

OSCE

REPRESENTATIVE ON FREEDOM OF THE MEDIA



Freedom and Responsibility
YEARBOOK 2000/2001

Vienna 2001



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The cover is a drawing by the German author and Nobel prize laureate (1999) Günter Grass, *Des Schreibers Hand* (*The writer's hand*), who kindly let our Office use this as the label of the publications of the OSCE Representative on Freedom of the Media.

The drawing was created in the context of his novel *Das Treffen in Telgte*, dealing with the literary authors at the time of the *Thirty Years War*.

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Freedom and Responsibility

What we have done, why we do it–

Texts, Reports, Essays, NGOs

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Benita Ferrero-Waldner

Preface

The crucial role of freedom of expression and free media is already reflected in the Helsinki Final Act, where participating States recognize the importance of the dissemination of information and therefore emphasize the essential and influential role of the press, radio, television, cinema and news agencies and of the journalists working in these fields.

Free and independent media fulfil manifold tasks: They secure the necessary transparency in our society, and consequently form one of the cornerstones of democracy and the rule of law. They are in the front lines when it comes to the identification of human rights violations. As an instrument of conflict prevention, they can contribute to the easing of tensions and the creation of an atmosphere of understanding, in particular in the field of inter-ethnic relations.

The diversity of media activities as well as the commitment and dedication of journalists to their work have always been an essential contribution to OSCE efforts in the field of conflict prevention, conflict management and post-conflict rehabilitation. In my capacity as OSCE Chairperson-in-Office, I have to commend the OSCE Representative on Freedom of the Media for the engagement devoted to its ever increasing and even more complex tasks in 2000. The key issues of last year dealt with by Mr. Duve and his team comprised, among others, the combat against structural censorship, hate speech, abuse of defamation legislation, and efforts to enhance protection for journalists in crisis regions.

The Austrian Chairmanship has supported the Office of the Representative on Freedom of the Media throughout the OSCE region, such as in the Balkans, where financial and technical assistance, including training, was provided for independent media. Of particular importance is the cultural dimension of conflict prevention, as

reflected in the project of a mobile peace library, the *mobile.culture.container*, developed by the Representative on Freedom of the Media to be presented in various cities of Croatia, Bosnia and Herzegovina, the Federal Republic of Yugoslavia and the Former Yugoslav Republic of Macedonia in the course of the next two years.

To promote better understanding of and among the cultures and peoples in the Caucasus, we contributed to the publication on this subject of the Office of the OSCE Representative on Freedom of the Media. *The Caucasus - Defence of the Future* deals with how the different authors envisage the future of their own region in a way that is often very moving.

In Central Asia, Austria contributed to the Central Asian Media Conference in Dushanbe as well as to the Central Asian Media Fund promoting small and medium-size media in the region.

The key role of independent media in promoting OSCE standards and commitments also forms part of the relatively new concept of “human security”, i.e. the “security of the individual”.

Given the radically changed security situation during the last ten years, it is not primarily states and regular armies that threaten our lives. The individual in the OSCE region today is much more threatened on the one hand by the effects of internal conflicts, and on the other, by the effects of global threats like organized crime as well as economic and environmental disasters. Human security issues have thus been gaining increasing attention at the OSCE, with the emergence of conflicts, where non-participating individuals - the civilians - have increasingly become victims.

In this context, journalists in crisis regions are in a particularly vulnerable position. Thanks to Mr. Duve’s efforts, their situation has become a special concern on the OSCE’s agenda. It was a special gratification, for the Office of the Representative on Freedom of the Media and for the Austrian Chairmanship, to obtain the release of journalists struggling to promote the independent and free flow of information.

Let me once again express my thanks to the OSCE Representative on Freedom of the Media and his team for all their assistance during the Austrian Chairmanship. His activities show the entire range of possibilities which this powerful instrument offers for the promotion of OSCE standards and commitments throughout the OSCE region.

Freimut Duve

Introduction

The year 2000 was marked by the remarkable peaceful change in Yugoslavia: There are now democratically elected politicians who are faced with dramatic challenges. This would not have happened without courageous journalists, who throughout the Milosevic years have continued to use all means to exercise their freedom of expression. Much to the benefit of democratic changes in their country these journalists helped to bring about this almost plebiscitarian “No” to the Milosevic rule. Now one of the founding fathers of the Helsinki process has returned to the OSCE.

This is the third yearbook of this Office: *Freedom and Responsibility*, which gives an overview of our activities and presents media NGOs with their self-description and addresses. I have asked my advisors for the third time to contribute a personal text to our yearbook on a subject which was important to them during this year. So again they have written some of their thoughts about the question, “Why we do it?”

During the three years we have been in this Office working for media freedom, we have had to learn a basic lesson: The respect for the history and the life of all those that we deal with in the transformation States of the OSCE. Those of our staff who were born into democracies or who – like myself – had the chance to grow up in a developing democracy after World War II should respect citizens of countries whose parents and grandparents had a very difficult life, some of whom had gone to prison for trying to use their fundamental right of freedom of expression.

1. Freedom of Media remains one of the most important shields for all citizens of any modern society – professional journalistic media which really report on central issues.

But the situation in the OSCE world regarding this freedom has not greatly improved over the past years. On the contrary, in some participating States we have seen renewed attacks on free journalism with certain administrations believing that independent journalism may pose a direct threat to them. One government official in one of the OSCE countries, for example, asked me recently what my Office was doing to protect governments against sharp attacks from journalists.

In our parliamentary democratic societies, governments should not seek their protection against the media. Political power must be open to civil pluralist debates.

Free and critical media, however, are desperately needed in this 21st century to act as a “corrective function”. All-important government and business decisions affecting the future of a country and its citizens need free journalistic awareness and public debate on central economic and political developments.

2. As we already described in previous yearbooks: We had to learn that after the abolishment of direct government censorship, some administrations have developed a number of instruments used by interested groups, outside open censorship, to suppress free journalistic media. In some countries we managed to sharpen the awareness vis-à-vis this challenge, but in others the variety of “instruments” has increased.

The most criminal is what I refer to as “censorship by killing”, when a journalist is silenced to death because of his work. We had cases of “censorship by killing” in a number of OSCE Member States, among them Ireland, Spain, Russia, Ukraine – the recent case of Georgiy Gongadze – and some others. Journalists also go missing, like Dmitry Zavadsky in Belarus. Those who organize this can be criminal groups, Mafia organizations, even government-related officials or ethnic terror-groups like in the tragic case of a journalist killed by Basque terrorists in Spain. What are the motives? To silence the killed. But more importantly to silence the surviving colleagues and to stop their investigation once and for all.

Less criminal, but just as disturbing is “structural censorship”, a new form of silencing critical journalists. Administrations have a number of instruments at their disposal that can be used to pressurize media: A monopoly on newsprint, including its import; control of renting office premises; control of distribution; pressure on businesses to advertise only in government-friendly media, the withdrawal of licences.

There are many more open and silent instruments which are used.

Media that have been through “structural censorship” often start silencing themselves by exercising self-censorship to avoid being ruined.

There are numerous cases of “structural censorship” in the OSCE region, and not necessarily developed by central governments, but often at the local level when a regional head of government silences critical media. We have seen this in Russia and Ukraine, where the freedom situation outside the capitals is very different. Here I would like to draw your attention to the Russian report *Anatomy of Freedom of Speech: A Public Examination* published last year that focuses on the media situation in all the regions of Russia.

My Office will continue documenting cases of “censorship by killing” and “structural censorship” and bringing them to the attention of our Member States and of the public.

3. A central concern for my Office is “hate speech” and post-conflict reconciliation. Article 6 of my mandate asks my Office to deal with the challenges of media being misused for ethnic hatred or even ethnic terror.

Therefore I was involved in the two regions where ethnic propaganda strategies were of central importance to the conflicts. As in South-Eastern Europe, it was the Caucasus we focused on in 2000 in our publication *In Defence of the Future*, which brought together writers from many different ethnic and cultural groups in the Caucasus. Ambassador Heidi Tagliavini, the Swiss diplomat (the personal

representative of the Austrian Chairmanship) and I edited this book which we presented last year in Georgia and in the Russian federation. (F. Duve H. Tagliavini, *The Caucasus – Defence of the Future, Twenty-Four Writers in Search of Peace*, Folio, Vienna-Bolzano 2001; F. Duve and N. Popovic. *In Defence of the Future – Searching in the Minefield*, Folio, Vienna-Bolzano, 1999).

As we did last year we have re-edited some of the important texts in this yearbook 2000/1.

I have also initiated a project called *mobile.culture.container In Defence of our Future* for the young people, the next generation in the post-war towns of the Balkans. This travelling gymnasium will be a venue for young people to meet, exchange ideas, read, maybe publish their own newspaper. We plan to start in June and visit war-affected cities in the next two years.

Although “hate speech” is much less of a problem these days in the OSCE region, it still exists and I see eradicating it as also part of my mandate. For example again and again experts point out how much “hate speech” still influences the political debate in Kosovo. The recent developments in Bosnia and Herzegovina and in the Former Yugoslav Republic of Macedonia show that we have a long way to go in establishing the priority of citizenship over ethnicity in the Balkans.

4. One of the issues my Office has been dealing with is the challenge of criminal defamation laws, that exist on the books not only in the emerging democracies but also in some old European ones.

I have taken up cases of imprisoned journalists, demanding their release, and will continue to do so. Politicians and government officials should finally understand that laws are not primarily there to protect them but to protect ordinary citizens. An official who is criticized by journalists for his work often runs to court and demands compensation for “libel”. In some newly emerging democracies, courts are not as independent as one would have hoped. As a result, often decisions are made in favour of the politician or official forcing the newspaper, magazine, radio or television station to pay high fines. Sometimes this can

even bankrupt the media concerned. I never stop repeating that the level of tolerance of a politician should be much higher than that of an ordinary citizen.

5. Central to the development of media freedom is the development and the access to new electronic media technologies. And here we have to look at a number of matters – foremost among them is regulation of the Internet contents. In the OSCE region there are different approaches to regulation – from the very liberal one in the US to a highly restrictive one in some Central Asian States. There are currently discussions related to stricter control of the Internet in Ukraine and Russia.

The killed Ukrainian journalist Georgiy Gongadze edited an on-line publication in Kiev that is quite popular. More and more on-line media are becoming just as respected as newspapers and magazines. But the difficulty of controlling them makes certain governments nervous.

However, we should be very careful when debating regulation – governments should take into account that the Internet is still very young and any steps in the wrong direction can ultimately hurt it.

Again this yearbook is called: *Freedom and Responsibility*. It is the sincere conviction of all those working in the Office of the Representative on Freedom of the Media, that this responsibility cannot be defined by governments; it is the responsibility of professional journalism.

Vienna, March 2001

I. Essays on the Caucasus – Search for Peace: *In Defence of the Future*

Freimut Duve

Defence of the Future: The Caucasus - Contributions to Peace
(Preface to “The Caucasus – Defence of the Future”)

Heidi Tagliavini

Mediation – Mid Desire and Despair
(Introduction to “The Caucasus – Defence of the Future”)

Ramzan Aidamirov

Children in Grozny: A Hope for the Future

Fazil Iskander

Humans and Caterpillars

Levon Mkrtchjan

The Friendship Square, Three Fools, and Myself, the Fourth...

Georgi Nijaradze

We are the Georgians

Stanislav Lakoba

The Dreams of the Caucasus

The essays are from the book *The Caucasus – Defence of the Future* published in Russian, German and English by the OSCE Representative on Freedom of the Media, Freimut Duve, and Personal Representative to the OSCE Chairperson-in-Office for the Caucasus, Heidi Tagliavini. They were re-edited for this publication.

Freimut Duve

Defence of the Future: The Caucasus - Contributions to Peace¹

Defending the future? Are we in the OSCE being naïve when we make an appeal of this type in the face of the dramatic crises and murderous conflicts that surround us?

It is our job to put the nice-sounding idea of an “organization for security and co-operation” into practice and to give substance to this idea as much as possible in our work. Since the 54 governments of the participating States are in agreement on the two aims – that there must be security for citizens and that international co-operation is an important principle for the future – OSCE staff must work constructively towards achieving these aims.

This also applies to freedom of the media, not least as the governments have drawn particular attention in our mandate to threats to security and co-operation that can spread through the use of the media for hate campaigns directed against other peoples and cultural groups. In discussions on these peaceful aims, the voices of culture and of intellectuals must be heard. They often express their hopes and fears more clearly and with more experience than we “political experts”. Suffering in history is not just a figment of the imagination, it is a fact that is often passed on from generation to generation on the basis of very real experiences. Thus, violence and war can rarely be separated from the intellectual and cultural conceptions in the minds of those involved, both perpetrators and victims. This is what can make yesterday’s victims into tomorrow’s perpetrators, and those who have been classified in the past as perpetrators into victims in the future.

For these reasons, the author Nenad Popovic and I invited intellectuals from regions devastated by war and violence in former Yugoslavia to address the subject of “defending the future” in their

1 Shortened preface to *The Caucasus – Defence of the Future*

own individual way. (VDZ – *In Defence of the Future – Searching in the Minefield*, Folio, Vienna-Bolzano, 1999).

Ambassador Heidi Tagliavini, Personal Representative of the OSCE's Chairperson-in-Office for the Caucasus, and I have now undertaken this task for a second time in the Caucasus region, which is also a part of the OSCE family. The two conflicts in Chechnya, the war-ravaged city of Grozny and the refugees in neighbouring States prompted us to consider an initiative similar to the one undertaken last year in the post-conflict Balkan region.

Many of the authors told us that to their knowledge this was the first time that writers from cultures and peoples as disparate as those in the Caucasus had been asked to contribute jointly to a book of this type. It has brought together Azeri, Georgian, Armenian, Ossetian, Abkhazian and Dagestani authors, who have been able to put down their subjective interpretations of many objective facts and incidents and relate them to other authors as well. The authors do not mince their words. Those looking for a clear and conclusive picture will go home empty-handed. Even after reading all the articles, we are no closer to the definitive truth about the Caucasus.

What, indeed, is the truth when it comes to understanding war and violence and who is in possession of it? The Bosnian author Ivan Lovrenovic has no illusions on the subject: "In the interpretation of history in school, textbooks, the media, literature and political agitation, (the truth) is often reduced to ethnic self-glorification and ordinary political party propaganda." The author adds succinctly: "The truth is what is not opportune to say."

The authors do not make any claim to a final truth nor are the editors motivated by such an aim - not because it would not be opportune, but because it is clear from the variety and contradictoriness of the texts that the crystal clarity that we like to associate with our desire for truth cannot be constructed from the texts. In this way, however, they demonstrate a real truth about the conflicts in the Caucasus: the chances for peace are being repeatedly destroyed through the permanent and often violent occupation of the fictitious territory known

as the historical truth. The texts also show that the future can be defended only if the forces - both the positive and the destructive forces of the past - are not ignored.

In our calendar, the past as a category of time is clear: it was yesterday and it has gone. But the past as a deeply embedded element in our human existence is as diverse as the life of people themselves: in villages and towns, in books, in schools, in the mind, in families, in radio and television broadcasts and in election speeches.

These forces from the different historical experiences in the minds of people, nations, and literature have left their imprint on the Caucasus, this most beautiful and varied region. It is evident from many of the texts that the Caucasus is an important element in Russian literature. But it is also a central metaphor for encounters and conflicts between Europe and the Islamic South-East. This combination of reality and metaphor makes it easy for many leading politicians to fight elections, justify the use of force, or drum into people's heads false ideas for the future that are in no way consistent with the social, cultural and economic requirements of the new millennium.

The new and important questions that young people in particular should be asking with regard to the future of their homelands after 70 years of Communist rule are not even touched upon when conflicts are being discussed. What are the future resources of a region (particularly prospects for regional co-operation)? What potential currently exists in schools and hence in future universities? How attractive can the region be made for investors? How can beautiful and interesting regions be made safe so as to stimulate tourism? Are such questions to be answered solely on the basis of ethnic arguments? After the destruction of large parts of his country and in spite of the external and internal ruin, the Chechen schoolteacher Avalu Aidamirov still asks his pupils these very questions. He says: "Let us ensure together that Russian media no longer report about kidnappers in Chechnya but that the world speaks of the high standard of our doctors in Chechnya, of a new school that has been built, the development by Chechen scientists of new technologies and the establishment of new institutes."

Suddenly the text, which is sad and angry in turns, poses very specific questions, which teachers in the poorer regions of America, Europe and Asia should be asking their pupils even without the brutal experience of war: how should our town, our region or our country look in the near and distant future and what must be done? For the teacher from Chechnya the answer is clear: he must work as a teacher in school to defend the future of his pupils.

Heidi Tagliavini

Mediation – Mid Desire and Despair²

We look for reason from politics, and love from each other. The business of politics is to see to it that the good fortune of the individual becomes the good fortune of all.

(Friedrich Dürrenmatt)

One must never lose sight of one's picture of the world at its most reasonable.

(Friedrich Dürrenmatt)

The Caucasus is only a four-hour flight from the heart of Europe. But most of us know little about the region, about its wealth of tradition and culture, or about its often violent history. The strategic importance of the Caucasus - a region caught in the pull and push of many different political and economic interests - is also underestimated. Not only is the oil around the Caspian Sea an important factor, geography makes the Caucasus a focal point of supra-regional geopolitical interests. Nonetheless, only very few people from where I come (Western Europe) know anything about the region. For many, Abkhazia, South Ossetia, Adygea or Kabardino-Balkaria are merely unknown, foreign-sounding words.

Why has the conflict in the Caucasus not drawn the world's attention? I think it can be said that we in Western society are only used to hearing about conflicts in small doses. Not only do we have a limited capacity to take in conflicts which are presented to us, we cannot grasp the significance of more than two or three threatening conflicts at any one time. The disintegration of Yugoslavia has already dominated our attention; together with the other disasters in the world, our capacity to absorb the conflict in the Caucasus is almost saturated. However, from the perspective of someone who is

² Shortened introduction to *The Caucasus – Defence of the Future*

confronted with such situations professionally, this ability in people to shut out such misery and horror appears as cold-bloodedness or as wilful naivety.

We repress the idea that unresolved conflicts can sooner or later directly affect us. But the fact remains that to ensure our own stability, our surroundings must also be stable. The international organizations concerned with conflicts and wars in the Caucasus, the UN and OSCE, are sometimes accused by perpetrators and victims alike of incompetence, weakness and cowardice. "Double standards" is the frequent accusation; "*realpolitik*" is the usual answer. This incongruousness puts the representatives of international organizations in a very uncomfortable position.

As a member of two international missions active in the Caucasus, I have often been confronted with victims' disillusionment about the international organizations and their limited ability to accelerate the peace process. Hopes in the region are high. However, this disillusionment is mostly the result of a basic lack of understanding about the scope for action open to mediators. Often the local people react with bewilderment and anger, even with real threats against individual mission members, when it turns out that the agencies are unable to restore peace or avert an act of terror.

