reproductiva en el Peru*, With IPYS and Flora Tristan, May 2005
- **Peru:** *Guia para usar la ley de acceso a la informacion* (user-friendly guide for members of the public and health rights activists making information requests). With IPYS and Flora Tristan, December 2005
- **Philippines,** Baseline study on freedom of expression and the Media, Dec.05
- **Russia:** Do Journalists Have a Choice: impact of the Russian Election Law on the Media; June 2005
- **Russia:** Art, Religion and Hatred. The Religious Intolerance in Russia and its Effect on Art, December 05
- **Sierra Leone:** Statement of support for draft access to Information Bill for Sierra Leone, December 2005
- **Singapore,** Baseline study on freedom of expression and the Media, Dec.05
- **Somaliland:** Media Code of Conduct for the Elections in Somaliland, July 2005
- **South Asia:** War of Words: Conflict and Freedom of Expression in South Asia, July 2005
- **Southern Europe:** Freedom and Accountability: Safeguarding Free Expression through Media Self-Regulation; March 2005
- **South-East Europe:** ARTICLE 19: Concerns over the Retention of Criminal Defamation in South-East Europe, November 2005
- **Sudan:** Media Policy for a New Sudan, April 2005
- **Sudan:** promoting Freedom of Expression and civil society involvement in developing democratic media legislation in Sudan, September 2005
- **Thailand:** Statement by ARTICLE 19, Global Campaign for Free Expression: International Legal Standards Relating to Defamation in the Case of Supinya Klangnarong v. Shin Corp.
- **Thailand:** Baseline study on freedom of expression and the Media, Dec.05
- **Timor-Leste,** Baseline study on freedom of expression and the Media, Dec.05
- **Ukraine:** The Politics of Media: Freedom of Expression and the 2004 Ukrainian Elections; July 2005
- **Ukraine:** Country Bulletin on Freedom of Expression; January and April 2005
- **Ukraine:** State to Public: Genuine Public Service Broadcasting in Belarus, Moldova and Ukraine? December 2005
- **United Kingdom/Russia:** Statement on the Case of Oleg Yanushevsky, a persecuted artist from Russia seeking asylum in the UK; June 2005
- **United Kingdom:** Memorandum on Home Office List of ‘Unacceptable Behaviours’, October 2005;
- **United Kingdom:** Statement on clause 1 of the UK Terrorism Bill, October 2005;
- **United Kingdom:** Statement on the ‘Encouragement’ of Terrorism: Clause 1 of the UK Terrorism Bill, December 2005

ANNEX THREE

ARTICLE 19 PARTNERS

ARTICLE 19's reputation resides in its development of an extensive partnership network across the world. ARTICLE 19 believes that the most effective and principled way to promote and implement institutional, cultural and legal change is to work in partnership with domestic groups. This approach enables us to facilitate relationships amongst civil society actors on a national and international level and promote best-practice models from around the world. All our projects build the capacity of local organisations to ensure they are able to continue working in the future with decreasing international involvement and support.

At present, we work with **57 domestic implementing partners**, active in areas such as human rights, freedom of information, the media, women, health and the environment, **24 international partners**, and 5 regional and international instruments (see Annex One). In addition, the implementation of our projects involves around **100 grass-roots organisations** who participate to our training sessions, workshops, strategy meetings and evaluations.

ARTICLE 19 is an active member of the following coalitions or groups:

1. **Armenia, Media legislation working group:** It was set up at the initiative of the OSCE Ambassador in Armenia two years ago and includes approximately 30 members – international and national organisations working in the fields of freedom of expression and freedom of information, such as ARTICLE 19, Internews, ABA/CEELI, Eurasia Foundation, OSI Armenia, Council of Europe Representative in Armenia, DFID of the British Embassy, Freedom of Information Centre, Yerevan Press Club, Media Law Institute, Committee to Protect Free Speech and other professional groups.
2. **Azerbaijan, Parliamentary/NGO Working Group for drafting freedom of information legislation:** set up by the Azerbaijani Government in 2003 at the instigation of ARTICLE 19. It includes 15 members – international organisations, local media NGOs and members of the Azerbaijani Parliament, such as: ARTICLE 19, Internews, Yeni Nesil Union of Journalists, RUH (Committee to Protect Journalists), Press Council, Freedom of Speech Foundation, Baku Press Club, and Media Rights Institute. This group is currently expanded to include the larger NGO community for the purpose of developing a strategy for the implementation of the recently adopted FOI Law.
3. **Burma Campaign UK:** The Campaign aims at achieving the restoration of human rights and democracy in Burma by raising public awareness of issues relating to Burma and increasing international pressure on UK govt, EU, ASEAN and UN.
4. **Freedom of Information Advocate's Network (FOIA):** The FOIA Network aims to help NGOs with campaigning, advocacy, and fundraising, through exchange of information, ideas, strategies and by providing a forum for collaboration. The FOIA Network also aims to facilitate the forming of coalitions of NGOs to address FOI issues at a regional or global level. It currently has **55 member organisations** from around the world. – ARTICLE 19 is a member of its Steering Committee.
5. **Global Transparency Initiative (GTI):** The GTI is a network of civil society organisations promoting openness in the International Financial Institutions (IFIs), such as the World Bank, the IMF, the European Investment Bank and Regional Development Banks. Its current members include: Access to Information Network (ATIN) – Philippines; ARTICLE 19 - United Kingdom; Bank Information Center (BIC) – United States; Bretton Woods Project - United Kingdom; CEE Bankwatch Network – Poland; Freedominfo.org - United States;

