



Gender-Sensitive Reporting in Iraq Workshop Findings report

June 2007

Introduction

In March 2007, ARTICLE 19 organised a workshop on 'Gender-sensitive reporting in Conflict situations' for Iraqi senior and junior journalists. The workshop was held in Amman, Jordan, with the financial backing of the UK Foreign and Commonwealth Office (FCO).

Themes covered in the workshop included:

- freedom of expression in international law;
- The rights and responsibilities of the media particularly in conflict situations
- gender-specific human rights violations in Iraq
- Challenges facing women journalists
- Reporting rape and other gender-based violence

The objective of the workshop was to focus on ensuring a more diverse and gender-sensitive media and aim to build the professional capacity of women and their access the media. The workshop complemented a wider capacity building programme on freedom of expression in Iraq, carried out by ARTICLE 19 together with UNDP in 2006/7 and before that with UNESCO.

The workshop took place over 2 days, March 28-29. The first day comprised of a series of discussions including freedom of expression principles and legitimate restrictions on freedom of expression and their relevance to Iraq, the role and responsibilities of the media particularly in conflict situations, the status of women's rights in Iraq today and the challenges facing women journalists and the reporting of women's issues. Day 2 included more practical work and included steps to investigating cases of sexual violence, a role-play exercise of editors vs. journalists where the latter group worked to convince the editors to publish a story that may be deemed 'sensitive' or unimportant. Participants were then asked to present examples they had brought with them of 'good' and 'bad' reporting on women's issues and violations of their rights. Each article was discussed

thoroughly and suggestions to improve the articles were noted down. The day and workshop concluded with a list of recommendations, an action plan and certificate distribution. The full agenda is appended as annex 1 to this report.

The participants included a number of journalists of varying experiences including junior journalists with two years experience and editors of prominent media outlets. The full list of participants is appended as annex 1 to this report.

The workshop was led by ARTICLE 19's MENA programme officers, Sarah Richani and Hoda Rouhana. A participatory teaching method was used, with the emphasis on practical exercises and group discussion supplemented with brief presentations on key topics. Ms Richani, Ms. Rouhana and the two co-trainers invited to take part in the workshop Mrs. Souad Al-Jazairy, associate editor of *Al-Sabah Al Jadid* newspaper and women activist and Ms. Sawsan Ziadeh, editor-in-chief of AmmanNet worked smoothly together and led the sessions over the two days.

Participants were given a number of training papers, materials and relevant background documents, such as the texts of relevant international treaties and resolutions by international bodies.

The following report documents the exchanges and information recorded during the two day workshop, with regard to the specific issues raised by the workshop, including: the overall situation of freedom of expression in the country; the status of women; the threats and attacks on the media; and gender-sensitive reporting on sexual violence in the current Iraqi context.

1. Freedom of expression in Iraq

In Iraq, as elsewhere around the world, a free and independent media is crucial to the development of democracy. Without a vibrant media, the free and open debate that is indispensable to the development of public policy cannot take place and the public's right to receive information on matters of public interest from a variety of sources cannot be fulfilled. Media freedom pivots on the fundamental right to freedom of expression and the respect of this right. It is for this reason that the Iraq Media Policy, prepared and released by ARTICLE 19 in March 2005, enshrined the protection and promotion of freedom of expression as indispensable to Iraqi democracy.

Iraq is bound by international law as well as under its own Constitution to respect and implement the right to freedom of expression.

Article 38 of the new Iraqi Constitution states:

The State guarantees in a way that does not violate public order and morality:

- a. Freedom of expression, through all means.
- b. Freedom of press, printing, advertisement, media and publication.
- c. Freedom of assembly and peaceful demonstration. This shall be regulated by law.

A number of other provisions are also relevant to the protection of freedom of expression and media freedom. Article 42 guarantees the right to freedom of opinion; Article 40 guarantees the right to freedom of ‘communication’ and all forms of correspondence, and Article 39 protects the right to freedom of association. Articles 101 and 102(1) stipulate that there shall be a financially and administratively independent “Communication and Media Commission” which will be ‘attached’ to the Council of Representatives, although its mandate is not specified; and Article 109(6) provides that regulation of telecommunications (which is to be understood as including broadcasting) will be the exclusive domain of the federal government.

International standards

The right to freedom of expression has traditionally enjoyed very strong protection under international law. Article 19 of the *Universal Declaration of Human Rights*¹ (UDHR), adopted in 1948, guarantees the right to freedom of expression in the following terms:

Everyone has the right to freedom of opinion and expression; this right includes the right to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

This provision has now passed into what is known as customary international law, the body of law that is considered binding on all States as a matter of international custom. Freedom of expression finds further protection in a number of international treaties – legal instruments that States have signed up to and are legally bound to protect. For Iraq, the most important of these is the *International Covenant on Civil and Political Rights*² (ICCPR), an international treaty ratified by some 155 States, Article 19 of which states:

1. Everyone shall have the right to freedom of opinion.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art or through any other media of his choice.