Most of the conflicts into which I have gained an insight have been about independence. But few of the people directly affected have very precise ideas about what independence actually means. The principles which underlie a democratic State and which can only be achieved through a broad consensus often do not correspond with popular preconceptions of an independent future. Concessions and compromises which are part of the life that we in the West have grown up in, are often perceived as weakness and as evidence of a lack of understanding of the real issues.

The real challenge – for international organizations too - is to keep to the facts. The vital importance of the conflict to the people directly affected by it makes it difficult for outside mediators to carry out their tasks. Missions work in veritable minefields. A glance aside at the

wrong moment, for example, or an imprecisely formulated title, or a balancing off of mutual accusations can have immediate and grave consequences.

Like those directly affected by the conflict, the mediator easily risks falling into the trap of seeing the world through the perspective of the conflict in question. Feelings run too deep, and problems are often too complex to be able to keep the overall situation in the perspective that mediation requires. In this work it is important to maintain a certain distance from the events, but the context in which mediators find themselves often prevents them from achieving this.

I remember how difficult it sometimes was to bring our European values into harmony with Caucasian reality. It is difficult, occasionally impossible, to communicate to all sides even the vaguest idea of “our ideals”, and of how our society and our principles work. Representatives of international organizations have not always been successful in finding understanding in their interlocutors for our democratic values.

It can be as difficult to understand, as it can be to make it understood, that as a representative of the international community one is neither on one side nor on the other. We do not make accusations nor do we make judgements. But we are quickly regarded with suspicion if we do not show clear sympathy for one side or another. The common attitude is: “If you're not with us, you're against us.” As a representative of a mission it is absolutely essential to avoid taking sides or to be perceived as taking sides. The national authorities often see our work as more or less disguised support for the resistance fighters. The separatists make accusations, sometimes using moral arguments, of failing to share their legitimate claims and of sympathizing with the “occupiers”. The civilian population complains that we do nothing or not enough for them, that our help is too little or too late, that we are partial, paid too much, and drive luxury cars. Mistrust is rife. And almost everybody regards us as spies!

How does one play the role of an objective, impartial representative or mediator without becoming a tool? One cannot and must not try to get everything right, or make it “good” for everyone. One is

quickly perceived as “not objective”, or as arrogant – perceptions which provoke hatred. In such brutal conflicts as those happening in this region, one must not simply give advice and moralize, because the people in such situations are overwhelmed by their own emotions. Understandably, they see the situation from the perspective of their own tragedy. Nonetheless, although such qualities regrettably bring far too few concrete results in terms of advancing the peace process, sensitivity and genuine participation are always appreciated.

If there is anything I have learnt from my work in conflict regions, it is that only personal commitment, conviction in the rightness of the mission, a clear line on everything that one does, self-sacrifice, and the readiness to take personal and professional risks in the name of the most important thing – the wellbeing of others – can bring success in the end.

Ramzan Aidamirov

Children in Grozny: A Hope for the Future

A School Principal's Diary

"Those peoples which consider themselves the chosen ones have to resort to oppression of others by means of military power, hunger, or deprivation of knowledge. Invariably, a sense of guilt grows in their souls, incomprehensible, blind, and all the more frightful. They accumulate the guilt inside and, exasperated, become tormentors and butchers of others, trampling down man's dignity and beauty, bringing dirt whither they themselves languish."

I. Efremov

I am not attempting to judge either the policies of the State of Russia in Chechnya, or the social/economic situation, or the issue of human rights. The first, the second, more so the third, are non-existent here.

A State is a power that eliminates anarchy and lawlessness, and curbs individual arbitrariness. People knew that even 4 thousand years before Christ. Today, on the threshold of the third millennium, following the "end" of large-scale military operations, in Chechnya there is no state power. Instead, there are interests of individuals and groups.

There is no economy either – whatever little is left of it is being rapaciously pilfered. It did not use to be like this under Dudaev, or under Maskhadov. Now people steal according to the Constitutional norms. The issue of human rights is not even on the agenda. A Chechen today has only one right – to be the insulted and injured.

I think that protecting human rights starts with how a society treats its children.

If adults perish, someone becomes an orphan. According to our calculations, out of 577 students at our school 97 are orphans or half-orphans. When the houses collapse, children lose their shelter.

The city in ruins, nature contaminated – all this means that the young generation has been deprived the most.

Air strikes have destroyed schools, kindergartens, university buildings, libraries, museums. Today's Grozny does not have a single school that is fully equipped to receive the students for a new academic year.

Today, our children are deprived of the right to learn and develop, which is the primary criterion for all other human rights.

And there is no doubt that this whole frenzied “anti-terrorist” operation has been planned out and deliberately aimed against children, because they are the ones who suffer the most from this sanguinary massacre.

Thereby, a unique people has been brought to the point of physical and spiritual extermination, which is being done with the silent approval of the world community and organizations that are supposed to protect human rights. Recall the statements by the Russian so-called politicians, who at the very start of this massacre said loud and clear that if NATO allowed itself to use force in Yugoslavia, then why shouldn't they flex their own iron muscles and polish military tactics somewhere down South.

Today, children in Chechnya are suffering. Tomorrow...

03.03.2000

Finally, the long-awaited moment of returning to my home city has come, and I am among the very first refugees returning to the suburbs of Grozny. I have to go the rest of the way by foot. It is forbidden to use motor vehicles to move around the city! I am quite anxious about meeting the residents of our village, Novye Aldy.

The whole world has shuddered at the news of the monstrous crime committed here by the Federal Forces on 5 February 2000, during the so-called cleansing. A war brings out the worst qualities in men: cruelty, bloodthirstiness, avidity and cynicism. On that day, 54 people were executed or burned alive. The total count of those who died in the course of artillery and air strikes was 200 people. They became victims of an unjustified, senseless war, imposed by Russia on

Chechnya. All these people, mostly the elderly, had lived through the horrors of the military blockade.

I had grown up among them, knew every single one by sight; there were those I had gone to school with, or the classmates and parents of my students. I know of the death circumstances of each one. I have worked on the lists of people, reviewing them, meeting with eye-witnesses. That was in February, back in Ingushetia. Now I am home, seeing with my own eyes the marks of this unthinkable crime: parched houses, multiple graves right in the streets and backyards. Grief and sorrow, people's emaciated faces surround me.

What should one do to help the people torn by war? Where to begin? I have long since decided on this – I must begin with the school.

When, during those first days back, the children asked me, “Are we going to study again?”, I acted surprised by the question and replied, “Why of course, why not, we will certainly study again. Come and help us.” And the children came and helped. They had been so shocked by the events of the previous several months that they had lost faith in everything, including life itself.

It was absolutely imperative to start with gathering the children, comforting them, explaining the situation to them, in order to point them towards peaceful life, towards learning.

Back in those days, the school reminded me of the painting by the German artist Heinrich Zille, which depicted children admiring a flower that had made its way to life through stones. A school means life, and the flower is a symbol of the renaissance of the Chechen people's intellectual potential.

During the entire month, the residents of the village were reburying the dead, while the teachers and children were restoring the school.

30.03.2000

Today will be a hard day from the very start. At 10 a.m., a joint meeting of school and hospital supervisors is planned in an administrative building of the industrial region. The head of the administration and the commandant of the industrial region will be among the participants.

It is a long walk, about 7 kilometres, so I leave home early and think over the future work plans on the way. The plans are fabulous. I realize that they are hardly feasible in this country, while in any other they would be considered completely normal, yet I allow myself to relax and dream a bit. Ahead of me is a large school building, shining with fresh paint. Up above, the bluest of skies and a brilliant, unusually warm, spring sun. Inside the building are the bright, cosy classrooms, even rows of desks smelling of fresh wood, the teacher's table, a clean blackboard complete with chalk, a library... A sea of books that one can't wait to dive into and read, read. And, of course, the dream of my life – a computerized classroom.

Suddenly, the silence is broken by the joyous, sonorous laughter of the kids. They are especially happy today. Their clear faces, cheerful eyes with a hint of mischief, and lots of questions. They want to know everything at once. It doesn't happen like that.

What really lies ahead of me is a long, dusty road, jaded with shells and bombs. Every 200 to 300 metres there is a block-post, rows of barbed wire, and the long, suspicious looks of the guards that pierce like an X-ray, checking the passports and performing searches. This is so humiliating! I am just a school principal and I want to work in peace. I want to be surrounded by happy, smiling people, who all have their jobs, homes, families, children, which no one can dare to take away from them.

No one hears me. What surrounds me is the emptiness, and the occasional ghostlike passer-by. I have no words to describe them. They possess some peculiar face colour, look, and a certain watchful walk, half-bent, prepared to receive a bullet in the back, or a peremptory shout from the guard. I am a passer-by just like that myself.

The meeting starts on time. Major issues: the technical condition of the buildings, and the availability of teachers and students. According to the speakers, Grozny does not have a single school building that is completely intact. Finally, it is my turn to speak. I inform the people present that my school had been hit directly, with the second and third floors collapsing as a result. The destroyed part of the build-

ing may be fenced off, with the rest serving as classroom space. All the windows are gone, as are the doors. Thanks to the efforts by parents and teachers, we have managed to partially restore the building during the past month, the trash has been removed, the remaining classrooms and the school yard cleaned. We do have some teachers and students who had stayed behind during the blockade; others have been sent notes, requesting their return home. We have taken a roll-call: there are over 120 students. Provided the window glass is delivered, we will be able to start teaching again. The glass will be installed by the parents, they have agreed to that. So now only the lack of glass is holding matters up. For the whole month, we have been promised that the glass would be delivered.

Further, I say: these, of course, are the technical issues. But I would like to point the attention of the administration and the military commandant's office to the fact that many children and teachers are famished; they have spent five months hiding in their cellars, and are in need of medical examinations. Many do not have clothes, or food. A teacher cannot simultaneously be at work and stand in line for the food pantries. It would be great to find some sort of mechanism which meant that teachers did not have to stand in lines for food, making it available at the work place or a specially reserved pantry instead.

Next, the issue of wages or some financial assistance has to be dealt with promptly. Many of the teachers cannot afford the most basic things such as notebooks and pens, not to mention clothes. The people at the meeting agree with me, take notes, and promise assistance.

05.05.2000

This is the third week since the beginning of classes at the school. I start the morning of every day by taking attendance. There were 147 students on the first day of classes; today there are 475. In two weeks, over 300 children have returned home. Behind this figure are their parents, grandparents, sisters, brothers, can't count them all. That makes me happy. Life is slowly getting back to normal.

This thought of mine is interrupted by a strange noise coming from the school yard. I look out of the window, and see armoured carriers, trucks, and infantry divisions entering the village. I quickly come out to the yard. On every corner, behind every tree and lamppost, behind the fence, standing up, sitting or lying down, there are snipers taking aim. One of them, aiming at the school windows, is circling the building; others are covering him from aside. I come up to him, introduce myself, and say, "Please do not aim your weapon at the windows, as there are teachers and children there, you may scare them." The response is, "I am not shooting, am I?"

I think to myself, in another situation these inquisitive children would be all over you, and you wouldn't be able to answer all of their clever questions. Today, however, you are not a hero in their eyes, and the word "cleansing" is not just hearsay to them. They are the living witnesses of the tragedy committed exactly three months ago by people in military uniforms, just like yourself.

Meanwhile, the school is growing empty. The parents are taking the kids home, fearing for their lives. I am trying to reassure them. All of this happened within half an hour.

One thought tortures me. Tomorrow, following this cleansing operation, I will be missing many of my students. Their parents, fearing arbitrariness and outrage on the part of the troops, will take their children out of town again.

I make my way to the leader of this operation. He is located on the outskirts of the village. All the troops are headed in that direction. As I learn on the way there, the leader is the commandant of Grozny, Major General Predemlin. I say to him, Comrade General, life has just started to get back to normal in the village, the school has opened, people have begun to return home. Then suddenly, there is this cleansing operation, could you not avoid surrounding our school, your people have interrupted the studies. The response here is, we are doing our job, and we know just how to do it. Your women and children got scared? That's your problem.

How different we are after all!

13.06.2000.

Today, the 11th graders, the seniors, are having one of their final examinations, in biology. It starts at 8 a.m.; thus I leave home earlier than usual to walk to work. The distance between my home and the school is about 1,5 kilometres; there is the Chernorechensky Reservoir Dam in between. I am usually able to cover that in 20 minutes. I use this time to think over the upcoming plans; I do that every day.

I know that the school is ready for the final examinations, and I have no doubts about the level of the students' knowledge. I have sat in their classes myself many times, and lately I have also been present at the exam preparation sessions. I was pleased with what I heard.

With this joyful feeling of a full day's work ahead I approach the village and see that it is surrounded by troops again, there is an armoured vehicle at every intersection, and soldiers by every house. They yell at the passer-by, and exchange swear words amongst themselves.

The first thing I thought about was the final examinations. Will they ruin them? Will they really have the nerve to ruin this long-awaited moment of joy and anxiety? I speed up my walking pace. As I get closer to the school, I see several soldiers break away from the larger group, and head towards the school yard. I try to get there ahead of them, but I am stopped as they check my documents. Everything is fine there, so I speed up my pace yet again. I cannot run, because that would look suspicious. I overtake the soldiers on the front steps, greet them and introduce myself. "Folks, I am this school's principal, we are having our final exams today. I assure you, we have never had any unauthorized individuals here, and never will. Please, do not disturb." They don't listen to me, and literally break through the doors. I follow them. In the school's entrance hall, there is a janitor and several students, two boys and three girls. The time is 7:10 a.m. Without even stopping, one of the soldiers thrusts a boy's shirt open and starts looking at his shoulders. I see the confusion in the boy's eyes. This was so unexpected for both him and me. First, his face went white, and then started turning deep red. No, that wasn't fear! He was ashamed. It is not our custom to open shirts in front of older people, not to mention in front of a woman.

That's right, we do not like being touched, or examined with suspicious looks. We are people, too, and want to be treated accordingly. We do not want to be the victims of intolerance. We do not want to be the victims of the Mafia's dealings and the Kremlin's election campaign strategies.

All of the above happened within several seconds.

My dear student! What could I do for you? Respond to roughness with similar roughness? I'm sorry, I couldn't do that. Use force against force? I would have ruined both you and myself. Bide your time, be patient! This is an example for you of how one shouldn't be. Learn! Take the best from others, discard the worst, be a man. Prove with your orderly, ethical conduct that you are above this crude force which is imposed on us today. Whenever life is hard, you will always find friends and support. Don't despond. Believe in yourself, and also in the world, which, besides lies and cruelty, has kindness and fairness in it, and many, very many fine, unselfish people who will come to your side when you need them.

Let us learn to live. In order to do that, we need to calm down, forget the horrors of war, offences, hostility. Each one of us needs to mobilize every bit of our physical, moral and intellectual potential.

Look around you! All you see is ruins, poverty, sorrow and tears. Recall how much grief our ancestors went through; they overcame it with the power of unity.

Let us unite! Let us turn to creation, and save our motherland. There will be room for everyone here. And you have the job with the most responsibility – that of learning, accumulating knowledge.

Remember! Knowledge and knowledge only makes a man free and great. All misfortunes come from ignorance; all good deeds come from knowledge. Today, you are a student; tomorrow, an engineer, teacher, doctor, scientist, expert of the highest qualifications, and our future depends on how you treat your studies.

Learn! Acquire the great wealth of knowledge, accumulated by human kind in their material and spiritual lives. Ancient philosophers claimed that a man is born twice: the first time, physically, the second,

spiritually. This second birth is a long, difficult, and sometimes painful process. You must learn, because you are a human. A human – the best and highest of what has been created on earth.

Let us strive for the Russian mass media sources never to say, “kidnappings in Chechnya...”, “terrorist acts in Chechnya”, and so forth, but rather for the whole world to say, “Chechen doctors have performed unique surgery”, “Chechen scientists have developed a new way of extracting and converting oil”, “A new school was built in Chechnya”, “A new university opened its doors”, “Chechnya is seeing a sharp rise in its citizens material wellbeing”, and eventually we will manage not to drive people away, but have them ask to come and be a part of us. That would truly be a sharp blow to our enemies who have imposed this sanguinary massacre on us; that would be the true victory.

Let us not lose heart, despair, or wait for someone to do all this for us, no one but us can do it. This is our land, and we are to make life on it better. Let us make our life better! How should we do it? Seems to me, only through a change of our attitude towards life. Through our perception of it as the most precious gift. Through the ability to rejoice over every day, every minute, every impression. Through the ability to perceive every day as a wonderful gift, through the realization that the misfortunes, problems, and failures are only one part of our lives, not the better part. Every one of us needs to be aware of life’s highest self-value. We must rejoice if only because we exist, and are able to think, dream, perfect ourselves, and open other people’s eyes to the world as well. It is not in vain that we have eyes to see the beauty around us, nature, people’s faces, handmade masterpieces. It is not without reason that we possess the sense of hearing, to be able to hear music, laughter, the birds singing, the grass rustling, the wind blowing. It is not for nothing that we have a heart, which enables us to love and be loved, and a will, thanks to which we can learn to exist in the world. Nothing has ever made the humankind suffer more than wars and revolutions. They were also responsible for taking away the strongest, brightest people, worsening the global gene pool.

Happy are those countries and peoples whose historic fate has given them peaceful development. They are the ones with the highest level of wellbeing today.

Happy are those small peoples who happened to dwell near the civilized world, which in turn had long since abandoned the practice of violence and territorial and cultural claims. Happy are the citizens of a country whose government constructs its policies, builds the economy and social sphere on the basis of respect for the human rights set forth in the World Declaration of Human Rights.

Today, our people are deprived of their basic rights and freedoms, or are suffering from serious human rights violations, such as torture, rape, restrictive mobility, corruption in the power structures, forced labour, hunger, lack of medical protection, as well as lack of housing, water, and sanitation systems.

Our fate has given us a country where no school, no university, and no other institution of learning studies any articles from the World Declaration of Human Rights, or any international agreement on the subject, as part of the syllabus.

Let us learn to live! If people know of their rights (which can only be accomplished through education and culture), there is a larger chance that they will fight for those rights not with weapons in hand, but with knowledge, intellect, and patience, and the Government will have to comply.

Will a culture surrounding the issue of human rights ever form?

Each and every one of us has to make an effort for this dream to come true. I always strive for the aforementioned ideals myself, and ask my teacher colleagues to build their class programmes in the same way, making allowances for age and the situation.

There shall be no extremism! No extremes!

There shall be knowledge, intellect, and patience.

I have always dreamed of including the World Declaration of Human Rights and other international human rights agreements in our school's syllabus. I had never had the time or the sufficient funding to do that. Now I will be pressing for it, no matter what it costs me.