Institute for Democracy in South Africa (IDASA) - South Africa; Libertad de Información-México AC (LIMAC) – Mexico.

6. **International Freedom of Expression Exchange (IFEX):** IFEX is an international network of **67 media and human rights organisations**, working together to defend free media and individual journalists around the world. ARTICLE 19 was one of its founding members and currently sits on IFEX board.
7. **Liberia, Partnership for Media and Conflict Prevention in West Africa:** It was established in August 2003 by international, regional and national stakeholders involved in media and conflict prevention in West Africa. It aims at facilitating rapid and collaborative approaches and building on existing forms of collaboration in the region. The partnership's pilot project started with Liberia in December 2003. The members are: United Nations Educational, Scientific and Cultural Organization; United Nations Office for the Coordination of Humanitarian Affairs; ARTICLE 19 ; Association of Journalists for Peace in Cote d'Ivoire; International Federation of Journalists ; International Media Support ; Media Foundation for West Africa; Media Rights Agenda (Nigeria); PANOS – West Africa; UNDP; Foundation Hironelle; IFEX; Canadian Journalists for Free Expression; Press Union of Liberia; World Association of Newspapers.
8. **Nepal International Mission:** The Mission is a coalition of international organisations formed in the aftermath of the February 2005 coup in Nepal, to campaign for the protection of human rights and civil liberties in Nepal. It works in partnership with a Nepalese coalition of NGOs and media organisations – Media Alliance Nepal. The 11 members of the International Mission includes: ARTICLE 19 – United Kingdom; Committee to Protect Journalists (CPJ) – United States; International Federation of Journalists (IFJ) – Bruxelles; International Media Support (IMS) – Denmark; International Press Institute (IPI) – Austria; Press Institute of India (PII) – India; Reporters sans Frontières (RSF) – France; South Asian Free Media Association (SAFMA) – Pakistan; United Nations Educational, Scientific and Cultural Organization (UNESCO); World Association of Community Radio Broadcasters (AMARC) – Canada; World Association of Newspapers (WAN) – France.
9. **Sudan, International Media Coalition:** ARTICLE 19 is planning to set up a coalition of international organisations at a meeting in Khartoum in December 2005. Its role will be to support the Sudanese members of the media/civil society roundtables set up through our Sudan project and assist with the implementation of freedom of expression activities in Sudan. Provisional organisations include: ARTICLE 19 – United Kingdom; BBC World Service Trust – United Kingdom; International Federation of Journalists (IFJ) – Bruxelles; International Media Support (IMS) – Denmark; Norwegian Church Aid - Norway); Norwegian Peoples Aid – Norway; Panos Institute – United Kingdom; United Nations Development Programme (UNDP); United Nations Educational, Scientific and Cultural Organization (UNESCO); World Association of Community Radio Broadcasters (AMARC) – Canada; World Association of Newspapers (WAN) – France.
10. **Tunisia:** Article 19 is an active member of the **Tunisia Monitoring Group (TMG)**, that include as well: Canadian Journalists for Free Expression; Egyptian Organisation for Human Rights; Index on Censorship; International Federation of Journalists; International Federation of Library Association and Institutions; International Publishers'; Association Journalistes en Danger; Media Institute of Southern Africa; Norwegian PEN; Writers in Prison Committee of International PEN; World Association of Newspapers; World Press Freedom Committee; World Association of Community Radio Broadcasters. TMG monitors the situation in Tunisia, including through regular missions, and campaigns actively against the continuing violations of human rights in the country.