Iraq is bound under international law as well as under its own Constitution to implement and give effect to international human rights treaties to which it is party. Article 8 of the Constitution requires the Iraqi government to “respect its international obligations”.

Yet, the right to freedom of expression is not absolute. Both international law and most national constitutions recognise that freedom of expression may be restricted. However, any limitations must remain within strictly defined parameters. Article 19(3) of the ICCPR lays down the conditions which any restriction on freedom of expression must meet: The exercise of the rights provided for in paragraph 2 of this article carries with it

¹ UN General Assembly Resolution 217A(III), adopted 10 December 1948.

² UN General Assembly Resolution 2200A(XXI), adopted 16 December 1966, in force 23 March 1976. Iraq ratified the ICCPR on 25 January 1971.

special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

- (a) For respect of the rights or reputations of others;
- (b) For the protection of national security or of public order (*ordre public*), or of public health or morals.

Article 19(3) of the ICCPR has been interpreted as requiring restrictions to meet a strict three part test. First, the interference must be provided for by law. This means, first and foremost, that the interference cannot be merely the result of the whim of an official. There must actually be an enacted law or regulation which the official is applying. In other words, only restrictions which have been officially and formally recognised by those entrusted with lawmaking capacity may be legitimate. In addition, not all “laws” or “regulations” meet the standard of ‘provided by law’. The law must meet certain standards of clarity and precision so that it is clear in advance exactly what expressions are prohibited. Vaguely worded edicts with potentially very broad application will not meet this standard and are thus illegitimate restrictions on freedom of expression. For example, a prohibition on “displeasing the government” would fail the test on account of vagueness.

Second, the interference must pursue a legitimate aim. The list of aims in Article 19(3) of the ICCPR is exclusive in the sense that no other aims are considered to be legitimate as grounds for restricting freedom of expression.

Third, the restriction must be necessary to secure one of those aims. The word “necessary” means that there must be a “pressing social need” for the restriction. The reasons given by the State to justify the restriction must be “relevant and sufficient” and the restriction must be proportionate to the aim pursued. This has a number of implications. First, it means that if another measure which is less intrusive to a person’s right to free expression would accomplish the same goal, the restriction is not in fact necessary. For example, shutting down a newspaper for defamation is excessive; a retraction, or perhaps a combination of a retraction and a warning or a modest fine, would adequately protect the defamed person’s reputation.

The requirement of “necessity” also means that the restriction must impair the right as little as possible and, in particular, not restrict legitimate speech. In protecting national security, for example, it is not acceptable to ban all discussion about a country’s military forces. In applying this, courts have recognised that there may be practical limits on how finely honed and precise a legal measure can be. But subject only to such practical limits, restrictions must not be overbroad.

Finally, the impact of restrictions must be proportionate in the sense that the harm to freedom of expression must not outweigh the benefits in terms of the interest protected. A restriction which provided limited protection to reputation but which seriously undermined freedom of expression would not pass muster. This again is uncontroversial. A democratic society depends on the free flow of information and ideas and it is only when the overall public interest is served by limiting that flow that such a limitation can

be justified. This implies that the benefits of any restriction must outweigh the costs for it to be justified.

In applying this test and, in particular, the third part on necessity, courts and others should take into account all of the circumstances at the time the restriction is applied. A restriction in favour of national security, for example, which is justifiable in times of war, may not be legitimate in peacetime.

It is worth noting here that Article 46 of the Iraqi Constitution uses a different formulation, stating that rights may be restricted only by law and “insofar as that limitation or restriction does not violate the essence of the right or freedom”. We urge that, bearing in mind Article 8 of the Constitution regarding international obligations, this should not be read as lowering the standard required under Article 19(3) of the ICCPR.

National security and freedom of expression

A specific set of principles related to restrictions on national security grounds is set out in the *Johannesburg Principles on National Security, Freedom of Expression and Access to Information*³. They recognise that the right to seek, receive and impart information may, at times, be restricted on specific grounds, including the protection of national security.

However, national security cannot be a catchall for limiting access to information. Both the UN Human Rights Committee and the European Court of Human Rights have on several occasions had to deal with cases in which States have sought to justify restrictions on freedom of expression or other human rights by reference to national security considerations. The UN Human Rights Committee has made it clear that the onus is on the State seeking to justify a restriction based on grounds of national security to prove the existence of a specific threat. In the case of *Jong-Kyu v. Republic of Korea*⁴, for example, the government had claimed that a national strike in any country would pose a national security and public order risk. The Committee held that this failed to pass the necessity part of the test.