03.07.2000

The Department of Education in Grozny has forwarded a directive to the school principals, with orders to provide by 05.07.2000 an informational reference sheet concerning the respective schools. The reference sheet should contain the following sections:

1. General information about the school;
2. The number of teachers (an analysis of the cadre potential, by category);
3. Material and technical resources;
4. Problems.

All the submitted reference sheets are to be reviewed by some high-standing functionary from the Ministry of Education of the Russian Federation. He should be arriving from Moscow any day now.

05.07.2000

The Department of Education has reviewed my reference sheet, and suggested that I should remove the 4th section, entitled "Problems". They said the section was too lyrical, and people in Moscow would not understand that. I present the section here for the readers to judge.

During the military action, the school has sustained major damage. A direct missile hit has caused the second and third stories of the major school building to collapse. There was no need to perform the "direct hits" on the school. We have never had either guerilla soldiers or military bases here. The village had been declared by the Federal Armed Forces a special "Refugee Safety Zone". However, despite that, the hit was direct, calculated with much precision and targeting specifically an educational institution. The heating, plumbing, water supply, and electrical systems have all been completely destroyed. The part of the building left standing is in urgent need of restoration. The amount of work needed here is rather large, and there are less than two months left until the beginning of a new academic year.

The part of the building which had escaped destruction has been partially restored through the efforts of the teachers, parents, and students, and has been used to conduct classes in since mid-April.

At the end of May, construction workers have also begun the restoration process, but due to the lack of financing and building materials, practically nothing has been accomplished. In the course of several months, a few classrooms have had windows installed; the work has ceased at that. At such a pace, 10 years will not be enough to complete the restoration. Thus, the beginning of the academic year is already jeopardized.

The school has no classroom equipment. There is not a single test-tube, not a single reagent, not a single electric device. No maps, no terrestrial globes, no visual aids or technical equipment. There is nothing at all! Everything has been destroyed during the first war, while in the past 10 years there has been no equipment supplies or replenishments.

The lack of textbooks is catastrophic. The books we are currently using were published in the late 1980s. Besides the Chechen children, no one is using those books.

We are also in need of school furniture: student desks and chairs, there is not a single bookcase or closet, not a single teacher's desk, not a single office chair. There is no furniture for the staffroom or the principal's office. I have continuously reported about these issues to the Department of Education.

But can one really even talk of the equipment and furniture when we don't have the most elementary thing, class journals. We use student notebooks for that purpose. There is a large difference between putting down the achieved grade in the journal or in a notebook. Not everyone can understand that, but I assure you the students and teachers can.

Still, our work continues, and me writing this is not a call for pity and compassion, but rather a reflection of the reality. Finally, I would like to address the forces that are trying to deprive our children of education: your efforts are in vain, our children are not terrorists or bandits. The more you try to accomplish your goal, the more we, the teachers, will resist. You have to understand that under any state structure, any regime, despite destitution, suffering, sorrow, hunger, cold, etc., a teacher, due to his or her moral standards, will never abandon the students, even if threatened with death. We have many people like

that. Our teaching staff serves as living proof. No one has faltered, whined or cried; instead, right after the air strikes had ceased and the threat to children's safety passed, the staff began working.

The school's employees, with the help of children, have with their own hands removed large piles of trash, broken glass and stone, and collapsed trees. The classrooms, desks and chairs have been repaired. The school yard and the adjacent streets have been cleared. Eleven classrooms have been promptly reconditioned; when the window glass arrived, there was not enough, since we received only one case of it. The teachers and students then collected money, purchased some polyethylene tape, covered the windows with it, and started the lessons. That was in mid-April. The whole delay was because of the window glass.

Russia! A great nuclear power! You have everything. You have the most modern weapons. You even have weapons that fire from around the corner, but what you don't have is basic window glass which would put your own citizen behind a desk in a classroom. You can afford to spend 1000 rubles a day to hire a professional soldier, who then makes his living robbing the houses of horrified civilians; you cannot afford to spend 350 rubles a month on a professional teacher, who then educates your own citizens; similarly, you cannot afford to spend money on the elderly, who spent their lives working for your glory. You are offering a new multi-polar structure to the world, and yet you don't know what conditions your citizens live in. You have an exhibit, a statewide exhibit of arms, boasting of how successfully those arms are used in Chechnya, and meanwhile your citizen cannot obtain a passport and gain employment, since there are no passport forms. Well, they do exist, but are too expensive for the destitute and poverty-stricken citizens. Yesterday's criminal is today's general. Yesterday's bandit is today's head of a Republic. Indeed, one cannot understand you rationally, nor measure yourself with your own bushel. But life goes on... On the first day of classes, the school had 147 students. Prior to the war period, in the early 1990s, the school used to have over 1200 students. Immediately after the reports by the

Central Television, and the Russian State Television about our school reopening, a stream of refugees poured home, and in early May the school already had 577 students. Out of those, there were 51 eleventh graders, and 50 ninth graders.

The first days of classes have demonstrated a great desire to learn on the part of the children. We needed to make extraordinary decisions concerning the changes in the work plans and the timetable. Together with the academic deans, we have developed a work/study plan, which has increased the number of hours for the key disciplines, such as Russian language and literature, mathematics, and foreign languages, at the expense of physical education lessons. We have also applied to the Department of Education with a petition to extend the academic year until the month of June.

The parents and teaching staff were facing a complicated issue. Since the children had been studying for only 2,5 months, we had a choice between assigning them to the next grade level or making all students stay for an additional year. Certainly, we could not manage a year's syllabus in such a short period of time. Everyone understood that. That is why every teacher received the task of reducing the syllabus so that the students could master the basic material, and subsequently assigning the students to the next grade level, having given them a series of special summer assignments, under the condition that the parents would supervise the self-learning process. The explanation of the situation entailed parent-teacher meetings for every grade. It was agreed that in the course of the summer, teachers would be available for consultations during the regular office hours. In that situation, this was the only right solution, since an academic year means quite a lot to a child, and no student wants to lose one. You cannot make up for the time lost, whereas the knowledge may be made up for, provided the learning process is set up accordingly. We made sure of that while analysing the results of the students' tests.

I would like to note that the children, following the emotional shock in their lives, the hunger, cold, health problems, air and ground strikes, the deaths of close relatives and coevals, have changed con-

siderably. No, they have not become exasperated; amongst themselves, they do not talk much about what they have gone through. They seem to have grown up somehow, gone is the bustling, the naughtiness; instead there is this very non-childlike seriousness, and strong discipline in everything. You do not have to tell them something twice. It seems to me, they have lost the ability to play, too. I talk a lot with them, on a variety of issues, especially with the seniors; I know every grade of each one. At times they are surprised about how I could know that. "Well, I do look through your class journals," I tell them. I have worked at this school for 21 years. And I have never seen such a desire to learn on the part of the children before. That is why I really don't want to miss this moment.

The teachers, having realized this given situation and the importance of education and nurturing, even despite the difficulties and destitution in their lives (many have lost their houses and good health), have actively participated in the work, and finished the school year bona fide. And the graduation was so wonderful! Many teachers and parents emphasized that even back in the peaceful times, there had been no such joy at graduation. All graduates received their diplomas and passports at a solemn ceremony.

During the meetings with the local administration, at the Department of Education, the commandant's office, I have always said: let us finally turn to the young people, try to see what their needs are, let them believe us and reach for us as well. Today, they are having trouble moving around the city, or getting fixed up in a job, or getting into a school. What they need first of all are forms of identification. From the administration to the military commandant to a housing office, and so I moved around in a circle like that for a month. I had to explain, to reason, to beg at each place. That was the hardest work I have ever done. There is nothing worse than adults who are not willing to understand.

All this is happening, despite the fact that during the four months of hard work our staff has only been paid once, as an advance, and there has not been enough for everyone. The technicians received 350

rubles each; the teachers 700 each (just for comparison purposes: a 50-kilogram sack of flour costs 350 rubles in Grozny). The State owes the teachers their wages for 30 months for the period from 1996 to 1999. For the 1999-2000 period, the wage delay has been 11 months. Thus, the grand total of the arrears of wages for the past four years is 41 months. And during these years, our school has not once discontinued the classes. Only the war could cause the classes to temporarily stop. Previously we managed to survive with some chance earnings, and vegetables from our own gardens. Now we do not even have that. The whole area has been mined. We have addressed the commandant's office many a time, requesting action on the land mines, all in vain.

It is my opinion that if the issue of wages is not dealt with promptly, then along with the problems of school restoration and equipment supplies, we will also have problems related to the lack of instructors, which will inevitably lead to the derangement of the upcoming academic year. The lack of instructors has already become a problem, and we cannot allow it to intensify further. There is only one solution: to pay the wages on time, which will also solve the problem of the quality of education.

Many residents of the city have had their houses destroyed, or else are lacking gas, electricity and water. Currently, it is early July; only two months left until the end of summer, and then autumn will bring rain and cold. As of today, no single enterprise or construction company in Grozny has started the restoration process. Those whose houses had been burned down or otherwise destroyed have not received a single nail, a single piece of glass or anything at all, not one kopeck! As a result many parents are in despair and are seeking ways to leave the republic, taking the children away. Someone must be gradually yet systematically working for the state of affairs to be just that: intolerable for living and working. Well-groomed children are a sign of a civilized society.

A school is a very complicated organism. It is a whole complex of interrelations. Here, all socio-economic, political and moral aspects intertwine delicately. Everything is plainly visible here. It is impossible

to educate a hungry child who fetches water and firewood after classes, or stands in long lines for a piece of bread. At times you may ask a child why he had missed classes, and he would answer quietly, with tears in his eyes, "I had no shoes to wear." And then you feel ashamed, and wish the earth could swallow you up.

Some days ago, I was talking to one of our graduates, who is a very talented and bright girl. I know she wants to be a journalist, we had talked about that many times. I said, "Kdmeta" (that is her name), "Are you going to enroll at our university?" The response was, "I will go away. They fight every year around here. They may burn down my diploma." Her parents' house was incinerated by the Federal soldiers on 5 February. Now she lives with her relatives.

Note this: the girl is not speaking of the danger of being killed during one of the many skirmishes that Grozny sees every night, or of being run over by one of the armoured vehicles, which ride around at a maddening speed. She is concerned about the proof of her education more than her own life!

So think. Did you think well? Now let us act so that our children are not ashamed of us adults, and so that we may be proud of them.

14.07.2000

Last night, I was awakened by loud clanks of armoured machinery and chaotic shooting. I look at the clock, it is 3:20 a.m. At 5:30 a.m. I hear voices underneath the window. Coming out on the balcony, I see a large number of soldiers. They enter our apartment building, and I hear dull knocks on the neighbours' doors, and the residents' sleepy voices. Then I hear knocks on our door. Before I get a chance to open, they start breaking it. This takes several seconds. I open the door. Three armed soldiers burst in. I say, "Folks, why do you need to break the doors, it's enough to knock, we will surely open." "What, are you complaining? Here, I will stick a knife in your ribs and you'll peg out right here. Your documents, now!" I give him my passport. He studies it carefully, enraged. "Why is your residence permit at a different place?" He smells strongly of alcohol. I explain, "My house has been destroyed, I cannot

live there, this is my brother's apartment. I live 50 metres away from here. The neighbours can confirm, everyone knows me here." "I don't know about that. This is not your brother's apartment." I am surprised, "Then whose is it?" "Putin's," he mutters angrily through his teeth. "Ever heard of him?" I think to myself, of course I have heard of him, but I never knew he had housing problems if he has his eye on this shack of an apartment. "And now I am the owner, understand? Get downstairs quick sharp, we'll see to you there." My son, who had been sleeping, is taken right from his bed, and we are led downstairs and outside. On the third floor there is a broken door; no one lives there. The owner of that apartment has recently boarded it up and left.

Downstairs, we are transferred into the custody of another soldier, with the words "Got a residence permit for one place, sleeping in another," and the soldiers who had broken into our apartment move down the street. Besides their weapons, they are carrying an axe and a crowbar. We are led around the corner. On the way, I suddenly remembered Yastrzhembsky's statement concerning the mass execution of Aldy's civilians by the Federal forces: "Russian soldiers are people of high consciousness, and would never do anything like that." Well, the consciousness may differ from person to person, but the speech pattern of the people who had broken into my home was that of criminals, I am sure of that. We were led around the corner and stood facing the wall. I feel sorry for my son; he is only 16, why oh why have I taken him from Ingushetia? He had not been accepted at a school there, they said there were not enough spaces, and I was teaching him and other kids myself. But as soon as the school in Grozny reopened, he begged me to take him home, and now who knows where it will all end. I think to myself, it's good my wife is not here to see this, she wouldn't be able to handle it, and her health has been ruined as it is.

I see our documents being handed to other people in uniforms; these are police officers. They approach us. Having compared our photographs with the faces, they explain to me that one has to live where the residence permit is. You had to know that since the Soviet times. The fact that your house has been destroyed is of little consequence to us. With

these words, they get into a car, leaving us with another police officer. Right around that time, they start to lead in other detained people.

The last officer must have understood from our appearance that my son and I were not bandits or terrorists, and that there must have been a misunderstanding. Coming closer to us, to my surprise, he asked, “Are any schools still standing around here?” Is this not fate! He touched my most sore spot. I told him that in Chernorechie there had been three large schools, all destroyed now. And in Aldy, and I showed him the direction of our school, the school is partially restored, and classes are being conducted. I work as a principal there, and was just going to head to work, someone is waiting for me. He listened to me carefully and said, “Wait here for now, until they’ve finished cleansing the block, otherwise they’ll detain you again. Then I will let you go.” As it was, in about an hour he went to get our documents, and then did let us go.

The mood was rather foul, but I had to go. Someone really was waiting for me at the school, a classmate of mine. He is a great construction engineer. I had arranged a meeting with him, as he had promised to help work on an estimate for the school’s restoration. I cannot count on the Government anymore. Time is running out. There is a lot to do. With this estimate, I will go to Ingushetia and apply to humanitarian organizations for help. I believe that someone will offer it.

16.07.2000

Today it is five months since we started working. During this whole period, they have provided humanitarian assistance once, with a food packet of 8 kilograms for every teacher, and the one-time wages of 700 rubles.

It is July. The teachers are on vacation. Since the beginning of the month, I have been visiting the Department of Education almost every day to find out about the wages. Every time the response is, “tomorrow”. Only yesterday, on 15.07.2000., only once, they said, “Don’t count on it in the next 10 days.”

I feel ashamed. I feel ashamed, because my teaching staff wait for me to get back with better news.

20.07.2000

The estimate is ready and, God willing, I am leaving for Ingushetia tomorrow. I am going to address all the humanitarian organizations, explaining the situation with Grozny's schools, asking for help. I can no longer be a silent witness of how Russia treats its children. Only 40 days remain until the beginning of the new academic year. The construction workers, having lost all hope of a shipment of materials, have gone home. Currently restoration is not being carried out at any school in Grozny. If previously we could somehow organize teaching and work, it was in the spring. Autumn and winter are ahead. Working and studying in cold rooms will completely ruin the health of our teachers and students. Neither Yastrzhembsky nor Manilov could know about that.

Our teachers, following the horrors of war and months of hard work, have gone on vacation without a single kopeck of wages.

I know, many of them will return on 1 September, for the sake of the children, in the name of the future.

Fazil Iskander

Humans and Caterpillars

A young engineer stood underneath one of the plane trees growing along the highway, waiting for the bus to go to his office. The morning air was stuffy. It was hard to breathe. The sea has frozen.

This young engineer was a tall, sturdily-built, handsome man. He was thirty years old, he was successful, it seemed that he had every reason to be happy and lead a happy life.

He was a good engineer, much appreciated at work. The girl he had finally come to love loved him back, and they were going to get married at the end of the month. Why not be happy and enjoy life!

But an incomprehensible anguish nested in his soul, at times driving him to despair. He did not understand what was happening in Russia, or his native Abkhazia, or Georgia. Democracy, which he had passionately dreamed about since childhood, seemed to have come. But what kind of democracy was it? No clear plan for the future, no careful, well-thought through steps towards its consolidation and development.

It seemed as if freedom had come to a sanatorium, the doctors and nurses escaped, and the violent lunatics were just about to seize power and rule the quiet ones. Georgia and Abkhazia had been at loggerheads for quite some time. The Georgian newspapers were especially frantic, accusing Abkhazia of excessive independence.

...Several large raindrops suddenly landed on his light linen jacket. He looked up in surprise. No, it wasn't raining. The stuffy clouds seemed to have enveloped the Earth, not letting a fresh heavenly breeze through. What is it then if not rain? He had clearly felt the heavy raindrops on his jacket. He looked down at the ground, and suddenly saw several fat, hairy caterpillars wriggling in the dust by his feet.

He realized that it was those caterpillars that had fallen on his jacket. All the plane trees along the highway, or rather their leaves, had

been half-devoured by those caterpillars. Apparently, the ones that had guzzled the most could not hang on to what they were guzzling on.

No one knew where the caterpillars had come from. But since the spring, they had managed to devour leaves on half the trees in their district. The local authorities tried to take measures against them; the trees were being sprayed with some kerosene solution. It wasn't working. However, this solution, given to the collective farms, was often abused. That is, used in the place of kerosene, or maybe something else.

He was looking at the fat, brown, very hairy caterpillars, swarming on the ground. He knew almost all the trees had been covered in them. It seemed that the birds were afraid of them, and not only did not peck them, but also avoided sitting in the trees.

With horror and loathing, he started crushing the caterpillars with his foot. They burst with a loud crack. The loathing somehow got transferred to the cigarette in his mouth, and he spat it out in disgust.

Suddenly, a thought struck his mind like lightning: Russia is decaying, and the process is starting in the South, where it is warm.

The bus came, and he got in with a feeling of some terrible, fatal disaster which would soon cover them all. The seat in front of him was occupied by two young men, one Georgian, the other Abkhazian. They were talking in Russian, and he understood from their accents that one was Georgian and the other Abkhazian. They were loud in debating what the newspapers had been talking about. And then, with his whole being, he felt that he was seeing all this for the last time in his life, that these kids would die, that he had to save them, immediately. But he didn't know how to save them, didn't even know what to save them from!

...The next day, Georgian troops crossed the Inguri River separating Abkhazia from Georgia, and the bloody war between the two began. The war was so unexpected for the Abkhazians that the Georgian troops crossed over half of Abkhazia, all the way to Sukhum, on that first day.

He lived alone. His parents had died, and he didn't have any brothers or sisters. That same evening, his girlfriend came to his place and surrendered herself to him. He didn't want that, but submitted to her.

She said, "I am going crazy with the thought that you may be killed in the war, and leave nothing, nothing behind."

Alas, her premonitions came true, as did his. She gave birth to a boy, as if throwing him out of the flame, and on the last day of the war, when the Abkhazian soldiers were storming Sukhum, he was killed.