11. **United Kingdom: Freedom of Expression and Literature Consortium:** The Consortium has nine members from the literature and free expression world. It aims at establishing an international centre for literature and freedom of expression. In 2005, we developed together a preliminary business case for the Centre and applied to the Arts Council of England for support. Following a very rigorous Heath, the Arts Council has granted the Consortium £75,000 towards further consultation and training activities for the nine members.
12. **United Kingdom: Freedom of Expression Panel (UK):** Set up by the Foreign and Commonwealth Office, it includes ARTICLE 19, BBC, National Federation of Journalists, Index on Censorship, Oxford INSI, University – Programme on Comparative Media Law, Pen International. It allows organisations to bring freedom of expression issues to the attention of the FCO for their actions, and to work together on targeted activities and campaigning work.
13. **United Kingdom, Anti-Terrorist legislation:** Coalition of UK NGOs set up in September 2005 to lobby and campaign together against aspects of the proposed UK draft bill on anti-terrorism. Its current members includes: The AIRE Centre, Amnesty International, ARTICLE 19, Doctors for Human Rights, Human Rights Watch, Justice, The Law Society of England and Wales, Liberty, The Medical Foundation for the Care of Victims of Torture; Redress.
14. **Others:** Through its partners, ARTICLE 19 is also a member of the following coalitions: Access to Information Network (ATIN), Philippines; Indonesian FOIA Coalition; Malaysian FOIA Coalition; Cambodian Freedom of Information Working Group.

PARTNERS IN AFRICA

- Media Institute of Southern Africa
- AMARC Africa
- SACOD
- APC Africa
- Econews Africa
- Sudan Organisation Against Torture
- Fahamu
- Norwegian Peoples' Aid
- African Communication Regulation Authorities Network (ACRAN)
- Institut PANOS Afrique de l'Ouest
- The Media Foundation for West Africa
- Media Rights Agenda <http://www.mediarightsagenda.org>
- Journaliste en Danger (JED)
- West African Journalists Association (WAJA)
- International Federation of Journalists Africa Office
- FAMEDEV - Inter Africa Network for Women, Media, Gender Equity and Development

PARTNERS IN ASIA

- Aliansi Jurnalis Independen (AJI) – Indonesia
- Asia Forum for Human Rights and Development (FORUM-ASIA)
- Cambodia Human Rights and Development Association (ADHOC)
- Centre for Policy Alternative (CPA) – Sri Lanka
- Human Rights Commission of Pakistan (HRCP)
- Indonesian Center for Environmental Law (ICEL)
- South Asia Forum for Human Rights (SAFHR)
- Suara Rakyat Malaysia (SUARAM) – Malaysia
- Timor Lorosae' Journalists Association (TLJA)

PARTNERS IN EUROPE

- Advocacy Training and Resource Center (ATRC) – Kosovo
- Association for the Defence of Human Rights in Romania – the Helsinki Committee (APADOR-CH)
- Freedom of Information Centre – Armenia
- Journalists for Human Rights – South Ossetia
- Pilgrim – Transdnestria
- PRO MEDIA
- Stepanakert Press Club - Nagorno-Karabakh.
- Sukhum Media Club - Abkhazia.
- The Belarusian Association of Journalists (BAJ)
- The Center for Free Access to Information (CSpi) – Bosnia
- The Centre for Development and Democratisation of Institutions (CDDI)
- The Croatian Helsinki Committee for Human Rights (CHC)
- The Independent Journalism Center (IJC) – Moldova
- The Institute of Mass Information (IMI) -
- The Kharkiv Group for Human Rights Protection (KHPG) – Ukraine
- The Lawyers Committee for Human Rights (YUCOM) –
- The Liberty Institute – Georgia
- The Mass Media Defence Center (MMDC) – Russia
- The Montenegrin Helsinki Committee for Human Rights (MHC)
- Yeni Nesil Union of Journalists – Azerbaijan
- Yerevan Press Club – Armenia

PARTNERS IN LATIN AMERICA

- Libertad de Información Mexico A.C. (LIMAC) – Mexico
- Asociación por los Derechos Civiles (ADC) – Argentina
- Associação Brasileira de Jornalismo Investigativo (ABRAJI) – Brazil
- Institute Prensa y Sociedad (IPYS) – Peru
- Flora Tristan – Peru
- El Foro por la Libertad de Expresión del Paraguay

PARTNERS IN THE MIDDLE EAST

IFEX – Tunisia
 AMAN : Transparency International – Palestine Chapter
 Joint Yemeni Media Development Programme
 Jordan – Yahia Shukkeir

GLOBAL AND LEGAL PARTNERS

Our main global partners include:

UNESCO
 Index on Censorship
 English Pen
 International Media Services (IMS)
 International federation of Journalists

ARTICLE 19 has consultative or observer status with:

- **ECOSOC,**
- **The Council of Europe** and
- **The African Commission on Human and People’s Rights.**

We work with and through:

- **The UN Human Rights Committee,**
- **The Inter-American Commission and Court of Human Rights** and

- The **African Commission on Human and Peoples' Rights (ACHPR)**
- The **European Court of Human Rights**

ARTICLE 19 has a long practice of close cooperation with all four special mandates on freedom of expression, including:

- ACHPR Special Rapporteur for Freedom of Expression (Africa)
- OSCE Representative on Freedom of the Media (Europe)
- OAS Special Rapporteur on Freedom of Expression (Americas)
- UN Special Rapporteur on Freedom of Opinion and Expression (global)

ANNEX FOUR

ARTICLE 19 SUCCESS STORIES - SAMPLE

ARTICLE 19 has distinctive expertise in using international and domestic legislation and standards on freedom of expression and access to information to achieve individual freedoms, empower civil society and tackle underlying causes of poverty. We aim to achieve a multiplier effect through all our work by delivering these specialist skills into genuine partnerships. Our core competencies and the varied skills of our partners combine to leverage local impact, global influence and outreach. **2005** alone saw some important achievements for ARTICLE 19 and its partners.

We have provided **46 legal analyses of FoI and media legislations** and published around **50 policy and campaigning publications and resource materials** for our partners around the world.

- **Azerbaijan:** Following ARTICLE 19's policy Round Table in Baku in April, Azerbaijani head of the Parliamentary working group on freedom of information draft law has initiated a broad consultation process on the latest version of the bill and promised to schedule a second reading in June
- **Kosovo:** Kosovo Ombudsman on Human Rights and Media Commissioner raised ARTICLE 19 concerns with the government – PM Office expressed openness towards reforming the criminal code. The Prime Minister's Office has developed a draft civil defamation law using ARTICLE 19 standards, as a direct result of our visits, advocacy and campaigning efforts.
- **Macedonia:** Macedonian government has promised to bring the draft law on FoI in line with ARTICLE 19 recommendations prepared for the OSCE
- **Montenegro:** Government has indicated that it will implement all our recommendations on the FOI law (made in the form of a legal advice issued through the OSCE as well as a policy statement issued by the ARTICLE 19 Europe Programme; update: new policy does reflect many of our concerns
- The de-facto Parliament of **Nagorny-Karabakh** adopted an advanced FoI Law, following active advocacy work by ARTICLE 19 and Stepanakert Press Club.
- **World Bank:** The World Bank has adopted a new transparency policy
- **European Investment Bank:** The EIB has agreed to slow down the review of its FOI policy. It will consider moving to a real presumption of disclosure.
- **Somaliland:** adoption of a Code of Conduct by media outlets and political parties.
- **South Sudan:** The first media policy for South Sudan was adopted following a round table organised by ARTICLE 19, and involving Sudanese media professionals, civil society representatives and international organisations supporting the development of free media. It will be presented formally to the Southern Sudanese National Assembly which will be meeting for the first time.
- **Wits University (South Africa):** The graduate media policy program has adopted ARTICLE 19 "Broadcasting in Policy and Practice" as one of the core required readings.
- **Iraq:** ARTICLE 19 provisions on freedom of expression have been incorporated in the final draft of the Iraqi Constitution to be submitted for referendum.
- The **Mongolian** authorities have adopted extremely progressive public service broadcasting legislation.
- In **Ukraine**, many of ARTICLE 19 recommendations were enshrined in a public service broadcasting bill.
- In **Russia**, following our training of the judges of the Ryazan Oblast court, three other regional courts are seeking to host similar seminars.
- Our longstanding campaigns in the **Philippines** and **Indonesia** for the adoption of access to information legislation continue to exert pressure for positive legislation in those countries.
- In **Peru**, local organisations in Piura and Cusco have made 20 requests for information on sexual and reproductive health issues, which are being followed up through the project's legal

clinic. Preliminary evidence indicates that the information obtained – including those focusing on teenagers' needs – had not been accessed previously.

ANNEX FIVE

ARTICLE 19 2005 DONORS

ARTICLE 19 is very grateful to the following organisations for their generous support:

Core Support

**Ministry for Foreign Affairs, Netherlands
Open Society Media Network
Rausing Trust**

Restricted Funds

**British Council
Canadian CIDA
Council of Europe Department for International Development, UK (Dfid)
European Union
German Government
Foreign and Commonwealth Office, UK
Ford Foundation
Hewlett Foundation
International Media Support
McArthur Foundation
Norwegian People's Aid
Open Society Media Network
Organisation for Security and Co-operation in Europe
Swedish SIDA
UNESCO
Westminster Foundation**