In a similar vein, the European Court has warned that laws that restrict freedom of expression on national security grounds must lay down clear and precise definitions, so as to safeguard against abuse.⁵ The Court has issued repeated warnings against excessive use of national security laws, in many cases finding violations of fundamental human rights. The Court has also warned against the use of national security laws even in situations of armed internal conflict. While stressing that it would not condone the use of the media as a mouthpiece for advocates of violence, it has said that States “cannot, with reference to the protection of territorial integrity or national security or the prevention of

³ Adopted in October 1995 by a group of experts in international law and human rights convened by ARTICLE 19 and the Centre for Applied Legal Studies of the University of the Witwatersrand. They have been endorsed by the UN Special Rapporteur on Freedom of Opinion and Expression.

⁴ July 1995, Communication No. 518/1992.

⁵ See, for example, *Klass v. Federal Republic of Germany*, 6 September 1978, Application No. 5029/71.

crime or disorder, restrict the right of the public to be informed by bringing the weight of the criminal law to bear on the media.”⁶

According to participants to the workshop, the Iraqi government appear to have done just that on a number of occasions. For instance, in August 2006, Iraq’s cabinet closed the Iraqi office of Al Jazeera for thirty days due to what they called "one-sided and biased coverage". One month later, the government voted to shut down al-Arabiya’s office in Baghdad for a period of one month, charging the channel with sectarian reporting. Al-Arabiya Executive Editor Nabil Khatib said the channel received an official statement accusing it of fomenting “sectarian violence and war in Iraq,” without providing evidence. Earlier this year, the parliament recommended to the cabinet to shut down Al-Sharqiyya TV⁷ part of the Al-Zaman press group for similar reasons. In a talk show on Al-Sharqiyya TV⁸, Ali Ouied, associate chair of the Journalists Syndicate, questioned the charges made against what he called the ‘impartial’ media organizations.

Speaker of parliament Mahmoud Al-Mashhadany remained steadfast, however, warning “those who incite hatred and racism will face consequences and a punishment”. Yet it remains unclear what effect this order will have given that Al-Sharqiya TV broadcasts from Dubai.

2. Status of Women in Iraq

In light of the growing trend of Islamism and the spiralling violence, the status of women’s rights in Iraq today, as that of human rights in general in that country, is dismal. Of the prime concerns with regards to women’s rights is the movement to abolish the Personal Status Law No .188, considered to be a massive achievement attained by the Iraqi women’s league some 50 years ago.

A previous attempt to abolish this law, often considered as pivotal for the unity of the Iraqi society, a mosaic of ethnicities, failed in 2003. A series of protests by Iraqi women organizations led to annulling what was then called Decree 137 and salvaging the law, considered to be the most progressive in the Arab world. Unfortunately, today, this decree has been resurrected once again this time as Article 41 of the Iraqi Constitution. Retaining Article 41 would mean that the old personal status family law, which applied to everyone, will be replaced by family laws pertaining to specific religious and ethnic communities. This will give social and political power to conservative religious leaders to interpret the shari’a⁹ according to their own beliefs. A number of women activists have maintained that abolishing the Personal Status Law is a grave violation of rights previously guaranteed to women under Iraqi law and will inevitably lead to the violation of women’s rights in various areas including in the family,

⁶ *Erdogdu and Ince v. Turkey*, 8 July 1999, Application Nos. 25067/94 and 25068/94, para. 54.

⁷ According to a June Ipsos-Stat poll, the private Iraqi satellite channel Al Sharqiya is the second satellite channel with the greatest reach in Iraq just one percent behind the Saudi-owned news channel Al Arabiya with 41 percent reach.

⁸ January 10, 2007

⁹ Sharia, or Islamic law, is the legal framework that regulates all aspects of daily life.

employment, educations, health, amongst others. In some communities, the marriage of girls as young as nine may be allowed; women may be forced into marriages. Inheritance, custody of children, and divorce rights will be denied to women. In short, retaining Article 41 will threaten the fabric of Iraqi civil society and may fuel and increase sectarianism within the country as it increases the sense of communalism as opposed to unified citizenship.

The spiralling circle of violence has also lead to the neglect of the numerous violations curtailing the role of women in Iraq today. Political, religious and physical threats are facing Iraqi women, particularly women activists and journalists. The parliament today is divided into sectarian blocs, which have in common the interpretation of women's rights on the basis of Islamic law. Women parliamentarians and other members of parliament who may voice concern over Article 41 and abolishing the Personal Status Law will ultimately vote in accordance with their political bloc within the parliament.