After the war the caterpillars had disappeared by themselves. Perhaps, the thunder of the artillery had deafened and killed them? The Abkhazian seaside had more fish than ever before. The growing grapes and fruit stretched the vines and broke the branches. Where the burned down houses had stood, weeds grew, as tall as a man. Some people explained that by the peculiarities of the weather, and others said that nature never actually liked humans, and rejoiced whenever they were killing each other.

Levon Mkrtchjan

The Friendship Square, Three Fools, and Myself, the Fourth...

I am genuinely glad to have this opportunity to write about the future of the Caucasus, to try to foresee what the new millennium will look like to us, Caucasians, or rather to our children, grandchildren, and great-grandchildren. I am glad not because I consider myself one of those Caucasians who can provide answers to all the questions, but because kind people exist who do indeed think of the future of the Caucasus. To be honest, I am thinking, agonizing over the future of Armenia. The days that go by are quite dismal. Armenians are leaving Armenia. Many cannot make enough to live, no, not even for modest sustenance.

Lately, I often think of the meaning of this word, freedom. A. N. Whitehead believes that “the notion of freedom has been emasculated by certain erroneous interpretations”, that our tendency to confine the notion of freedom to the limits of “the freedom of thought, freedom of press, freedom of religion” is also erroneous. Furthermore, “Prometheus did not give the people any freedom of press. He produced fire, which assisted people in making their food, and kept them warm.”

Warmth and food – that is exactly what is missing in today’s Armenia in the lives of those leaving the country...

That is what troubles me most, although a more global subject concerning the fate of the entire Caucasus would have this particular theme somewhere on the periphery, even though the issue of bread on the table is quite acute in other Caucasian regions as well.

To say the most important thing, I will refer to Kaisyn Kuliev and his wise poetic verse: “It’s easy to love the humanity,/ To love thy neighbour is hard.”

In the Caucasus, and the rest of the world, it is the neighbouring peoples that fight. This circumstance (read: this common disaster, this common tragedy) does not constitute any goodness in the future of the world, including the Caucasus.

Nowadays, much is said and written about the world coming to an end. Some even think that it is good form to talk of the end, and of the efforts for rescuing the Earth and humanity. One would need to avoid such common places. But what Christ spoke about while being lead to the place of execution, has never in the past two thousand years sounded as true as it does today: "Weep not for me, but weep for yourselves, and for your children. For, behold, the days are coming, in which they shall say, Blessed are the barren, and the wombs that never bare, and the paps which never gave suck" (Luke 23:28-29).

With the collapse of the USSR, the concealed hostility of one people for a neighbouring people has turned into open enmity, along with sanguinary conflicts.

One of the characters of Vassily Grossman's novel entitled *Life and Fate* asks himself a question of utter importance: "Is there a common good, applicable to all the peoples, all the tribes, all the situations in life? Or is it so that what is good for me is evil for you, what is good for my people is bad for yours?"

The idea of a common good is hardly feasible. We have already been promised a comfortable life during Communism which never happened. But as I understand now, the friendship of peoples must be materially supported, and, if need be, people must be forced to leave in peace, not hostility. That's right: people must be forced. Friendship is worth it.

Michel Henri, a French philosopher, once told me that when a man yielded to another for the first time, it must have been as important as the invention of the wheel. However, it has turned out that many of us are not capable of that; that is, we are capable of inventing the wheel and the bomb, but not of yielding to one another. Moreover, in times of economic and political turmoil we are blinded by anger.

There used to be Friendship Square in the city of Grozny. There was a monument there, depicting a Chechen, an Ingush, and a Russian. Nowadays, some people (must be the "patriots") call this square the Square of Three Fools. Blood is being shed, and these "wise guys" make jokes. I really put my hope in these same three "fools" (you may

consider me a fool as well). If they stand together to the end, they (and only they) will bring peace and harmony to blood-soaked Chechnya, peace and harmony to the rest of the Caucasus.

Friendship (and not enmity) has always saved people. One of my Jewish friends has keenly ridiculed the authors of the formula, "Beat the Jews and save Russia!" The first part of the formula is being put into action more or less successfully, he has said, it's the second part that they are having trouble with. Just like those who think that they should beat the Armenians, or the Georgians, the Azerbaijanis, or the Ossetians... You can never save anything or anyone with hatred, neither yourself nor the motherland.

Back in November 1990, Grant Matevosyan (the three of us, Mikhail Dudin, Matevosyan, and myself were conversing at the Dvin Hotel) said, "We need to seriously talk about this one thing. We seem to yell, 'the truth, the truth, nothing but the truth.' But how do we create friendships among people, how do we create all the good? We suppress the bad in us, try to enhance the good, and slowly establish interrelations, connections, live our hard human lives, that is. Then suddenly, this fanatical truth-seeker appears, destroying everything at once: I am looking for the truth. To hell with your truth. It becomes the evil. The bad which we have suppressed becomes the truth. Life is being destroyed, its fragile aspects, such as what we had with the Turks."

National discord and enmity is a genie which must be safely kept in a bottle and never released. It has, however, been released on all of the post-Soviet space. Mikhail Gorbachev had wanted, as an Armenian proverb goes, to fix the eyebrows (not his own but ours), and put out the eyes (not his own but ours).

In old Yerevan, there once was a man. He roamed the streets, telling a story of some hero fighting a guileful enemy for the sake of saving Armenia. At the end of the story, the hero fell into a deep hole dug by the enemies.

"And now, we need to collect money to rescue the hero from the hole", with these words, the storyteller usually outstretched his hand. Gorbachev's garrulous, amorphous policies were conducive to many

such heroes appearing in the Caucasus. He himself was such a hero. Currently, all of us in Russia, all of us in the Caucasus are trying to collect our strength to rescue ourselves from the hole which we have fallen into, together with our heroes.

I often recall the proverb: they went to get some wool and came back sheared. I cited that proverb to L. F. Bondina, a Russian writer. She corrected me: they came back with their skins torn off.

The tree of the past grows out of today. The roots of the future are here, in the twentieth century. Deep and edifying is the parable about a sower and his seeds which had fallen on a rocky soil and grew fast, but dried out under the sun as they had no roots.

Something wise, kind, and eternal needs fine roots. Daur Zantaria, a writer from Abkhazia, reminds us, Caucasians and others alike, that "any international communication must start with the culture. Otherwise, the means of that communication will be a war."

Will we Caucasians be able to stop the war as a means of international communication (between Armenia and Azerbaijan, Georgia and Abkhazia, Russia and Chechnya)? Will we be able to exchange cultural values instead of bombs in the new millennium?

In early April 1984, Patrick Kamenka, the France Press Agency correspondent in Moscow, came to Yerevan. He claimed that the national relations in the USSR had come to a critical point, and the country would soon collapse. He cited a 1978 book, written by Helene Carrere d'Encausse, and entitled *L'empire Eclaté*. Back then, in 1984, I knew nothing of Carrere d'Encausse's book (who is now a member of the Académie française). Besides, like most of my compatriots, I was not aware that the empire was collapsing. I engaged in a sincere debate with Patrick Kamenka, telling him that the national relations in the USSR were developing very well, that I, for instance, was in a few days going to Baku, where Tamara Efendieva was making a presentation of her doctoral thesis on the subject of Kaisyn Kuliev's literary work. The panel was to comprise three people: myself, an Armenian; Nafi Jusoiti, an Ossetian; and Gulu Khalilov, an Azerbaijani. Kuliev, meanwhile, was a famous Balkar poet. That was exactly how everything happened. Efendieva made a very successful presentation. Jusoiti and

myself were received as guests of honour. I am very sorry that all that is gone now. I think that my Baku colleagues are sorry, too...

We were bitterly wrong in something (I am speaking of myself first of all), and did not see what Helene Carrere d'Encausse had seen from France. We were wrong. However, there truly was an international concord, there was a union of kind feelings among us.

The great vulgarizers have destroyed the great friendship of peoples. There is a fine description of just how that was being done in Andrei Platonov's novel *Chevengur* which has one of the main characters saying, "This is a class of the highest sort, just lead them, they will not make a sound. These are the international proletarians: see, they're neither Russian nor Armenian nor Tatar, they're no one! I have given you the lively *Internationale*, and you're sad..."

We Caucasians now have to pay for all of that, for the forced *Internationale* that left the nation behind. Back in 1921, Einstein warned us, "Different peoples do not want to be united. Each one of them wants to choose its own path. A satisfactory solution may be reached only if they treat each other with tolerance and respect."

The future of the Caucasus (and not just the Caucasus) depends for the large part upon that tolerance and respect of the Caucasian peoples for each other. Can a man love his people, his motherland autonomously, so to speak, without any love for this whole world, for this long-suffering Earth which we (hundreds, thousands of ethnic groups) inhabit?

One of the Fiji legends goes, God has given the command to "build a house, a tall house with the roof touching the Heaven above". When the Fijians did build that house, they were told to decorate it with whatever they knew best. "And so it was done. And people gave names to everything that the house had in it. That's how a multitude of languages appeared."

The uniqueness of this Fiji version of the Tower of Babel legend is that the languages appeared not for the sake of the project's disruption. Rather, they were created as a result of the people's creative genius. People gave names to what they had created, brought to the common home. There was no pandemonium. Meanwhile, the multilingual Caucasus is being shaken by sanguinary national, religious, political,

and social bedlam. At the same time, the Caucasus is our common home. Will it ever become our common home minus the wars, mutual anger, and hatred of the Caucasians? The very word “Caucasus” should unite us Caucasians.

A Caucasian! This word has the firmness and pride of the nature of the Caucasus in it. Nature has been creating its own civilization for millions of years. Nature in the Caucasus has a particular purity and morality to it. That’s a right: a morality.

A Caucasian! This word has a lot of goodness and kindness in it. However, when we act meanly, both in the Caucasus and outside of it, we are spitefully labelled as the “people of the Caucasian nationality”. That is a shame. But we have to admit that it is our fault for ceasing to be Caucasians and becoming those “people”.

A Caucasian! This word was loved by Kaisyn Kuliev. He always used to address me as a Caucasian. I realized that the name placed many obligations on me. Today, I am ready to stand with the Three Fools, as the Fourth, in Friendship Square.

I am not attempting to foretell the future of the Caucasus. The whole Caucasus has “looked for peace, and there is no good; and for the time of healing, and behold trouble!” (Jeremiah 14:19). I can only wish for all the peoples, Russians, Americans, Armenians, Azerbaijanis, Georgians, Abkhazians, Chechens, Ossetians, all, all of them – wish for a kind future, one without blood or tears. I want to believe that in the coming millennium people of the entire world “shall obtain joy and gladness, and sorrow and sighing shall flee away” (Isaiah 35:10).

Tove Jansson, a Finnish writer, thought that the way one started a day in the morning made a great difference. The same was emphasized by Kostandin Erzikatsi, a thirteenth-century Armenian poet: “Sweet is the light and sweet is its birth, he is blessed who shares in the morning light.”

A lot depends on what the morning of the new millennium will be like.

I hope that we Caucasians will each share in the morning light of the approaching years.

The dawn is already breaking. May God help us...

Georgi Nijaradze

We are the Georgians³

Polemical notes concerning certain social/psychological aspects of the Georgian culture

A society which cannot combine a fidelity to its own symbols with a freedom of revision of those symbols, is bound to perish, whether of anarchy, or a slow atrophy of living, suffocated by useless phantoms.

Alfred N. Whitehead

The phenomenon of Stalin, and the Georgian ancestry of the “father of the peoples” developed, recreated, and enhanced two important tendencies in Georgian society: that of the cult of unrestricted power, of “wilfulness”, and also that of the sense of individual and group domination, which served as a foundation for the Georgian model of adaptation to the Soviet regime. It started forming only following Stalin’s death. During the period of his rule, the unifying efforts were so strong that the specific properties of the culture and national character had not received a chance to form into a system. This became possible only after Stalin’s death, and, in my opinion, happened in Georgia earlier than anywhere else; the impulse came from the tragic events of March 1956.

Stalin was dead. Following a brief period of confusion, Khrushchev rose to the throne (the same Khrushchev, the “great leader”, had been known to be hit on the head with his pipe, and made to dance around). This was enough to sway the authority of the leader and the regime in the eyes of the Georgians. After all, in a totalitarian State the political system is firmly connected to the image of the leader; in Georgia, meanwhile, positions and social roles are traditionally personified. Therefore, we seemed to like the regime inasmuch as it was linked to the name of Stalin.

³ The essay is published here in a shortened version.

However, Nikita Sergeyeovich [Khrushchev] suddenly showed some teeth and noisily threw the “father of the peoples” off the pedestal. This circumstance considerably sped up the process of alienation from the official Soviet ideology and values in Georgia.

It is remarkable that the mass consciousness in Russia developed in a fundamentally different direction. There, a belief was spread (even among the refined intellectuals) that Stalin was personally responsible for all the tragedies, due to his “perverted” interpretation of Marxism, while the Socialist path itself was considered to be absolutely right, as long as the “Leninist norms” were restored. This signifies that for the Russians, the Soviet version of Socialism had become an important component of the national identity. This is partly true today as well.

It was precisely the motive of defending the symbol of national identity that was responsible for the March unrest in Georgia. This symbol turned out to be powerful enough for the first serious act of protest in Soviet history. However, the turmoil resulted in a terrible tragedy. The system clearly showed that any attempt to influence official policy making or the ideological sphere was doomed. The Georgians learned their lesson well, perhaps even too well. The aforementioned traditional Georgian type of relation to power was restored: the loyal/indifferent view of the remote power structures, and (within the suggested “rules of the game”) the concern about one’s own self and the narrow “we” group, which was declared a “national endeavour”.

Meanwhile, the “rules of the game” changed considerably after Stalin’s death, primarily because the repressive organs had lost their power, and the *nomenklatura*, in turn, gained it. The state security organs had certainly preserved their power; but political prisoner slave labour and “prophylactic” acts of repression were things of the past. The “Iron Curtain” was somewhat raised as well; the standard of living was slowly improving (mainly due to extensive housing construction). Fear, typical of Stalin’s time, was being replaced by caution. The regime has preserved two pillars of the system: ideology and politics, which mortals were denied access to. A Soviet citi-

zen was given a small degree of daily freedom, a small social space, which the State did not usually invade (although it reserved a right to do so if need be). The citizen and the State signed an unwritten agreement: the State would not invade the citizen's personal life, and would pretend not to notice his obvious violations of the official laws, while the citizen, in turn, would not mess with ideology and politics. This "agreement" determined the existence of the Soviet State for three decades, and these were the "rules of the game" which the Georgians understood at once.

Starting in the 1960s, outside of Georgia a particular stereotype of a Georgian was formed: that of a moneybag, a tradesman, a profiteer. This stereotype signified that Georgia had entered a new phase of adapting to the new Soviet regime. Contributing to the development of the so-called black market economy in Georgia was an important cultural peculiarity. The thing was, the implementation of the above "agreement" was possible only through informal contacts. We are aware that the informal "we" and "me" group contacts (friendship, kin...) had a special meaning in the Georgian culture.

Some may think that the formation of the black market economy signified an instalment of some capitalistic elements. That is not the case. The Soviet black market economy was a child of the Soviet economy of deficit. The major regulator of the market, that of competition, was absolutely alien to the Soviet economy. Therefore, a "Soviet capitalist", or a schemer, lacked all the qualities characteristic of a Western businessman, by virtue of excluding the notion of "honest business". Due to the fact that any commercial activity was unlawful, every man involved in it automatically fell in the category of the "dishonest". And whoever is officially considered to be in that category, even artificially (artificially, since the Soviet regime had forbidden one of the most natural spheres of human activity, that of commerce), will be free to make more serious moral compromises in the future.

Besides, the old negative, "feudal" notion of commerce in Georgia, the belief that a "merchant" is a liar and cheater by default, had attracted people of dubious morals to that sphere. In both the Russian

and Georgian culture, dishonesty is a critical component of a merchant's role. Sociology tells us that the social role itself dictates the behavioural norms to its bearer.

The misfortune was that such activity was officially unlawful, but was allowed unofficially. Therefore, any respect for the law was gradually lost, while the principle which read "if it is not allowed but I really want it, it is allowed" was born. On the other hand, society started living in peace with other illegal actions, such as stealing, bribing, etc. It is not surprising that the black market economy had soon spread all over the place, and started to steal from its own citizens, along with appropriating some of the national wealth. There was practically no societal sphere left free of the deep roots of corruption, stealing, and cheating.

In its time, Bolshevism had destroyed a century-old system of regulation of societal life. All the values (good and bad alike, regardless of what we mean by those terms), which in another society would provide an individual with the opportunity to reach a high social status, had been rejected. Among those values were talent, diligence, wealth, ancestry, enterprise, physical appearance. In their place, a single value was installed, that of loyalty (or rather a Soviet version thereof), which was essential for acquiring any social status. In the post-Stalin period, with a certain complication of societal life, other values appeared alongside loyalty: position, money, a circle of influential friends and relatives. All this was intertwined, but it was possible to make distinctions. As far as talent, diligence, professionalism went, their "price" had dropped even more considerably.

The post-Stalin reality, with all its irrationality and absurdity, declarative commitments and unwritten laws, proved to be a fertile soil for many tendencies and potentials which are characteristic of Georgian culture. We can name a few: hospitality, competence in personal interrelations, demonstration of dignity and domination, the primacy of "me" over law and order, the strength of "we" groups, egocentrism, superficial effects, alienated loyalty to the remote power structures, etc.

One important circumstance has to be emphasized. These tendencies which are characteristic of the Georgian style serve as adaptation mechanisms, developed in the course of recurring wars, chaos and an uncertain future. Poverty had always been their companion. To be more precise, the system of adaptation mechanisms and values born in the Georgian culture was economically helpless, deprived of prosperity as a value of its own (in cultures which had developed such a value, there is a corresponding attitude towards money, labour, and time). The wealth had to be spent, the sooner the better, since it could be taken away the next day. Thus, we have not developed any behavioural or mental instincts directed at saving money.

However, in the post-Stalin period a unique situation was formed, whereby in the conditions of a “feudalistic” lifestyle, and for the large part due to it, it became possible to gain a relatively stable standard of social wellbeing, and amass considerable (albeit unlawful) wealth.

Starting in the 1960s, the hole in the “Iron Curtain” started delivering Western goods of a more or less fine quality. There was also the Soviet production of “civilized” goods directed at individual consumers: motor vehicles, refrigerators, furniture, television sets... Housing construction was increasing. In Georgia, all that caused what we would call a consumer boom. It was Erich Fromm who noted that the consumer psychology was especially strong in the Socialist countries where deficit was typical and ethical mechanisms of regulating the process of consumption were not present. The system of informal connections was very effective in Soviet conditions for all kinds of “procurements”, “arrangements”, gaining money, positions, and privileges. It turned out that a person who has a friend or relative in any state institution, from a supermarket to a Ministry and the Central Committee, was *a priori* more privileged, compared to “others”. But the “others” wanted to live, too! Therefore, money, that universal equivalent of connections, became a compensating device. The results were quick, as many sections of the population started “making money”.

It is notable that an average citizen was especially annoyed (due to their everyday contact) by the “cheating behaviour” of the workers in the service industries, such as shop assistants, taxi drivers, waiters, and peasants selling goods in the market. No one considered that people of that category could only use money (and not friends or positions) to receive healthcare, get their children out of conscription, communicate with the law enforcement agencies, or buy cars.

Eventually, most oppression was felt by an honest hardworking person, who had neither money nor an important position nor any influential friends (or considered it undignified to address them), who attempted to live from his own labour, but found himself at the bottom of the societal pyramid. He became the embodiment of weakness and stupidity; moreover, he had to pay his “tribute” to the “powerful”, which became an almost universal rule of living.

In a word, the Georgian culture could adapt wonderfully to the totalitarian Soviet reality. Those tendencies which worked in the given social/cultural environment were developed and enhanced. However, as demonstrated by the period following the collapse of the Soviet empire, they turned out to be major obstacles to existing as an independent political/social/economic organism, to say nothing of liberal democracy.

The law as a category of jurisprudence had never been too popular in Georgia. The aforementioned Georgian wilfulness, as well as the powerful influence of Asian despotism, had annulled the law as a norm placed above the will of any individual. The Soviet law, it can be said, legalized lawlessness. Constitutions and civil codes were being written, international agreements signed, but that was done for the sake of imitating a civilized “face”. The Party and so-called “power” structures were above any law. That was further enhanced by the aforementioned unwritten agreement. Clearly, in such conditions it would be of no use to speak of any legal consciousness. Therefore, in the Georgian environment, the attitude towards the law assumed a specific form: the law is a highly annoying thing which the power structures use to limit my self-interest, my “wilfulness”. The law there-

fore must be considered only to the degree in which it is represented by the power and force behind it. As soon as that power weakens, becomes careless, or foolish, or merciful, the law turns to ashes and nothing restrains the “wilfulness” any longer (we are currently witnessing this). On the other hand, the law holds no value for a representative of any law enforcement agency. The most important thing for him is to catch a careless criminal, to thus serve his own self-interest (that of money, career, etc.). Thus, the major goal is not to cut down crime, but to catch an unlucky criminal – a gamble, that is.

Let us recall the campaign ten years ago which tried to enforce the use of seatbelts in motor vehicles. The drivers assumed that this was an infringement of their own freedom in their own vehicles. The highway police, on the other hand, received a new source of income, hunted the “unattached” drivers down, fined them, and released them without attaching the seatbelt. I recall a remark by one officer, who had noticed a voluntarily “attached” driver: “What’s wrong with you? Do you begrudge me five rubles?!” However, a compromise was soon found: on seeing an officer, the driver threw his seatbelt across his chest like some sign of honour, and having gone by for some two hundred metres, freed himself from the “attachment”. However, the most important thing is that no one was interested in the seatbelt’s actual purpose, which is the safety of the driver and passengers.

One can say that the law, one of the basic values of the civilized world, came to us “twice broken”. In the environment of the Russian culture, it had been bent according to the will of the ruling class, while in Georgia, the ruling class was topped by the local regulator of social life, the system of informal contacts, followed by money.

This “double metamorphosis” occurred with many Western values and social institutes. The institution of higher education also lost its primary function, that of nurturing qualified experts. However, it gained other functions, such as prestige, exemption from conscription, the opportunity for a student to live separately from the parents. Such absurd phenomena as “protected” testtaking, selling of diplomas, to say nothing of admissions hysteria, have become customary. The

results: formally, Georgia occupies one of the first places in the world as far as the percentage of formally educated experts. In reality, the level of education and qualification here is extremely low.

It is clear that in such social/cultural environment many values were doomed to perish. We have almost abandoned the elementary professional ethics, the responsibility for our production, the pride in a job well done.

As it always happens, the changes in the value system, emergence of new priorities, have found their expression in the language. Such formerly unknown expressions have emerged like “to push through”, “his man”, and so forth. However, perhaps the most expressive word, reflecting like a mirror the style and mood of our society, is “to swindle”.

In a country where a relatively normal life is impossible without breaking the law and oppressing your fellow countrymen, where the Government promotes the above activities inasmuch as it lives according to the same norms, “swindling” becomes a rule for living, which is absolutely understandable, even somewhat justified. However, our misfortune is that the late totalitarian style of living has never been radically changed even in the current situation. At least so far... We seem to have run ahead of our narration.

At the beginning of the nineteenth century, N. Karamzin wrote that one could express the situation in Russia with a single word: “stealing!” It seems to me, if we substitute that for “swindling”, that would fully express the situation in Georgia in the 1960s-1980s. The swindling took place in two spheres: the black market economy and the power structures. These were the spheres that active, sometimes very talented people were drawn to. We can speak of a Georgian schemer and a functionary as two complete social types, which are not losing ground even in the changing situation of today.

To support the aforesaid, I will cite an interesting ethnic/psychological phenomenon: the cult of power, which is the single most important characteristic of totalitarianism, has taken very different forms in Russia and in Georgia. In Russia, an official represented primarily state power, by virtue of which he/she was somewhat de-individualized. In

Georgia, on the contrary, one's official position was the measure of how successful that person was at "swindling". That was the measure used to judge people, while such things as competence, morality, smartness moved to the background. Such a hierarchy of values, social/cultural demands and expectations, have formed the social types, national character, and have a profound bearing on an individual entering this system.

The Georgian version of the "socio-cultural response" to the specific "rules of the game" of the totalitarian regime, or the Georgian adaptation model, has turned out to be so adequate that I will even dare say that the period covering the 1960s through to the 1980s could be considered one of the least troublesome in our history. Peace and the bare minimum were guaranteed, the sources for extracting money were plentiful, cultural life (in the narrow sense of the word) was abundant as various festivals, exhibits, conferences were held; theatre, movies and sports blossomed; streets were full of smiling, pleasant people. The problems were certainly there as well: corruption, drug use, crime, a lot of others, but practically no one perceived those as the vices of Georgian society (although it must be noted that in that period, too, there were voices of warning. For instance, there was an article by A. Bakradze entitled *An Acute Cry* and also a film by O. Ioseliani *Pastorale*). At best, all drawbacks were ascribed to the regime, which was for the large part responsible for what was happening.

In principle, to the Georgian public opinion, if we can speak of one, the idea of a different lifestyle was quite alien (it is indicative that no Georgian writer had any works that had been written for the future, "written for the drawer" due to the impossibility of publishing them in the Soviet period). Some spoke of independence, but only as if they were talking of some abstract, far off idea. The narrowness of the "horizon of time" was evident there, too.

History, however, continued on its way. The Soviet regime swayed, and the ghost of an independent Georgia was suddenly quite close. Our society was quite enthusiastic about it, as if it had been fighting day and night for the destruction of the Socialist camp and the country's independence. Although a good observer would have noticed

that the concept of freedom was understood in a very specific way in Georgia, as an exchange of a bad master for another, a good one. This was expected to happen soon, within a couple of months. NATO forces were expected, along with a rain of dollars, open borders, Mercedes cars... When it turned out that the candidates for the role of the good master were scarce, we were delighted and thankful to present the precious load of freedom and responsibility to one individual who was foolish and insolent enough to say, "Stick with me, I will take care of everything." Soon, it turned out that he could not do a thing either. It also turned out that sacrificing the minimal security and prosperity given by the former master was the price that had to be paid for freedom, and we lost these after becoming "free". Freedom, as it turned out, has brought little good and a lot of bad...

Perhaps someone will contradict me and state that everything was different, but one fact is absolutely certain: Georgian political and economic life, as well as public opinion, are marked with immaturity and infantilism.

Infantilism is quite typical of a "homo Sovieticus" in general, as it is for any man brought up in a totalitarian system. However, in Georgia, this trait has much deeper roots.

"The Line of the Mother" and the "Last Child Syndrome". In the cultural environment of first the Russian Empire, and then the Soviet pseudo-civilization, the Georgians have acquired certain traits of civilized nations. I am referring to a birth-rate drop and the subsequent rise of the value of a human life. This had been determined by a social/economic, psychological, and political situation hitherto unknown in Georgian history: peace, relative security and prosperity, and the spread of consumer psychology. Understandably, with the reduction in the number of children on the one hand, and the growth of material opportunities on the other, the "share" of love and care per child grew as well. However, since living in a stable and relatively comfortable situation was a wonder for us, in Georgian culture there were no traditions and practices that were adequate for such a lifestyle, including the peda-

gical ones. The old traditions (such as the practice of raising the children of noble descent in peasant families) had been abandoned, while the “culture of wealth” had never been born.

In these conditions, a new style of upbringing and relationships emerged in the Georgian family; we can call it the line of the mother. Its essence comprises doubtless love, incredibly close emotional contacts, forgiving, the principle “my child is always right”. As far as the line of the father is concerned, it implies the cultivation of a sense of fairness, responsibility, self-discipline and duty, as well as the realization of a principle, “everything has its price”.

In the optimal conditions, as the child matures, the line of the father gradually replaces the line of the mother, so that a sovereign individual is eventually formed. In reality, however, it is much more complicated. Analysing Western culture psychologically, Erich Fromm notes that in Protestant ethics, the line of the father has almost crossed out the line of the mother, which determines many of the vices of Western civilization (the solitude of an individual, deficit of emotional contacts). Taking Georgian culture as an example, it becomes evident that the opposite case scenario creates even more problems.

As I mentioned earlier, the line of the mother has always been traditionally powerful in Georgia. This is witnessed by the special place that the word “mother” occupies in the Georgian language, consciousness and culture in general.

Many Georgian male first names speak of that, too: Bichiko, Nukri, Guguli, and others. They clearly express a subconscious desire of the parents for their child to always stay little, never grow up, but be sweet and cute all the time. The tendency is understandable, as it represents a psychological reaction to the social conditions of feudalistic Georgia, the constant worrying, troubles, uncertain future. In times such as those, a mother (or any other carer) is driven by a powerful motive: to make the most of the opportunity for a close relationship with a small child (especially the youngest, the last one), give him all her love, keep him comfortable... Since some day, sooner that it seems, the son will cease clinging to his mother’s skirts once and for

all, will take a weapon in his hand, and who knows how his life will turn out, whether he will ever be able to return to the family hearth...

However, the historic conditions had changed. There was no immediate danger to a grown son's life. Still, as we know from psychology, a reaction cultivated under certain environmental conditions loses its adaptive function and receives an autonomous status. That has happened in Georgia as well. The line of the mother has formed as a cultural and national symbol. The well-known monument, "Mother Georgia", a woman with a cup and a sword, was so organically complete that no one thought of asking the question of where the father was and what he was doing.

Eventually, a very curious phenomenon arose. It is difficult to find another country where children are as steadily chained to their families as in Georgia. An individual who is over thirty years old, with a family of his own, is still economically and socially dependent on his parents. In their view, the son is still a child, in need of constant care and protection; their pride and joy, an essential part of their "we" group.

The conditions of material sufficiency, low birth rates and relative social stability are manifested by the children being taken care of for decades, surrounded with maximum comfort, protected from dangers and troubles.

In the Baltic States, or in Chechnya, for instance, they loved Russia with its army far less than in Georgia. However, despite this, the tendency to prevent children from being drafted into the army has developed on a larger scale in Georgia. The explanation is quite simple: the Georgians have avoided not the Russian Army *per se*, but rather an uncomfortable environment for their kids.

Ideally, a child, adolescent or young man has to be provided with money, an apartment, a car, protection, a prestigious college, well-paid job, has to be protected from the law, all of which he takes for granted. In extreme cases, the respect for labour, or money, or another person outside the "me" group, is alien to him. His self-interest and his own desires are primary. In other words, a typical infantile egocentric individual is formed, the kind the French call *l'enfant terrible*.

Here is a recent case. A young man was kidnapped, the parents were contacted for a large ransom. The family started bargaining, the ransom was reduced to half. They managed to scrape together the necessary amount and brought the son back... The son made a scene back at home: how dare you bargain when the deal concerned *me*! Eventually, it turned out that the “kidnapping” had been orchestrated by the “victim” himself.

The line of the mother in Georgian culture has had a profound bearing on the collective psychology as well. Several generations have already been raised on the social and spiritual basis of two principal motives: individual comfort and security, and force, dominance (even illusionary), that is, wilfulness. If these two are not satisfied, aggression is accumulated, which is concealed until a certain moment.

The problem is that wilfulness and security are not compatible, if only for the reason that there are other “wilful” people around. In time, the social space of a child transgresses that of his family, to include the yard, the coevals, the school. It turns out that in the others’ eyes, he is not the centre of the Universe. The child is anything but psychologically prepared for that fact. The family comes to the rescue again, as serious conflicts are settled with the help of the parents. Thus, the child once again is assured that whatever happens, there is a force which will always protect him.

Later, by the time the child is 12-13 years old, his own personality surfaces. This is something the parents are not prepared for. They increase the degree of their care, primarily in the form of “monetary compensation”, which, strictly speaking, is in fact a “bribe” given to the child in exchange for not moving away from the family. A Georgian teenager (13-19 years old) accepts this “bribe” as a given norm, even demands it, being used to a certain level of comfort, and at the same time is troubled by his own “inferiority”, the inability to live on his own. The ways of solving this conflict vary, but most bear the stamp of infantilism. One of the solutions is an early marriage, and a double burden placed on the parents.

A remarkable fact: Conflicts with the spouse's parents are a leading cause of divorce in Georgia. The percentage of such divorces is much greater than that of divorces for any other reason.

Another typical way of solving the aforementioned conflict is an almost full severance of family connections, and a search for individual comfort (or a surrogate) on one's own. However, that is reached not by means of hard work, or a profession, but by "swindling", petty theft, speculation and is most likely followed by larger crimes.

The subject of crime has another connection to the conflict between generations. Since the 1960s, when the Georgian adaptation model to the Soviet regime was starting to form, a "dual morality" became one of its primary attributes. On the one hand, all the ritual demands of the regime had to be met; on the other (on the informal level), one had to live by a set of completely different rules. The middle generation, with a few exceptions, easily adapted to that situation, all the more since the new rules of the game were a true liberation compared to the hell of Stalin's times. To a maximalist consciousness typical of an adolescent, however, the difference between the official propaganda and real life was too obvious. A true moral vacuum appeared, soon to be filled when the principles borrowed from the criminal "moral codex" were affirmed. These were quite primitive and clear, and repudiated both the official pseudo-morality and the attitude of the older generation. The strongest wins. There can be no co-operation with the state structures, especially the law enforcement agencies. Moral norms are applicable only to "our" circle, other people (the parents often included) have a "supplementary" purpose. Finally, the negative attitude towards labour became even more acute. Clearly, in the youth environment these principles were not as literal as in the criminal spheres, but a "thief's understanding" has had a bearing not only on the Georgian youth, but on the entire society as well. The results were especially evident after 1990.

It is remarkable that the moral vacuum, caused by the alienation from Soviet ideology, and later developing in the Russian youth environment, was filled there not with the "thief's understanding", but

with a military morality. Since the late 1970s, youth gangs have formed in various regions of Russia; their characteristics include a strict age subordination, harsh discipline, physical training, an inclination to collective violence, which is absolutely alien to the “me” and “we” groups of the Georgian youth.

Finally, there is drug use, which has become a true pandemic in Georgia. This is a complicated phenomenon, requiring extensive complex and specialized research. Here, we shall mention only a psychological aspect of drug use which is also an infantile attempt to solve the conflict between the aspiration for independence and the habit of living in comfort. A whole subculture has been created which is almost completely closed, unreachable, outside the influence of the “adult culture”. Affiliation with this culture, acceptance of certain behavioural norms and lifestyles create in a young man’s mind an illusion of self-sufficiency, as well as of liberation from the typical psychological complexes (a fear of reality, inferiority complex, aggressiveness). It is very troublesome that using drugs has become a sign of independence, “adult behaviour” in teenage circles. Some high school students sometimes deliberately prick their veins with straight pins, to later demonstrate with pride the “honourable” marks of the “needle” to their coevals.

To compensate for inferiority complexes, our youth has some favourite “toys”, such as weapons (power, safety, dominance) and cars (comfort, wealth, independence). The piety shown to these things is so great that the language does not even have any jargon abasing their names. It is also remarkable that a favourite “toy” of the foreign youth, a motorcycle, is completely ignored in Georgia, perhaps due to the fact that it does not provide a sense of safety and comfort.

In light of what has been said, the general mood of Georgian public consciousness and its reaction to the events of the past years also become understandable. A strong emotional protest against the regime, active yet hasty consumption of everything hitherto forbidden, a complete, absolute ignorance of the fact that independence and freedom carry the burden of heavy responsibility, confusion, longing for a “better life”, annoyance with everything and everybody, profanities in the

direction of the “old master” and expectations of assistance from the latter, complete disorganization, a search for the “new master”, and almost a hope for the Virgin Mother to settle the matters herself... The macrosocial model has repeated itself on the macrosocial level.

I would like to be well understood. A drive for independence is a very noble feeling, there can be no other opinion of that. However, the realization of this drive is only possible if the adequate resources are present. The Georgian model of adaptation to the Soviet regime was effective when the country was a dependent political unit, when the Central Government provided, whether well or poorly, for such critical spheres as safety, order, energy, public transport, etc. In that situation it was possible to live the way we did. However, when the net of friends-relatives is the primary social regulator, when the horizon of time is narrow, when small groups are the centre of the Universe, when honour and private property are not respected, when one’s position is viewed as a source of privileges, when the line of the mother dominates and the infantilism of society becomes global, a construction of a normal independent State is impossible.

According to Conrad Lorenz, the oncologists consider the immaturity of cells a major cause of malignant tumours. Cells like that grow without “considering” the interests of the whole organism, while the surrounding tissues “treat” the sick cells as if they were normal, feeding them...

What a horrible metaphor that is.

However, there is also the phenomenon that complicated systems (such as a nation) can have the ability to reorganize and readapt themselves. A spontaneous public appearance of an energetic social group, a carrier of new, constructive ethics, may change and alter today’s very unpleasant situation for the better; may gain the support of the masses. However, so far there have not been any promising signs. The hopeful sparks do not make for a fire. The situation is complicated all the more by the fact that an egocentric person cannot imagine that someone may think differently, have different moral values. Therefore, he takes a propagator of new ideas for a hypocrite, who is fight-

ing for his own egotistical interests under the cover of new ideas; or for an aggressor, who is fighting him, the egocentric, personally, which is why the egocentric does his best to prevent anything new from happening.

The future will show whether a nation is able to overcome its habitual life and the obsolete traditions, and develop an adequate response to the demands of history...