The current trend of marginalizing women in the area of reconstruction and development has extended to the Committee for Constitutional amendments that introduced Article 41. The newly formed committee consists of 72 members of who only two are women.

The Iraqi women's movement is stressing the following points at present:

- Voting on the constitutional amendments should be postponed at the present time ,because voting on a decisive document such as the constitution cannot be genuine and representative in the current deteriorating security situation.
- It is important for the international bodies and institutions to provide support for consolidating Personal Status Law 188 because this law embodies the unity of Iraqi society and ensures women's civil rights.
- Another issue which constitutes a threat to women's rights in Iraq is the fact the Iraqi constitution does not mention international agreements and binding obligations particularly with regard to women's rights
- Furthermore, as far as women's rights are concerned and CEDAW in particular, Iraq adopted CEDAW in 1986 but with a number of crucial reservations which contradicts CEDAW essence, claiming that some of its clauses contradict national values and norms.
- The need to set up a consultative committee with the participation of NGOs ,to provide help for the Constitutional Amendments Committee established by the Iraqi parliament.

One important factor that can help to guarantee Iraqi human rights in general and women's rights in particular is for the international community to insist that human rights, including women's rights, be fully respected and that reconstruction and development projects should be committed to the principles of protecting human rights in accordance with international standards.

In this respect it is essential to breathe new life into UN Resolution 1325¹⁰ that refers to the

¹⁰ UN resolution 1325 Security Council Resolution 1325 was passed unanimously on 31 October 2000. It is the first resolution ever passed by the Security Council that specifically addresses the impact of war on women, and women's contributions to conflict resolution and sustainable peace.
<http://www.unfpa.org/women/1325.htm>

role of women in conflict resolution and promoting civil dialogue and peace. The Iraqi women's movement supported the National Reconciliation Plan declared by Iraqi Prime Minister Nouri al-Maliki but was later marginalized and was not invited by the government and other political factions to take part in mobilizing support for this plan. Women were effectively absent from decision-making positions. The participation of women in the present government was also reduced from six ministries under Ibrahim Jaafary's government to four. The number of women parliamentarians was reduced by 17 compared to the previous number in the National Assembly.

In addition to the decrease of political representation and the constitutional restrictions, there has been an increase in the restriction of personal freedoms. Women activists have received threats demanding they stop their work or face death. Many women who do not wear the veil or those who drive cars have been attacked. Some practices, previously unknown in Iraqi society, have emerged, such as the segregation between males and females in public institutions and place.

3. Role and restrictions on the Iraqi media and journalists

The media today is indispensable to the survival of democracy. Its position as "the genre of public meaning-making...organizing the images and discourse through which people make sense of the world"¹¹ makes of it a powerful tool with a moral and social obligation to the fight against racism, discrimination and intolerance.

Indeed, in addition to the media's traditional role as a main source of information and entertainment, the media has a duty to serve as a fourth estate or an 'unchained watchdog', 'keeping the state on a short leash'¹². Reporting on issues of public importance such as the conduct of public officials, cases of corruption, mismanagement or dishonesty in government, and human rights issues among topics is an essential duty of a journalist.

But media workers should also pay close attention to the immense role they can play in bridging divides between warring groups in a conflict or post-conflict situation. Factual and sensitive reporting on racist or sectarian crimes, as is currently rampant in Iraq, is essential. In times of conflict and peace the media must also ensure that reporting of "the other" community promotes a better understanding of difference and at the same time reflects the perspectives of those communities and gives them a chance to be heard. The media ought to make it its crusade to promote a culture of tolerance wherein tensions are diffused between different factions and that each of these warring parties are not represented as a monolithic bloc.

In times of war where truth is often known to be the first casualty, salvaging some objectivity necessitates that journalists resist being co-opted by military, para-military forces or a government's public relations network. Whether they should act as mere

¹¹ Curran, James and M. Gurevitch.1996. Mass Media and Society. London and New York, Arnold

¹² Sparks,C.1986.The Media and the State In James Curran et al. Bending Reality. London, Pluto.

mirrors or and what seems more essential, an autonomous fourth estate has been endlessly debated back and forth. In fact, past experiences in wars ranging from Vietnam and Afghanistan to the conflict in Northern Ireland and Rwanda bring to the fore the series of roles the media has served ranging from the 'critical observers' to 'publicist' and more recently "the battleground upon which war is imagined and executed."¹³ It remains lucid however that the much-needed role of a critical fourth estate or what Daniel Hallin calls the "Champions of truth and openness...who continuously check the tendency of the powerful to conceal and dissemble¹⁴" and go beyond the handouts and briefings is essential in reporting objectively.