Stanislav Lakoba

The Dreams of the Caucasus

... Once upon a time, our city on the Black Sea used to be visited by many ships. They seemed to sail right into the city, eyed with fright by the elephantine palm trees. The ships used to dock in the mornings, throughout the past two and a half thousand years. In the times of the Ancient Greeks, our Sukhum was called Dioskuria, minted its own coins bearing an image of twin brothers, and was not just a city, but a city-state. The Romans called it Sebastopolis. Then the Byzantines took a liking to it. Its agreeable bay was also used by the Genoese, who founded the flourishing trading post of San Sebastian... Thus, the current capital of Abkhazia has been connected with the richest Mediterranean cultures for centuries.

Abkhazia was called “the Switzerland of the Caucasus”. The canyons made it a part of the Caucasus, while the sea connected it to world civilization.

Nowadays, Abkhazia is closed off from all sides. It dwells in deep isolation, and seems to be cut off from the rest of the world. There is a railway station, but you cannot go anywhere. There is an airport, but you cannot fly anywhere either. There is a seaport, but you cannot sail to another country. There is everything here, and at the same time there is absolutely nothing. There used to be a war, but peace is still lacking. There is a State and a people here, but the world pretends they don't exist.

In this small country, positioned between Georgia and Russia on the 220-kilometre stretch along the Black Sea side, almost three hundred thousand people live in the conditions dictated by a political, financial/economic, and information blockade. There are computers but not Internet; there is electricity but no electronic mail. There is no reliable telephone connection, and if a telegram arrives it is read by the entire city, and signifies a large-scale event. People here have forgotten what a postman looks like. Even running water is a cause for celebration here.

Our people, exhausted by the war, boundless criminal activity, and everyday problems, at times don't even know what day of the week or what hour it is... This kind of attitude towards time is normal only in jail, when one is deprived of freedom. One well-known politician has called our country a "geopolitical prisoner".

Once, back in the nineteenth century, the Abkhazians were labelled a "guilty population" for thirty years.

Why is it that now, on the eve of the third millennium, Abkhazia has found itself cut off from the world? It was not like this in ancient times, or the Middle Ages. Why is this bountiful land looking more and more like a forbidden, dead zone? What have our people done wrong? Is it in their ability to defend themselves? What have our children done to be deprived of a normal present and future, or our elderly who long for the arrival of death? Why has our youth been struck by a wave of suicide? Who needs this disgusting experiment on Abkhazia whose population has been in a constant state of stress for the past ten years?

Today, all of the Caucasus resembles a volcano that has come alive. The Balkans wither in comparison. Unfortunately, the situation keeps sliding from anarchy to chaos. In all parts, small-time regimes originate, headed by small-time rulers, surrounded by dubious individuals and criminal clans that are candidly robbing their respective peoples, under the pseudo-patriotic rhetoric of "independence". The mutual hostility among the Caucasians continues as well. That cannot be explained simply by the "divide and rule" policy, or the intrigues of some "third force". We bear much of the blame ourselves. We are to blame, since we could have found a common language, but instead chose to look, much like ancient barbarians, for whoever was weaker, to attack and solve all problems with force. The prospect was so enticing that some "democrats" who are now blaming a "third force", had been the first ones to accept its favours, and become its victims.

What has changed in those Transcaucasian countries? They are open to the whole world, receiving considerable assistance from the West, while at the same time the Governments of some of those countries are considered to be the most corrupt in the world. It is clear that

they have not followed the path of the Baltic States. They stayed in Asia... on its outskirts. Stayed in the tenacious, senile hands of the former Communist “leaders”, while their societies dwell upon the Soviet past. Only the names of those States have changed.

Abkhazia is a small multinational country, which had always had a special place among the Caucasian States. It so happened that, following the Russian-Caucasian war in the nineteenth century, it turned from a homogenous country with a native Abkhazian population into a very ethnically multicoloured land. Greeks, Georgians, Bulgarians, Armenians, Estonians, Russians, Turks, Persians, Jews and other ethnic groups have found their homes here. Different cultures and epochs have met as part of this ethnic variety. At the beginning of the twentieth century, Sukhum was a fully fledged European city with the status of “Porto Franco”, while Gagra, rebuilt by the Prince A. P. Oldenburgsky, was a wonderful high-class resort.

Sukhum was a truly cosmopolitan city. Russia’s intellectual elite, citizens of many European countries, Greek, Armenian and Persian merchants used to live there... Sukhum was becoming an economic and cultural centre in the Caucasus.

In 1918, Germany, supporting the plan for the Caucasian Confederation, gave Abkhazia the part of a “special State” in the proposed union. In 1919, England saw the future of Abkhazia as a neutral country.

These two models are still relevant today. Despite all the problems and the complexity of the geopolitical situation, the model of a Caucasian Confederation still attracts the attention of many States and nations of this multicoloured and contradictory region. One of the most important and attractive elements of this project is its built-in equality, by means of a horizontal rather than vertical configuration.

A Caucasian Confederation could become a union of States that would in turn preserve the concept of sovereignty yet be united by certain common aspects: defence, borders, foreign policy. Intra-Caucasian peacekeeping forces are needed to solve internal conflicts. There are certainly many obstacles, reefs in the way of such a model, but as of today there is simply no better one for the Caucasus.

Prior to the collapse of the USSR, a renowned Soviet Studies expert had warned the Caucasians: in the eyes of the outer world, such a region deserves permanent occupation by a large State, instead of freedom.

I would have liked to see the future of Abkhazia as a small neutral State in the Caucasus, open to the entire world. I would have liked to see convenient nautical connections, modern airports, highways and roadways, wonderful climate and natural conditions, tourist spots and resorts, large supplies of spring water, subtropical agriculture, scientific technologies, banks, and many other things that would attract the attention of people from different countries. Abkhazia could also become a gateway to the Caucasus. New highways, leading over the mountain ranges, would link the northern Caucasus with the Black Sea side. Sukhum would assume the position of one of the cultural and intellectual centres of the whole Black Sea-Caucasus region, become an international sport and tourist Mecca, a Caucasian capital of sorts, for creative young people, artists, writers, musicians...

Why shouldn't a University of the Caucasus, gathering the young people from all over the region, be opened in a Western country? It is not a secret that the youth looks at many problems in a different way. Perhaps they will find a common language sooner, opening up the way for resolving the conflicts and ending the mutual hostilities. Let them feel the advantages of a stable society and calm life.

The Caucasus cannot be separate from the rest of the world, much like Abkhazia cannot and should not stew only in its own juice. We have raised a whole generation of young people who have never left the country, not even to go to the neighbouring Russian city of Sochi. They still don't have their passports.

The young people, students, are locked in the secluded space, deprived of the freedom of movement. This is especially strange, and painful, when the citizens of Abkhazia, deprived of all their rights, are passed by the UN Jeeps, carrying representatives of various international organizations and human rights missions...

Why have our young people been punished?

Is it because they saw the war when they were children, and now live in a conflict zone? Is it fair to shut the doors before the future of Abkhazia? Why not open them into the world around instead? Let the young men and women board the ships, trains, aeroplanes, and visit any part of the world, to study, work, travel, learn languages... Why have they been refused the right of being citizens of the world? Is Abkhazia not a part of the human community, albeit unrecognized?

Konstantin Paustovsky, a great optimist and romantic writer, once noted that even the last beam of evening sunlight in Abkhazia is a green colour. Vadim Shershnevich, a poet, has admitted: "The sky of Abkhazia is bluer than the blue itself!"

If it weren't for the sun, the sea, the fireflies at night, life in today's Abkhazia would be hell. Fortunately, nature cannot be outlawed. Or blockaded, for that matter.

Sometimes, there is a satellite in the night sky of Sukhum, and then I understand that civilization hasn't passed my country by after all.

II. Views and Commentaries

Mass Media in Central Asia: Present and Future

Central Asian Journalists Speak about Freedom of Media

(Selected and translated by Diana Moxhay and Ana Karlsreiter)

Corruption and Journalists – Sometimes Discoverers, Sometimes Victims, or Sometimes Silent Contributors

Hans Leyendecker

Media Freedom has a History

Larisa Kislinskaya

Are we Journalists Independent?

Maija Pohodnjeva

Yes, we have a Choice

Texts are from the Conference *Mass Media in Central Asia: Present and Future*, Dushanbe, 14-15 November 2000 and the Round Table *Corruption and Journalists – Sometimes Discoverers, Sometimes Victims, or Sometimes Silent Contributors*, Prague, 4 December 2000, which were organized by the OSCE Representative on Freedom of the Media (*see Projects 2000/2001, pp. 221-224*)

Mass Media in Central Asia: Present and Future

Central Asian Journalists Speak about Freedom of Media⁴

(Selected and translated by Diana Moxhay and Ana Karlsreiter)

“**Freedom of media** is the most important indicator of the growth of society and one of the most important factors in the growth of the process of democratization. It would be superfluous to speak of what role the media plays in the life of contemporary society, except that it occurs in different ways in different States. As for Tajik media, they do not yet play a proper role in the life of our society.”

“...Formally, censorship does not exist in Tajikistan...In practice the case is somewhat different, and Tajik journalists (at the very least, that part which works on the internal market) regularly come up against censorship in their work. There are taboo themes, which cannot be broadcast. Often, having received some very important and reliable information, a journalist “hides” it in his desk, or, in the best case, hands it over “incognito” to foreign media...Current issues of internal political and economic life, incidents of crime, etc. either are not covered by the press or are done so in a tendentious way, i.e. they are presented from only one point of view. Items about corruption and journalistic investigation are totally absent.”

“...Another problem is the limited access which journalists have to information. According to the Press Law, like the Law on Television and Radio, a Tajik journalist has the right to receive information from state organs, political parties, etc...However, in practice these rights of media representatives are frequently ignored. Many state bureaucrats try to limit journalists’ access to information, putting obstacles in their way. Often this is connected either with the absence of incentives to communicate with the media, or with the attempt of bureaucrats to play it safe or with simple incompetence.”

Marat Mamadshoyev, *Asia-Plus* newspaper, *Tajikistan*

⁴ The following quotations are from the publication in Russian of the Regional Conference *Mass Media in Central Asia: Present and Future*, Dushanbe, 14-15 November 2000.

“I want to draw attention to the fact that ten years ago, when **freedom of expression** was declared in Kyrgyzstan, and independent media was opened everywhere, it was understood that Kyrgyzstan had taken the route to the democratization of society. But when the authorities understood that the unlawful privatization of state property and the dissatisfaction of the people might receive wide publicity, the powers began a wide-scale destruction of **freedom of expression**.”

Ernis Eshimkanov, *Asaba* newspaper, Kyrgyzstan

“In the nine years of independent development in our country, fundamental transformations in all spheres of life have occurred and continue to take place, toward wide-scale political reforms, a democratic society, and the establishment of a just State. It is precisely this period which gives journalists a unique possibility to elucidate life from all directions, to look at life in a new way, to bring about specific corrective measures in the creation of this society.

On the whole, speaking about the ability of journalists to think in new democratic understandings, to objectively illuminate the processes which are taking place, about their understanding of the current social, political, economic and state problems, one must admit that communication and discussion have helped journalists acquire a broad amount of new knowledge...”

Yekaterina Khlopovskikh, *Turkistan-Press*, Uzbekistan

“At the present time there are legislative limitations on the formation of democratic media in Kazakhstan and on the strengthening of the principles of **freedom of expression**. Moreover, monitoring of legislative changes in the media sphere shows a tendency in the nation’s Constitution towards strengthening limitations on **freedom of expression**...The position of democratically-oriented media is considerably weakened by the legal illiteracy of journalists...all legal possibilities in the struggle for our professional rights and for **freedom of expression** should be employed to the full extent.”

Tamara Kaleyeva, *Adil soz* foundation, Kazakhstan

“The Tajik journalist, perhaps like his colleagues from other countries in our region, still works in the old way. Not everyone has a Dictaphone, much less a computer, access to the Internet or the knowledge of foreign languages. These difficulties prevent our journalists from getting access to information from the outside. If we wish to build a democratic society and to follow the way of the world community, then we must have information about what is happening in the world “from the horse’s mouth”, and not by journalists from other countries.”

Maryam Davlatova, *Tochikiston* newspaper, Tajikistan

“Understanding very well what influence the media has on a civil society, the authorities try, by any possible way, to limit **freedom of expression** and to reduce the quantity of objectionable publications. One way is financial. By raising the tariffs on the printing of newspapers, by raising the price of newsprint, the cost of the publication is automatically increased. Circulation falls, because before an election, people can either buy bread or a newspaper, the price is the same. People choose bread. That is understandable...”

“...The authorities do not understand the significance of the media in a civil society...the [free] press is a means for the people to enter into dialogue with the authorities. This is particularly important right now, when stability in our region depends on agreement within society.”

Giyaz Tokombaev, *Respublica* newspaper, Kyrgyzstan

“Civil society is fundamental for the transition to a market economy and political democracy...But in order to educate the emancipated person, freed from all dogma of the old ideology of personality, it is indispensable for journalism to be free as well...First of all there must be a major educational undertaking about the role and place of a **free press** in the construction of a just, democratic State and a civil society. On the one hand, it is indispensable to formulate public opinion about the necessity of a functioning free media.

On the other, one must work so that any step taken against **freedom of expression** would result in a subsequent reaction among wide layers of the population...”

“In a word, the formation of truly free, democratic media as a quality of a real institution of civil society demands from all of us a great deal of painstaking work.”

Tashpulat Rakhmatullaev, *Samarkand* newspaper, Uzbekistan

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Hans Leyendecker

Media Freedom has a History

The Berlin correspondent of Italy's *La Nazione* newspaper, Roberto Giardina, was surprised. "As an Italian journalist," he wrote, "one can only envy our German colleagues how they can so freely investigate and report on (former Chancellor) Kohl's slush fund and other political scandals. The reporting was almost always objective and did not attempt to cover up or manipulate the news." Nearly two decades ago, the Flick party donations scandal revealed "a left-wing and right-wing propaganda press", according to the observations of the Belgian newspaper correspondent Marcel Linden. "Today, this has mostly been plowed under" and that's why the press this time "has done its job" in reporting the details of the CDU scandal, he says. Stephan Russ-Mohl, a professor of journalism in Berlin, goes so far as to take "a bow before the media. That they stir up dirt, that they work unsparingly to shed light on these scandals, that reporters in a meticulous, criminological manner work to fit the pieces of the puzzle together – this is admirable and at the same time a necessary service for democracy."

No other event in the post-war era has attracted so much attention abroad and in the communications sciences as the role of the German media in the CDU scandal. All across the media spectrum there has been praise and self-praise. Herbert Riehl-Heysel of the daily *Süddeutsche Zeitung* thinks the country "has experienced an important turning-point in the post-war history of the German media landscape," in a particular turning-point "that has been good for the whole national polity." He says political leaders were forced to make "admissions", state prosecutors "let journalists in on some of their information", and the "journalists themselves, when they had good information and contacts, knew

too much to be led down the garden path.” The prosecutors could not have “operated so boldly and independently, had they not had the support and backing of the public and the media,” he points out. The theology professor Richard Schröder makes a similar judgement: “We can thank the media that the scandal was not swept under the rug. In former East Germany something like this would have never come out.”

Scandals and corruption are nothing unusual in a political culture. Japan and Italy both have had major party funding affairs. Judges in France are trying to dry out the financial swamp of the Socialist Party. The crucial point for social morality, however, is how the society as a whole digests these affairs. Political scandals also have their good sides. Discovery and resolution can deliver a catharsis, a cleansing effect. The author Paul Noack, in his book, *Corruption – The Other Side of Power*, divides the affairs in post-war Germany into four categories. First, and in the beginning, there were civil servants with relatively modest sums (the car rental affair), then there was the attempt to buy a parliamentary majority (the 1972 no-confidence vote). This is followed by the third category, which involves non-governmental associations, like the labour union “Neue Heimat” scandal, in which functionaries enriched themselves; and fourthly, there is what Noack calls “the big network”. This is the intermingling of the Flick Affair, for example, with tax evasion, bribery accusations, and shady financial transactions. The Düsseldorf-based Flick Company was hoping to gain some tax relief worth nearly a billion marks by greasing the political landscape. Politicians and their parties were the recipients of cash donations worth millions. Nearly parallel to the Flick investigation, a huge party donation scandal was also uncovered. For decades, financial wizards had been juggling and laundering donations through bank accounts in Switzerland and Liechtenstein. The elite of German industry was entangled in a gigantic tax dodge. More than 1,800 investigations were opened.

These illegal dealings often took place with the knowledge and quiet consent of the authorities. The biggest money laundering operation in the Republic had its headquarters in Rhineland-Palatinate, the home State of Helmut Kohl, who was state premier at the time. Here, they could bank

on government protection from over-zealous civil servants, government tax officers, loyal to Kohl's Christian Democratic Party cleared the way for illegal transactions. Non-profit donation organizations were not monitored or audited and could at least expect benevolent goodwill and political backing should they ever be discovered.

Written on the cover of the file of the "Staatsbürgerliche Vereinigung" (Civil Association, known as SV), the largest registered money laundering operation at the Koblenz Finanzamt (Tax Office), was the order to "inform the head of department about all activities affecting the association, who also reserves the right of final approval of all transactions." With this kind of cover, the illegal organization could conduct its work undisturbed to the benefit of certain political parties.

Through SV channels, more than 214 million marks were shunted past the German tax authorities into the coffers of the CDU and FDP. The advantage to donors? Since the money was transferred through non-profit organizations, the donations could be written off the donor's taxes. The advantage to parties? They received more money. For political parties constantly on the verge of bankruptcy the hubris was complete. In their greed for money they had become involved in criminal activities and tax evasion of horrendous proportions. As district attorneys tried to shed some light onto these practices, some politicians began planning a coup d'état from the top: they were going to introduce a law to have themselves pardoned, but this collective amnesty plot was prevented at the last minute.

Everybody was in on it, but the CDU was in the deepest. The FDP was spared a lot of investigations. Their treasurer, Heiny Herbert Karry, was shot and killed by unknown assailants, probably members of the terrorist Revolutionary Cells. The SPD got off easily because their treasurer from 1946 to 1975, died in 1983 before any hearings or trial was conducted. The last participant, a former banker took his knowledge of the secret bank accounts to his grave.

Politics and ethics seldom combine, but even in politics there is a "certain minimum on shame and propriety" that "will not be unpunished", according to the sociologist and political scientist Max Weber

in the early 1900s. However, the leaders of the German parties acted as if they had never had anything to do with illegal activities. How commendable it must have seemed to them that they had such miserable powers of recollection on the witness stand. This loss of memory was their unifying factor. Collective amnesia replaced the collective amnesty.

The donation affair of the 1980s brought to light a bull market for backroom deals and a bear market for morality. The rule of law, sworn oaths and the Constitution were not taken seriously, but that “doesn’t interest anyone anymore”, said the Free Democrat Jürgen Moellemann at the time. The affair was orchestrated by the weekly news magazine, *Der Spiegel* where I was working. We did about 140 stories on the issue. The weekly news illustrated magazine, *Stern*, participated in uncovering the scandal. While the donors and recipients stonewalled at first in unison and later each for himself, the competition from the print and broadcast media attracted attention by supplying nothing but silence. The *Frankfurter Allgemeine Zeitung (FAZ)* called the affair “an annoyance”, “a breaking of the law”. However, the *FAZ* wasn’t talking about the political parties. It was referring to the “illustrated magazines that every week pander to a public satiated with snide remarks about party politics.” The parties themselves were holding out for time and counting on public cynicism.

As the newness wore off, the public mood changed as well. Television at the time contributed little to resolving the affair. Parliament then, as today, was not able to muck out its own cow shed, and the law books had nothing to throw at political immorality. With two or three exceptions, none of the benefactors ever landed in court. In Bavaria, all the important party donation affairs were buried quietly. In the State of Hesse, the district attorney’s office let the statute of limitations expire in its biggest case against the Deutsche Bank. In North Rhine/Westphalia, the issue just petered out. Important cases were sloppily handled. Major German industrialists, like Konrad Henkel and Hans Gerling got off without a scratch.

The issue of party donations had long disappeared from the headlines when in 1995 *Der Spiegel* published a story about the financial dealings of former Chancellor Helmut Kohl and Horst Weyrauch, the

eminence grise of CDU party finances. Four editors were investigating the case and a vague outline of the Kohl system was recognizable. What was missing were the illegal bank accounts, the transfers from Switzerland. It was also unclear who had received money from Mr. Kohl.

Together with three colleagues I did the researching on the issue, I wrote the story but it did not draw any attention - not even among the colleagues at the Hamburg-based magazine. Several attempts had to be made to get the report published in one of the issues. The Social Democrats weren't interested, and obviously the CDU wasn't either. Revelations like these only have an effect when a few people in the camp of the participant get involved and start pulling on the strings themselves.

Systematic investigations into the story ended for years. No journalists were carefully reading the financial reports of the political parties, nobody was poking around. That's why the reaction of the media and the public came as such a big surprise in 1999 when the new party slush fund scandal was uncovered. However, the circumstances were favourable. In 1995, the story found no echo within the CDU. This time, the CDU tried to find out for itself what its long-standing chairman had been up to. The hostile camps within the party turned to television in particular to undermine the opposing side and to ensure its own positions prevailed.

A television journalist has called the slush fund scandal "the screen onto which the renewal of the CDU was projected." The party has to "dislodge itself from home like someone going through puberty" was the way that Angela Merkel, then party General-Secretary, described the process in the 22 December 1999 issue of the *FAZ*. What was different this time around was that Kohl's successors wanted some answers. A certain "television drama" unfolded almost accidentally. There was Kohl - the hero of the German unification scenario and a European statesman - who was now anointing himself before the eyes of the world as an impudent criminal. Anyone who was that high standing was bound to have a deep fall. Kohl had always operated with a system of rewards and punishments. He demanded unbending loyalty from his followers, and those who

chose not to follow, like Kurt Biedenkopf or Heiner Geissler, were declared the enemy or ended up outsiders. A district chairman from the city of Ludwigshafen, who had disregarded Kohl's wishes in the 1950s, was simply struck from the CDU books. Kohl viewed the CDU as his store and never understood that as honorary chairman he no longer had sole control of the party.

His underlings no longer followed him unconditionally. His opponents, who hadn't dared to come out of hiding for years, were miraculously reinvigorated. And because the patriarch failed to grasp the changing circumstances and his coterie lacked the courage to tell him, he made every mistake he could possibly have made. On the other hand, this allowed the CDU to overcome the legacy of party imperator Kohl in record time.

However, the CDU's crisis management was a disaster. Press conferences broadcast on the public documentary channel *Phoenix*, and constantly rerun, had the effect of some real TV, political crime show. The helplessness and confusion of the party amazed the politically interested public. There was never a dull moment. The stage was filled with a steady parade of fresh perpetrators. The public marvelled at the accounting tricks of Hesse's state premier Roland Koch, and at law-and-order man, Manfred Kanther, who went right along with the worst of the fiddling. A dubious arms dealer played a nasty role. A former treasurer provided extra confusion for friend and foe alike with her statements.

This was a crime novel, which actually broke every rule of the genre and still remained intriguing. Your normal TV crime plot makes do with three suspects at the most and a thread zigzags through the story. Within 90 minutes, the question of who's guilty is resolved.

In the latest CDU slush fund scandal the audience was overwhelmed by the plot because there was a cast of thousands, but the scenes of the crime were always new and exciting. Especially breathtaking was the fact that the new party leadership was prepared to put on this piece of theatre, with its heroes and rogues, and to publicly celebrate the ritual farewell from its patriarch. The CDU itself was responsible for bringing so much dynamic thrust into the affair.

Unusual was the phalanx of spin-doctors appearing in the media. *Der Spiegel* wasn't bad, but they by no means possessed the monopoly on revelations. Germany's daily newspapers were leading the way. The *Süddeutsche*, the *Berliner Zeitung*, *Tagesspiegel*, *Die Welt* – they all were churning through the muck. Even the *FAZ* backed away from Helmut Kohl and began courting Angela Merkel. Unlike other affairs in the past, this time there were none of Kohl's cronies manning the front lines.

There are, however, still many important questions that have not been answered. How many millions of marks did Kohl actually pass around? Who are the donors and did they buy important political decisions? What is the extent of this corruption? Who received cash from whom?

The investigative work of hordes of journalists was suddenly broken off in mid-February when Wolfgang Schäuble, Kohl's successor as party chairman, announced his resignation. The journalists retreated to their foxholes, so there is little reason for self-congratulatory back-slapping. A little more perseverance would have better served public enlightenment in this affair.

Journalism history is the story of man's long struggle to communicate freely with his fellow men – to dig out and interpret news and to offer intelligent opinion in the marketplace of ideas. Part of the story has as its theme the continuing efforts by men and women to break down the barriers that have been erected to prevent the flow of information and ideas, upon which public opinion is so largely dependent. Reporting on corruption is not very dangerous in my country. Personally, I have never feared physical intimidation. I have done a lot of stories about political affairs, weapon dealing or Mafia. It never became physically very dangerous. Naturally a journalist must be free from corruption. Nobody has ever offered bribes or subsidies to me to stop an investigation. People must rely on fair and impartial reporting.

However, some foreign observers felt the German journalistic interest in uncovering the truth on the Kohl-case went too far. The Russian correspondent and co-worker of Radio Liberty in Prague, Yevgeni

Bovkun, is critical of the investigative work. He argues that the communist media can no longer “credibly claim that Western democracy is nothing for Russians.” In his view, “if the German media want the public in fledgling democracies to develop a strong and lasting dislike for famous Western democracy, then they have already achieved that goal.”

Larisa Kislinskaya

Are we Journalists Independent?

It is my understanding that my report is called “problems and dangers lying in wait for journalists investigating cases of corruption”. Well, the main problem - let’s start with the problems - is unquestionably the problem of dependency. The reason is that if a journalist becomes dependent on someone, then there can be absolutely no question of free investigation. Our newspaper, to give one vivid example, has written a great deal about Pavel Borodin. I don’t know if you are familiar with this name. He was the Chief of Staff of the former President of Russia, Boris Yeltsin. And this description of all the misdeeds committed by Borodin was written by a journalist who - I won’t mention his name - later found himself in a similar situation, as it were. For instance, he wrote that no sooner had the Prosecutor General become interested in Borodin’s affairs, three of his deputies were presented, practically free of charge, with dachas in an upmarket country home community on the Rublevo-Uspensk road, near where the President himself lives. That’s a place where a plot of land of only one hundred square metres costs 20,000 dollars, and these people received huge plots for nothing. At first, the journalist in question exposed all of this, but later he himself was made an offer that he couldn’t refuse. Borodin found out through acquaintances that this journalist needed an apartment, that he had a problem with his apartment, and a fine apartment was offered to him. In this way, this journalist ceased to be an independent agent, and that was the end of his exposé articles.

As for the word corruption itself - that’s also very interesting. We talk a lot about corruption, but what you find is that it’s quite an abstract concept for legal experts because not a single case of corruption as such has ever gone to court in Russia. If we look at the official situation in the courts, there are no such cases. We simply write a great deal about the subject, but, in general, if I look into the publication record, the record of current affairs writing over the past few

years, I must unfortunately note that there is only one case that could be said to have been started by a journalist and virtually completed (even though there hasn't been a trial yet). This was the case of the scandal that developed about the Russian Minister of Justice, a case which our newspaper virtually brought to light with its pieces. I remember that a great deal was written about this, but obviously you don't know this story. The story was that we published a piece about the Russian Minister of Justice, about his connections, corrupt connections, and these articles were illustrated with photographs showing him entering a sauna with a couple of prostitutes. And it was only thanks to this film, these photographs, that the Minister was removed from office. So you had a very interesting thing: journalism launched a new trend. As long as it has been possible to publish (and up to now this has been the case), we have been publishing pieces on bribes, on handouts, and that sort of thing. But, nevertheless, this has had no effect on the people in power. It was only this sex scandal that had any effect. The Minister was dismissed from his post and was later brought up under criminal charges. But there still hasn't been a trial although these events happened in June 1997. That's how long this story has been going on.

Using this story as an example, I can say that the danger to journalists and the pressure to which they are subjected do not necessarily involve threats of a physical nature. The fact is (and if this is interesting, we might talk about it a little later) that that same Minister of Justice – who had a perfect understanding of these things – went to court because he realized that there was no need here to put pressure on the journalist and that it was enough to put pressure on the editor-in-chief and on the owner of the newspaper. The editor-in-chief at that time was Artem Borovik, who was killed in a plane crash on 9 March of this year. And Artem (by that time the Minister in question had already been arrested) used to say that he had the feeling that he was dealing not with the Minister of Justice but with a crook. Because that Minister would say: “I'll ruin your company because I have very important connections and that's not all. I may only be an ex-Minister of Justice”

(he had already been removed by that time) “but I still have connections with the courts, the courts are under me and they depend on me.” That’s the way it was. All things considered, the paper (a private one) had to display quite a bit of courage to see this case through to the end. We won the case. But there is no question that that kind of pressure is brought to bear on other newspapers.

When I worked for the state news agency *ITAR-TASS* (of course, news agencies don’t handle those kinds of stories, they simply deal with news), I used to publish my exposés and investigations in other newspapers. Then they would simply call the paper’s director. This is one of the ways, one of the possibilities for pressurizing journalists. Therefore, it is very difficult to preserve the independence that we’ve been talking about, and then you get those kinds of scandals.

This is leading to a situation where readers have begun to have less faith in journalists, less faith in newspapers. It is very difficult for the average reader to figure out what’s really going on because all the politicians who have been exposed, all the officials about whom journalists are trying to reveal something - you know, cases of corruption and their involvement in organized crime - all of them have the opportunity to have their say on radio and television... They can simply pay for air-time on television and express their own position.

As a rule, unfortunately, all of our politicians and all of our officials suffer from megalomania and think that someone is out to get them. They think that if things are written about them, about what they have done - what they have really done - it must be some sort of intrigue and power game. It was only ten years ago that there was still a power struggle going on between the communist wing and the democratic wing. If, for instance, some communist politician was exposed, he would believe that this was on the orders of the democrats, whereas if a democrat was exposed, he put it down to the communists. Here it’s more or less the same thing. You can write for example that some fellow there - well I don’t know - stole some boards from a building site, as I once wrote about one member of parliament, and he was convinced, he really was, that for someone like him this was nothing. A police report was

drawn up when he was detained, and he believed that all this had been arranged by his enemies.

It is therefore very difficult to get this across to the reader, to win his confidence and to get him to the point where he can decide himself what is the truth. Any journalist who deals with these kinds of exposés ought to be concerned about his own reputation. And then if his reputation is beyond reproach, the journalist can be sure that the reader will have faith in what he writes. That's all.

Maija Pohodnjeva

Yes, we have a Choice

I have to say that at the moment Latvia is at a midway point between the West and Russia. It is not yet civilized enough, but things are no longer the way they were during Soviet times. But, unfortunately, all those Soviet-era practices that officials continue to engage in have remained - including corruption. In Latvia there hasn't been a single criminal case involving corruption, but there have been several involving bribery. That means the small fry get caught but the big fish go free. As Larisa has already said, one of the ways of uncovering politically dodgy schemes is, let's say, by digging up dirty information - for example, sex scandals like the ones we've had recently. This started two years ago - the paedophilia scandal. But here there's a very great danger for journalists, the danger of being used by somebody; someone plants some information and from that point on the journalist is no longer following his own path but a trail that has been laid out for him by others. In other words, he thinks he is conducting the investigation himself, but in fact he is becoming a tool in somebody else's hands. They pick someone or, as Larisa said, they select someone for the job. I think the most difficult thing in our country is to be independent of such "assignments" because there is a lot of information about that can be planted on people and that may be useful to some. This useful information already carries a risk, namely that it may not turn out to be the entire truth in the end.

Further, a second danger that lies in wait for journalists in Latvia is that you can never be sure whether or not your editor will agree with your research. I found myself in a similar situation two years ago when I began my paedophilia investigation. All this began with a small tip about two businessmen who wanted to get even with one another. And from that point on, the whole thing snowballed, picking up more and more information until this started getting close to the highest circles of power. But at the beginning, it was just two business rivals wanting

to settle scores by planting dirty stories. And when, after a few months, it was discovered that this was after all the truth, and a very bitter truth at that, and that many people were involved in prostitution ... people who were involving children in prostitution and offering them to senior officials, that's when the problems with my editor started. The reason was, first of all, my editor didn't believe it or didn't want to believe it and, second, he was being blackmailed in that he was told that if anything was published then there would be problems for the entire newspaper. That is, there was no talk of there being any trial but simply of there being problems. After that, I also started having problems with my colleagues. They simply tried to frighten me. They would say: "Do you know that there are certain cassettes floating around? You'll pay dearly for this." There were allusions to possible physical violence and to the possibility of me losing my job. And this kind of pressure continued right up until the moment, when the first arrests of these people involved took place. In other words, when the police had already collected enough evidence, I was able to breathe a little easier. But, unfortunately, as soon as the arrests started, this scandal went from being a criminal case to a political one. And as Larisa has already said, they began to figure out who had set up whom. It was as though they lost sight of the fact that an actual crime had taken place - with the crime against children and the children themselves being completely sidelined. There wasn't any kind of counselling for those who needed it. It was as though people knew that there were real victims, that people had suffered, that some of these children had been abused - but that was it. The way the whole thing happened was very interesting. From here on, it was already clear that what you had here was not only corruption in some official circles, but also corruption in the courts. This was the first time ever in Latvia that the court's decision was not published in full. Fair enough, the trial was closed to the public. Yes, I was a witness at that trial. One can accept that sexual crimes belong in a closed courtroom. But the violation of the law here was that the court's findings were not published in full. And it was only because of pressure from the press, because of pressure from the mass media that in the end

the ruling was published with all the names. Then it became understandable why a person who had been accused of this heinous crime was sentenced to only two and a half years imprisonment. But the matter is still continuing, with the prosecutor endeavouring to have the sentence increased. But the man's pal was sentenced to ten years. You're dealing with these small nuances - the withholding of information - that make it possible for persons who are interested, first of all, in having journalists not find out, second, in having the affair not come to light and, third, in being able themselves to continue their business, criminal activities or whatever it is they're up to, to hide all this. They can scare the journalists a bit, they can put a bit of pressure on the editors by saying: "You know that we could go to the manager of your company and then you just won't have any money anymore." That's why it's extremely difficult in certain situations to decide whether or not you can investigate a particular affair.

For instance, I am currently investigating prostitution and international trafficking in human beings. Fine, so far, this isn't stepping on anyone's toes. I am also investigating cases of Westerners illegally adopting children. Here matters are much more complicated. There have already been calls from the Ministry of Public Welfare and various letters have been written involving officials. If, for instance, you are only dealing with criminal elements, this is all somehow easier to resolve. In such cases, the crook comes to see you at work in order to find out what's going on and to have a chat with you. If you can come to an agreement with him without any problems, in a civilized way, then the thing ends in a normal fashion. But if you start to get scared, then the threats start and this could end very badly. So that it's very important that you are not on your own. If you have, for instance, the chance to have a chat with your editor, if he's on your side, then everything is fine; if you have the chance to talk to some foreign organizations outside the country, then that's even better. But when you are on your own, you no longer know if you are independent. Through your own stupidity you may place your own life in serious danger and your family as well, so that you are treading on extremely thin ice in all these

kinds of investigations. First, you don't have complete access to the information; second, you don't know at what moment or from what quarter they are going to strike at you; third, you can't be sure that anyone will protect you when you need it. I am sorry that this is perhaps all a little chaotic, but perhaps this gives you an idea of what the situation that we're in now is like ... I don't think that it's as dangerous as in Russia, but it's as though we're at a halfway point between the West and Russia - a situation where you don't quite understand what's happening to you, what's going on around you, but if you try to investigate something, you must know exactly where you're going and why you're doing it. Basically you are on your own.

III. Our Work – What We Think, Why It Matters

Personal Reflections by Staff Members

Beate Maeder-Metcalf

The Mandate – Three Years After

Alexander Ivanko

*The Disappearance of Georgiy Gongadze:
How the Case of an Obscure Journalist has Rocked Ukraine*

Halka Kaiserová

Fragile Power of the Media

Hanna Vuokko

Common Values, Different Histories

Ana Karlsreiter

*Courage after the Courage Award –
Women Journalists in Bulgaria*

Vladimir Kondratsky

“Freedom Parachutist”

Beate Maeder-Metcalf

The Mandate - Three Years After

The mandate for the Representative on Freedom of the Media is first of all a text and as such subject to interpretation. It was negotiated in the OSCE in 1997 in less than a year. And – no surprise - the results reflected a number of diplomatic compromises over the fundamental paradox that a new intergovernmental institution was to promote freedom of the media – the fourth power meant to control the executive in a democratic State. While a number of controversial issues - stumbling stones during the negotiations - have been solved smoothly in practice, some of the discussions of 1997 still seem to continue in the evaluation of the work of the Office by OSCE Member States.