Several news organizations, of which the BBC-dubbed by the Daily Mail as the Baghdad Broadcasting Corporation-is a prototype, have editorial guidelines¹⁵ specific to the coverage of conflict. In addition to objectivity, the BBC's guidelines stipulate the importance of labeling sources and specifying if their reports are monitored, or censored, as was apparent with the BBC's ploy to expose the British's government ban on broadcasting the voices of IRA members. The importance of tone is also emphasized and given the same importance as the reliability of the story, a key criteria.

While such guidelines are ideals all media corporations must aim to achieve, they remain rarely heeded because of political agendas controlling media organizations and at a more practical level, technical difficulties. Accessibility to information is one of several factors that impede proper war coverage. So, even if there was a will to seek the truth, the battlefield remains a life-threatening and expensive place to cover.

Murders, threats, and restrictions

In addition to the dangers faced by all Iraqi civilians, journalists have been since the beginning of the hostilities in March 2003 specifically targeted. For the past four years, journalists have faced innumerable threats to their lives from all the warring sides. More than 180 journalists have been killed and 48¹⁶ abducted since March 2003 by the American and Iraqi forces, and the insurgents.

In addition to murders and threats, Iraqi journalists have faced a large number of restrictions imposed by the authorities. On May 15th, Iraqi police fired shots into the air to force a group of Iraqi journalists to leave the site of a bomb blast. This incident followed the Interior Ministry's decision to prevent news teams from approaching the scenes of incidents out of concern for their safety, evidence and to protect the privacy of the wounded. This recent restriction has been described by many journalists and rights

¹³ D. Thussu & D. Freedman. 2003. War and the Media. Sage, London.

¹⁴ (Hallin, D.C. 1986, The 'Uncensored War' The media and Vietnam, Oxford University, New York

¹⁵ <http://www.bbc.co.uk/guidelines/editorialguidelines/edguide/war/editorialprinci.shtml>

¹⁶ http://www.cpj.org/Briefings/Iraq/iraq_abducted.html

organizations¹⁷ as ‘spurious’ and ‘silly’ simply because the main cause of death for journalists in Iraq, as noted below, has been targeted assassination, not secondary explosions at bombing sites.

This recent restriction is but one in a series of moves restricting freedoms in this conflict. Last November the Iraqi parliament banned journalists to prevent reporting of contradictory statements made by politicians. In December, the interior ministry announced the formation of a special unit to monitor coverage to correct "fabricated and false news" it claimed gave the Iraqi people the impression that the situation in the country was worse than it actually is. Speaker of Parliament Mahmoud Al-Mashhadany has also spearheaded plans to ban the presence of journalists in the parliament for ‘security reasons’. Meanwhile, Al-Jazeera TV is facing legal action for "insulting" the Shia cleric Grand Ayatollah Ali al-Sistani.

Threats have been sent to numerous journalists and many have as a result fled Iraq or to safer regions within Iraq. Bushra Jameel Yousif, one of the participants in the workshop decided to flee Iraq to neighbouring Syria after receiving a number of threats.

“As I was leaving the house one morning to go to work, I discovered a letter slipped under my door warning that my life and that of my family’s was at risk if I continued writing. A number of subsequent terrorizing messages that almost cost the life of my son were the final straw,” she said.

“It was either my dreams and ambitions or my family...and I chose my family.” With that, Yousif left Iraq, but continued her work as editor of *Noon*, a magazine dedicated to covering women’s issues.

Haifa Al-Hussainy, one of the few Iraqi women newspaper editors, described the continuous attack on her newspaper staff and headquarters in the city of Mosul, south of Baghdad, since it was established two years ago.

“Fadia and Mohammad¹⁸, were killed in our headquarters. The last, just minutes after I left the newspaper...but I will continue to defy these forces” she said as she showed the issue of the newspaper with the pictures of her slain colleagues.

The city of Mosul, deemed the second most dangerous city for journalists in the world after Baghdad, also lost another of its renowned journalists on June 7. Sahar al-Haydery, a mother of three, had escaped two attempts on her life and had received numerous threats in the past two years. Undeterred, al-Haydery continued her work for the National Iraq News Agency, the Iraq Voices and the IWPR network. On the eve of World Press Freedom Day, al-Haydery told ARTICLE 19 she hoped her inevitable death be swift and painless. Just over a month later, she was gunned down and died instantly.

¹⁷The International News Safety Institute. May 18, 2007. Iraqi government press restrictions have nothing to do with safety. Brussels.

¹⁸ Fadia Mohammad Abdallah al Taei and Mohammad Al-Ban were slain in November 2006.

Iraqi journalists have also had their share from U.S. troops who have detained a number of Iraqi journalists without charge. Al-Sabah newspaper journalist, Forat Al-atabi for one was arrested by the American forces two month ago and remains held in their custody without charge. The American forces have not provided any information about his condition or reasons behind his arrest despite a number of requests. Similarly Pulitzer Prize winner Bilal Hassan of the Associated Press who was arrested last year remains in American custody to this day with no charges made against him.

In Kurdistan, the relatively safer region in Northern Iraq, Azeez Abdallah complained about another form of pressure she faces. As a young journalist just beginning out and writing for Hawlati Independent weekly, Voices of Iraq and the IWPR network, she spoke of the social pressure some women may face in today's Iraq.

“My mother isn't very happy with my choice of working as a journalist because of the constant interaction with men and the late work hours involved”, she said while insisting that she will continue.

Indeed, the social pressure appears to be a growing trend afflicting women journalists. In addition to the negative outlook on women journalists, many of these journalists have faced slander campaigns as a means to silence them. Furthermore, some media organizations are imposing the veil, or *hijab*, on their employees.

Meanwhile Ismael Zayer, Editor in chief of *Al-Sabah al-Jadid* newspaper, spoke further about the discrimination women journalists' face in the work place and of their efforts to empower women professionally. He stressed the dire need for further professional development programmes as a means to empower women.

On a different front, Awat Ali Mohammad, associate-editor of Hawlati weekly newspaper, spoke of the avenues of freedom journalists in the Northern Kurdish region but also acknowledged the frequent 'requests' from officials urging journalists not to publish some stories.

The fear of retribution from military, police personnel and the militias has led to an increase in **self-censorship**. All participants, particularly those working for an independent media organization with no political protection, admitted that they often water-down or omit elements within their stories that may seem 'risky'. Editors and media organization owners also often exert some pressure to omit the publishing of one story. The struggle between the editorial team and the staff with regards to publishing a story was visited in the role-play exercise described below.

To publish or not to publish: a role-play exercise

A key difficulty journalists face with regards to covering sensitive issues is gaining the approval of the editor. With this in mind, we devised a role-play exercise and divided the group of participants into two teams; the editorial team and the journalist team. The

journalists had to come up with a series of arguments to try and convince their editors of the importance of covering the topic of *mutaa* marriage¹⁹, which they selected.

The editorial team then assessed its staff's arguments and decided accordingly. The exercise was devised to serve as an eye-opener to help the journalists envisage some of the opposition they may face and think of ways they can circumvent these objections. This exercise was also quite amusing and served as an ice-breaker.

Journalists' arguments on why is it important to cover the issue of *mutaa* marriage:

- It is important to be the first to cover such issues.
- It is important to address the violation of women's rights. The phenomena of *mutaa* marriage had increased in the last few months and we consider it as a violation of women's rights.
- There is no clear text in the the Qura'an that legitimises such practices and thus we consider it against our religion.
- *Mutaa* marriage adds to sexual and social disease and disorder.
- This kind practice has been used in order to promote political agendas. For example, the head of Almahdi army had called women in the group to practise this type of marriage with the mojahedeen (religious fighters) as reward for the fighters during wartime.
- The type of marriage has been used against women in work place. We consider it a form of sexual violence as women are obliged to accept it in order not to keep their jobs.

Editor's arguments:

- The issue of *Mutaa* marriage has been covered several times in the newspapers in Iraq. There is no need to raise it again because it is not a priority issue, especially in the current context in Iraq.
- *Mutaa* marriage is based on mutual consent so it is not a violation of women's rights. It is important to note that in many instances women may initiate this kind of marriage.
- This practice is based on a clear text in the Quraan (surat alnisaa) that permits it.
- Women have control in this type of marriage; in the first place they are the ones who usually asked for this type of marriage, they are the ones to determine the duration of the marriage and the mahr (dower).
- Criticizing this type of marriage, or even raising the issue, would cause sectarian violence as *mutaa* marriage is practiced only by the shia community.
- Writing about *mutaa* marriage in the press could reinforce the practice rather than eliminate it.

¹⁹ *Mutaa* marriage literally *marriage for pleasure* is a fixed-time marriage which, according to the Shia schools of Shari'a (Islamic law), is a marriage with a preset duration, after which the marriage is automatically dissolved. It is a form of Islamic marriage practiced by the shia communities.

- As a result of war many women have lost their husbands. Motta'a marriage can provide many women the means to have sexual life within the frame of religion rather than having sex outside marriage. This will eliminate social disorder.
- Muta'a marriage is not permitted for virgin women. However this type of marriage is empowering for women because it doesn't require parental permission, and as a result it provides a form of independence for women.

The arguments above were the main arguments provided by both teams and based on the argumentation, the journalists were deemed the winners of the exercise.

4. Gender-Sensitive Reporting

Participants to the workshop presented examples of what they considered to be examples of "bad" (or good) reporting on women's issues within the Iraqi media. The following examples were highlighted.

a) Several examples demonstrated that the Iraqi media tend to interview women parliamentarians about women's issues only. Rarely are women MPs asked to comment on broader political issues.

b) A number of the participants noted that there was a problem in the way the Iraqi media covered article 41 of the new constitution. Rather than addressing the problematic aspect of the constitution, the press had chosen to address the useful/positive aspects of the article. However there was some good coverage of the constitution in some newspapers. Some newspapers decided to address the threat that Article 41 poses to women's rights, it compared the Iraqi proposed constitution with the Kurdish region's constitutions and called all women in Iraq including in the Kurdish region to oppose Article 41 despite the fact that such a problem does not exist in the Kurdish region constitution as the latter is more progressive and it includes a number of guarantees for women's rights.

c) Bushra Yousif, editor of Noon magazine, presented a draft article that had been submitted for publication. The article was entitled "has the work of women spoilt family relations?" The "investigative" piece began with a factual statement stating that a women's role is to serve as a caretaker for her husband and children whereas the husband's role is the bread earner. The writer went on to state, also seemingly factually, that if a woman's career interferes with fulfilling her role as caretaker of her family and husband she must without any hesitation give up her career. The article included a statement from a sociologist who also states that religion and society have given husbands the mandate to control his wife and as a result a man does not have to accept sharing his wife with her boss. The article concludes with the writer's opinion urging readers not to blame a husband's jealousy and instead blames women for not prioritizing her husband and her needs. Needless to say, the piece was not published.

Participants highlighted a number of concerns regarding this article of which the most notable was that this article mixed opinion and facts/investigation. The lack of objectivity

was also very clear in the choice of sources quoted. The ‘other’ stance regarding this controversial topic was largely ignored therefore making this ‘investigation’ piece no more than an opinion piece.

d) Another example brought forward was a piece entitled “An Amusing way to punish your wife” describing how a husband tied his wife to a vehicle and drove her around town. While the article may have sought to address violence against women, it did so in a highly superficial fashion, used a mocking tone, and therefore did more harm than good.

e) Participants also noted the frequent use of stereotypes and restricting articles regarding women’s issues to ‘marginal’ pages such as the ‘entertainment and varieties’ page.

Reporting on sexual violence:

Reporting on cases of sexual violence in Iraq today requires meticulous and careful approach focusing on the human aspect of the story rather than the political and sectarian undertones, while steering clear of sensationalism. A number of concerns were raised regarding the media’s coverage of sexual violence, including:

- The politicization of the cases of sexual violence against women
- The threat on journalists who cover issues of violence from extremist group and government official. One of the participants talked about the difficulty to cover the cases of *mutaa* marriage as many government officials were involved in this type of marriage.
- The dilemma journalists face between the need of reporting on the cases of sexual violence and the risk that reporting may pose on the life of the victims.

There was a general agreement that cases of rape must be reported but that journalist should take into consideration, while reporting such cases, the risk that victim may face as a result of such reporting. Some questioned the purpose of some media organization’s coverage particularly with regards to the case of Sabine Janabi²⁰ “*The women’s body in Iraq has become a tool in this war and some media organization manipulate these cases to incite sectarian strife*”, said Al-Jazairy.

The presentation that followed sought to clear many of the stereotypes and misconceptions participants had of sexually abused women²¹. A presentation on the techniques of interviewing victims of sexual assaults²² followed. Of the most important

²⁰ In an interview on Al-Jazeera in February 2007, Sabine Janabi accused three Shi’a policeman of assaulting her after she was falsely held for supporting insurgents. Prime Minister Nouri Maliki, a Shiite, dismissed the allegations and awarded the three officers after a hasty investigation. Senior credible Sunni sources confirmed that doctors proved that Ms. Janabi was in fact raped.

²¹ For instance, one participant doubted that Sabine Janabi was saying the truth about her attack because her eye and body language were too confident and even cheerful.

²² The presentation was based on a module developed by Dr. Agnes Callamard, executive director of ARTICLE 19.

consideration journalists must bear in mind is the importance of preserving the confidentiality of the victim. Permission to publish details of the attack on the victim must be sought from the victim herself after ensuring that the victim is aware of the possible repercussions publishing such reports can cause in conservative societies. Journalists must not make the victim feel guilty and must understand that violated women have different reactions to sexual assaults. Crying, laughing or even expressions of anger are all possible reactions to sexual assault. While, the victim may contradict herself and appear inconsistent, journalists must be aware that this does not mean she is being dishonest but that she is simply confused, a common reaction after such violence²³.

5. Recommendations

Possibilities for future work abound. Many of the participants asked for follow-up courses including training for trainers on gender-sensitive reporting which will enable the participants to train a wider group to make a lasting impact while achieving value for money.

A list of recommendations agreed by the participants follow:

Recommendation to the law group on media policy for Iraq:

1. Ensure that the rights of women journalists and women media personnel, including equality with men on career development opportunities and salary equity, are respected. Participants noticed that there is discrimination against women in the media institutions in Iraq, including with regard to job opportunities and salaries.
2. Iraqi media should be committed to international standards, including the international declaration of human rights.
3. Put an end to forcing women journalists to wear the Hijab. Participants had noticed that some media institutions had imposed the Hijab on women journalists as a way to protect them.
4. Learn from the experiences of other media institutions and international human rights organizations on strategies to protect journalists in conflict areas, such as the BBC and Amnesty international.
5. Organize workshops for women journalists from Kurdistan on media coverage of women.
6. Work systematically with media institutions, such as certain TV channels or radio stations, in order to improve Iraqi media coverage to meet international standards. Evaluate the institutional performance and conduct training accordingly.
7. Organize skill trainings to strengthen coverage of social issues in the media.
8. Organize training on investigative reporting.
9. It is important that the media in Iraq address women's issues seriously and put it as a priority on its agenda.

General recommendations on strategies to address women and media in Iraq:

²³ See Annex One for an overview of the recommendations.

1. There is a need to build a national agenda or plan for action to address the issue of media in Iraq, for example a four year plan of action.
2. The need to build a media culture in Iraq. International organizations providing training opportunities must ensure that these workshops are grounded in the reality in Iraq.
3. Reorganize/monitor international support for women journalists. Participants noted that some international organizations supported certain unqualified journalists, media institutions and newspapers, which harms the media scene in Iraq.
4. Develop a code of ethics regarding media coverage of women in Iraq.
5. Share experiences and strategies with women journalists from the rest of the Middle East region and elsewhere, especially with journalists from countries which experienced conflict and war, such as Palestine, Lebanon and Algeria.
6. Establish a centre for Iraqi women journalists to both train and protect women journalists.
7. The need for diversity reporting exercises where Iraqi journalists from different ethnic and religious backgrounds work to produce a joint media piece.
8. The Iraqi media must address new phenomena regarding women's rights including the recent rise in Female Genital Mutilation (FGM), the burning of women and the increase of widows.²⁴
9. There is a need to address the political newspapers and political party mouthpiece in order to improve the political discourse in Iraq.
10. Conduct a study on Iraqi journalists who had been threatened or killed in order to use it to develop guidelines for protecting journalists in Iraq.

²⁴ Nearly 2,300 cases of FGM have been reported in the Kurdistan, North of Iraq. 295 women have died of burns in the past 10 months alone also in Kurdistan. There are currently three million widows in Iraq today.

ANNEX ONE

GUIDELINES FOR INTERVIEWING VICTIMS OF SEXUAL VIOLENCE

Step by step interview tips:

Phase One:

- 1- Introduce yourself, the aim of the interview and explain how the information will be used.
- 2- Obtain the victim's approval to print the information
- 3- Take note of the victim's body language. Try to make sure she is comfortable and can speak freely.
- 4- Try to interview her alone, except if she requests the presence of someone else.
- 5- Gain the victim's trust by showing you want to listen to her and you have the time.
- 6- Sit in a comfortable position and exude to her via your body language that you are comfortable and willing to listen to her.
- 7- Don't promise anything unrealistic

Phase Two:

- 1- Give her the chance to talk openly and provide a supportive ambience
- 2- listen to her actively.
 - a. The art of listening:
 - i. Ask open-ended questions
 - ii. Do not interrupt the interviewee
 - iii. Summarize her last statements to ensure you understood her correctly
 - iv. Show that you are listening to her by nodding and maintaining eye contact.
 - v. Its important to help her remember the events in a chronological order as this may assist her in organizing and understanding the string of event and will also help her regain control on her life.
 - vi. Try and show you care and feel with her

It is important to pay attention to her body language and the tone of her voice as this reflects her feeling: worried, pressured, nervous, comfortable...

- 3- Provide her with contact details of women's rights and human rights groups that may be able to assist her.
- 4- Encourage her and try to help regain her confidence by emphasizing the positive things she did.

Final phase:

- 1- Summarize the interview
- 2- Ask if she would like to add anything.
- 3- Explain to her how you will use the information and get her approval. Make sure she is aware of the possible repercussion.
- 4- Do not promise anything unrealistic.