Criticism versus assistance? The mandate clearly provides for critical action in cases of potential or actual serious non-compliance with OSCE commitments. On the other hand, it refers to the need for the OSCE Representative to assist governments in establishing media freedom. I remember that Russia defended this last point during the negotiations in particular. Both elements are essential parts of the mandate: the OSCE is based on its commitments and on the principle of co-operation. In this respect, experience over the past three years, however, has shown a tendency towards a rather selective interpretation of the mandate. Some governments, facing critical questions or statements, have rejected them, pretending that such an approach is outside the mandate and requesting assistance instead in a rather polemic way. In other cases, critical statements of the Representative led to attempts to simply defame the Office's work as unco-operative, unprofessional, sloppy – a rhetorical move killing the need to really address the subject of discussion. Such debates at the Permanent Council or behind the scenes may illustrate a certain lack of common grounds for dialogue within the organization, a decade after the end of the Cold War in Europe. While it is normal that a government will usually defend its action, if facing

criticism, we cannot take it for granted that such different views are expressed without putting into question a whole mandate or the professionalism of the OSCE's work. As to assistance to governments in promoting freedom of expression: notably smaller OSCE Member States have asked our Office for such assistance, for legal advice, for reference documents on press codes etc., admitting a lack of know-how and a will to overcome this deficiency. Under these conditions, effective assistance has been possible. It is not possible if there is no political will to acknowledge shortcomings and to accept recommendations. Calling for assistance then is not more than a smoke screen, a gesture of co-operation leading nowhere.

All in all, the Office has developed over the past three years appropriate forms of action for the early warning and rapid response activities as well as for assistance. In terms of early warning, the Representative reported to the Permanent Council about current and other issues, and the Office undertook assessment visits on the ground as well as public action in a number of cases through press releases and conferences. In terms of assistance, three types of activities have been developed: firstly, the Office has responded to a number of requests from governments by providing specific expertise. And, as of this year, the Office also is in a position to organize legal advice on media matters for the OSCE Offices in the field, notably the smaller ones which do not have a media department of their own. Secondly, several round tables were organized on broader topics, such as that in Kiev in 1999 on European standards on libel legislation, in Dushanbe in 2000 on regional media matters, and on the protection of journalists in conflict zones (Berlin 2000). The conclusions and recommendations of these meetings are available to all. A third type of a more long-term action are publications on the future of stability and peace in the OSCE: thus, the Representative published two books with contributions from journalists, writers and intellectuals from the Balkans and from the Caucasus entitled *Defence of the Future*. It goes without saying that all these activities developed under the heading of "assistance" require considerable resources – so far mainly provided as voluntary contributions. Should

they be further expanded, more personnel and financial resources would be required. This consequence should be considered especially by those delegations that argue strongly in favour of “more assistance”.

European versus transatlantic values? The CSCE/OSCE commitments on freedom of expression, free media and free flow of information are binding political principles and guidelines. Our Office published them on the occasion of 25 Years of the Helsinki Process in 2000: an impressive, but not always systematic collection of obligations. However, they do not provide detailed prescriptions of how, for example, exactly a media law should be worded or how the licensing of frequencies is to be regulated – leaving room for the traditions and needs of each society.

In 1997, during the negotiations on the mandate, this relative openness led at some stage to controversial debates on the Council of Europe’s European Convention on Human Rights and its Article 10 which describes certain limitations on freedom of expression and freedom of media in a democratic society. US Representatives defending the First Amendment refused to include in the mandate any reference to the Convention – binding however for the majority of the OSCE Member States. Therefore, finally, an interpretative statement signed by 32 States – members of the Council of Europe and of the OSCE – was added to the mandate inviting the OSCE Representative on Freedom of the Media to “also be guided by (the) provisions (of the European Convention on Human Rights) in the fulfilment of the mandate.”

In practice, this difference of approach has been less important than foreseen. The European Court on Human Rights in Strasbourg has developed over the past several decades a very liberal case law on Article 10 – in favour of freedom of expression, freedom of the press and of journalists due to their key role in a democratic society. Limitations of these rights by governments are hard to obtain in Strasbourg. Therefore, experts maintain that the real difference between Europe and the US in terms of results is much smaller than the difference in approach would make one believe.

If dealing with a country which is already a member of the Council of Europe, the Office always takes into account the work already done by the Council of Europe, especially in legal matters. We do not want to duplicate work.

On certain issues where different approaches prevail within the OSCE area, the Office attempts to define its own line and to offer advice that takes account of these differences. A good example is dealing with defamation and libel. The abuse of relevant legislation against critical media – sued for libel by officials – leads media into self-censorship, or into bankruptcy in the case of high fines and imprisonment for journalists if the criminal code is applied. The question whether libel and defamation should be generally dealt with under the civil code (US approach) or under the criminal code (legislation in most European countries) is less decisive from the point of view of independent media. What counts is an independent judiciary which guarantees that the legal provisions are not abused to act against freedom of the press – no enormous fines for sensitive officials, no prison sentences for journalists. On this issue, the Office has taken the line that no journalist must ever go to prison for what he or she published.

“Hate speech” through the media could have been another potentially controversial issue, but it was not – at least among the governments of the OSCE. Against the background of the Balkan wars in the 1990s, the OSCE Members had agreed to take a very critical position towards the misuse of media freedom for the promotion of ethnic hatred and intolerance. Consequently, this became the only matter of content, which the Representative is allowed to look into. Not allowing for “hate speech” in the media is of course a limitation to their freedom. The Representative argued in favour of such limits only in a few cases, e.g. in Kosovo in a very tense post-conflict situation.

Co-ordination versus duplication of efforts with other international institutions and within the OSCE? This issue was widely discussed within the OSCE in 1997. Objections against the establishment of the mandate were made because Member States saw a risk of duplication with the Council of Europe on the one hand, and, on the other, a potential

rivalry with the OSCE Office for Democratic Institutions and Human Rights (ODIHR) on media in times of elections.

In practice, these issues were solved in a more than satisfactory way. We have established an excellent working relationship with the Council of Europe's media section including a regular exchange of information and the joint organization of meetings on subjects of common interest: e.g. the Kiev round table on libel laws in 1999, the regional SEE Media Conference in Zagreb in 2001. Since both organizations – while having similar political objectives – have different priorities and working methods, there is little risk of duplication of the daily work. The Council of Europe's legal expert network is of great help to us. If confronted with legal issues in countries, which are also members of the Council of Europe, we make sure that we know what the Council might have done in terms of assistance.

In addition to this relationship with the Council of Europe, we have established regular contacts with the UN Rapporteur on Freedom of Expression and with his colleague from OAS. Exchange of information in both cases is the most important thing to do, since the mandates vary greatly.

As to co-operation with ODIHR, an early agreement was made on the division of labour. ODIHR has continued to be responsible for monitoring media in times of election, whereas our Office deals with structural issues of media freedom. Obviously, both Offices use one another's material as necessary. In a few rare cases of gross violations of media freedom prior to elections, the different working methods of both institutions have become obvious. In the case of independent *TV Markisa* in the Slovak Republic in 1998, the Representative made a critical statement addressed to the Meciar Government, while ODIHR organized the overall election monitoring and, in this context, limited itself to registering the media incidents for the final report.

Independence versus Co-operation? Article 9 of the mandate requires an “impartial performance” and specifies that “the Representative will be guided by his or her independent and objective assessment.” How

can an organization like the OSCE based on co-operation afford such a politically independent institution? Independence and objectivity of the Representative's work, I remember were very controversial during the negotiations on the mandate. Those OSCE Members who put co-operation among governments above all, opposed these references until the last moment. This line of thinking is, it seems to me, still present at times. Thus it has happened that the Representative's judgement was not just disputed for some valid reasons, but because he did not adhere to a government's point of view, as if this were a violation of OSCE principles. However, taking into account the fundamental paradox that this intergovernmental institution is to defend the freedom of the governments' watchdogs, working principles such as impartiality, independence and objectivity turn out to be essential features of our work. Media issues are often a question of political power. The OSCE Representative on Freedom of the Media can only be credible, if he is not just acting as a governmental functionary.

It should be noted that the principle of confidentiality – a well established working principle of diplomacy and contained, for example, also in the mandate of the High Commissioner on National Minorities - does not appear in the mandate of the Representative on the Media. Nothing in his mandate hinders him from going public, if he sees a need for such action. Again, this has to do with the subject-matter the Office is dealing with: media freedom is not a confidential diplomatic issue, but a public affair.

The mandate – three years after? I believe that the mandate laid a solid, but sufficiently flexible ground for our work over the past three years. The key question has been and still is: How is it interpreted by the Representative and by the OSCE Members? Will the organization that is currently facing a lack of consensus on major issues be able to continue to afford a fairly independent institution as this one? Or will it be turned into a sort of a media institution handling all sorts of useful media issues without focussing anymore on the key OSCE standard: freedom of media?

Alexander Ivanko

The Disappearance of Georgiy Gongadze: How the Case of an Obscure Journalist has Rocked Ukraine⁵

Georgiy Gongadze was the editor of *Ukrainska Pravda* (www.pravda.com.ua), an on-line publication founded in April 2000 and generally critical of the current Government. Previously he worked as news director on *Radio Continent* and co-hosted a television programme. Although journalists, parliamentarians and government officials who knew Gongadze said he was not one of the most outspoken and critical journalists, however, his style “was emotional”.

On 16 September 2000, Georgiy Gongadze went missing. He was last seen at 22:30 by Aliona Pritula, an editor at *Ukrainska Pravda*, in downtown Kiev. He was supposed to go home to his wife and two daughters – a twenty-minute walk. He was never heard from again.

Igor Gavrilov, First Deputy Chairman of the Committee on Freedom of Expression and Information of the Verhovna Rada, believed that Gongadze was not “politically affiliated although he did work closely with the opposition.” I spoke with Gavrilov in Kiev in February. Gavrilov had known Gongadze for years; they had co-hosted a television programme. What has happened to Georgiy baffles him. His theory (one of many I heard in Kiev) - he saw the Gongadze case in a broader context related to privatization. “Gongadze ended up on the crossroads of too many interests, however, it is difficult to pinpoint who exactly committed the crime.”

According to an editor of a leading Kiev newspaper, “There are two journalists whom [Ukrainian President Leonid] Kuchma could not stand – Gongadze and Korobova, who was recently fired from *Den*.” The owner of *Radio Continent* Sergei Sholoh stressed that

⁵ This article represents the personal views of the author and is based on interviews conducted in Kiev and on media reports.

Gongadze was very critical of the President. They both, according to Sholoh, lobbied in the US for freedom of expression in Ukraine. “One of the parliamentarians once told us that we don’t understand how much we were undermining certain interests and that our lives were in danger,” noted Sholoh.

Although nobody who I talked to believed they knew exactly what happened to Gongadze, an American expert, who works on media matters in Kiev, stressed that: “He [Gongadze] wrote petitions, lobbied in the US against the Government, wrote about corruption, distributed Lazarenko’s allegations [former Prime Minister currently in detention in the US] – all put together makes him a likely target.” Parliamentarian Alexander Moroz, a heavily left-leaning opposition leader, put it more bluntly: “Gongadze was confrontational, looked and talked well, the President doesn’t like people like that. He also knew a lot about corruption and made his views known abroad.”

When I visited *Radio Continent* in early February, Sholoh had just received a call from his brother – who told him to drop the “whole Gongadze issue” or he would be in “big trouble”. His brother, it seems, had received a warning phone call. Sholoh informed parliamentarians and Western embassies in Kiev of these threats. He was already battling with the Ukrainian licensing agency that told him that his broadcasting licence had to be renewed although Sholoh assured me that it was issued until 2002. The Ukrainian President’s Press Secretary insisted that the re-licensing procedure had nothing to do with the Gongadze case. In an interview conducted in the Offices of the President’s Administration (that day Kiev was covered with snow with dozens of car accidents reported daily. However, the snow was initially only cleaned in front of the Administration building and the Cabinet of Ministers. As the actor and film director Mel Brooks pointed out in the brilliant comedy *The History of the World, Part I*: “It’s good to be the king!”), Press Secretary Olexander Martynenko insisted that the disappearance of a journalist should be separated from “all the politics around it”. A view not shared by those who were not in the employment of the executive branch.

Things were getting really complicated. The handling of the disappearance of Gongadze became even more questionable after the discovery on 2 November 2000 of a headless body near Tarasha, a small village outside Kiev (it has been pointed out by several government officials that the body was found in Moroz's electoral district, which Moroz does not dispute). The body is believed to be that of Gongadze – DNA testing proved so to 99,6 per cent, but the State Prosecutor is still working under the assumption that Gongadze may be alive. “Officials in the State Prosecutor's Office have some doubts that the body belongs to Gongadze, that is why they are conducting additional investigations,” stressed Martynenko. In February, the State Prosecutor decided to take an extended vacation. Rumours persist in Kiev that he will not be back. However, on 26 February his Office finally acknowledged that the body was that of Gongadze and accepted an offer by the FBI to assist in the investigation.

On 28 November 2000, Moroz made public the so-called “Kuchma tapes” that allegedly implicated the President of Ukraine as being involved in the fate of Gongadze. These tapes stirred up a major public uproar, led to massive demonstrations gathering thousands of people and prompted the opposition to unite under the slogan “Ukraine without Kuchma”. Among those who are currently demanding the resignation of the President one can find a motley crew of different groups – from ultra-right to mainstream centrist to left-wing.

The investigation into the Gongadze case dragged on. In general, most experts agreed that it was conducted in a manner that First Deputy Chairman of the Human Rights Committee of the Rada Refat Chubarov described as “extremely unprofessional”. Even the President's Press Secretary acknowledged that the investigation was taking too long and that this was raising questions. One American lawyer who has been actively involved in monitoring the case and who speaks fluent Ukrainian referred to the investigation as being “shoddy, inept, misleading, many times interfered with”. On 13 February, President Kuchma himself, in a joint statement with the speaker of the Rada and the Prime Minister, called the investigation “unprofessional”, and later in an interview with the Russian TV channel *RTR* said that he believed that the body was actually of Gongadze.

The lack of transparency regarding the identification of the body, contradicting statements coming from different experts, a clear lack of professionalism on the part of the State Prosecutor had led a number of journalists and parliamentarians to question the motives behind the Prosecutor's ineptitude. In the view of Rada member Gavrilov the security ministries were suspecting each other of being involved in Gongadze's fate that was why "all of them are lying". He stressed that the Prosecutor acted "unprofessionally". "This whole case shows that an individual has no protection in Ukraine," said Gavrilov.

There were many other unanswered questions in the investigation. In July 2000 Gongadze wrote an open letter to the State Prosecutor alleging that he was followed. *Radio Continent* owner Sergei Sholoh reported to the authorities and repeated these allegations to me that he was visited last July by a man identifying himself as a police colonel, who asked Sholoh about any possible connections Gongadze might have had with local Mafia groups. The authorities deny that Gongadze was ever followed. They also deny that the man identified by Sholoh actually worked for the police. Sholoh insisted that the "colonel" showed him a genuine police ID.

At least one senior government official who was interviewed had his own theory. A leading Ukrainian politician Ivan Drach (he currently chairs the State Committee on Information Policy) told me that "international forces" were involved in this case. "There are too many murders, this is going beyond belief," noted Drach. In his view all these issues are related to the change of leadership in both the US and in Russia. "Look, *Radio Liberty* is hitting [President] Kuchma in an organized fashion," stressed Drach, who believed that under pressure Kuchma was becoming more manageable ("The Russian President can do whatever he wants."). He said that as a result of the Gongadze case, investors were fleeing Ukraine. In his view, there were too many questions in this case – "His so-called body was found in Moroz's district, it was twice re-buried. Why were his fingers cut off – maybe because he fought on the Georgian side in Abkhazia while a lot of Chechens fought with the Abkhazians. Maybe somebody gave Gongadze to the Chechens."

Drach said that the Gongadze case and the release of the “Kuchma tapes” were part of a “bigger plot against Ukraine”.

A prominent Kiev editor did not exclude that former Prime Minister Pavel Lazarenko, currently detained in the US, might have organized the bugging of the President’s office through some renegade secret service officers. “Bear in mind, the recordings supposedly started when Lazarenko left Government,” noted the editor. His newspaper, actively covering the Gongadze case, was bracing for a series of tax inspections.

And then there was the issue of the X-ray of the hand of the headless body. The X-ray of the right hand showed fragments of shrapnel identical to those Gongadze received seven years ago in Abkhazia. As a result, the forensics’ expert, who did the first autopsy, issued a death certificate in the name of Gongadze. He was later reprimanded.

The plot thickens. Christian Neef from *Der Spiegel* told me that in December 2000 people close to Alexander Moroz contacted Ukrainian student Igor Stelmah in Germany and asked him if it was possible to find a company in Germany that can do DNA testing. He found such a firm and tissue samples of the body were provided by one parliamentarian. However, this student was invited to the Ukrainian vice-consul in Munich on 26 January 2001 where he was questioned about the Gongadze case. The SBU (Ukrainian Secret Service) insisted that they had a right to conduct such “interviews” even outside Ukrainian State borders. I saw a special request addressed to the head of SBU General Derkach asking for his assistance in locating Stelmah in Germany. The request was signed by Senior Prosecutor I. Sherbina. (In late March the German company allegedly established that the blood samples provided proved that the body was not Gongadze’s).

On 30 January the correspondent of the influential Moscow daily *Izvestia* Yanina Sokolovskaya was assaulted in Kiev. This was also tied to her critical publications, some of them on the tapes. The assailant was later arrested. However, the *Izvestia* editorial board had certain questions regarding how the investigation into the attack was conducted. At the time of writing Sokolovskaya was under police protection.

On 10 February, President Kuchma fired the head of SBU Leonid Derkach and the head of the presidential security service Vladimir Shepel. No official explanations were given but the opposition had been demanding the resignation of Derkach. Nikolai Melnichenko, who allegedly made the tapes, also worked for these gentlemen.

On 13 February 2001, the British newspaper *The Independent* reported that Valery Ivasiuk, a Ukrainian doctor helping the Rada ad hoc commission on the Gongadze case, fled the country after receiving death threats and was seeking political asylum in Britain.

None of the experts and politicians interviewed believed that under the current circumstances the investigation into the disappearance-possible murder of Gongadze would ever have public credibility – no matter what the final results were. The lack of a proper analysis of the tapes does not help in clearing up the picture. Igor Gavrilov from the Rada was blunt: “The executive should have been very quick in dealing with them [the tapes] if they are really fake. However, the executive is trying to buy time. They are either very unprofessional or very guilty.” He believed that the only way to get to the bottom of what really happened was to ask for international expert support.

Such support was being offered by *Freedom House* and the *International Press Institute (IPI)* who were planning to provide “an evaluation of the tapes by an experienced technical company; an assessment of whether the voices on the audio tapes are genuine or doctored or artificial; a description and eventual verification of the identity of the voices through technical means and a proper English translation of the conversations relating to the Gongadze case.” (*IPI* press release of 12 February 2001). At the time of writing this investigation was still pending. However, in mid-February the Kiev office of *Freedom House* received a letter from the tax inspection asking it to provide certain financial documents. On 22 February IPI informed the Rada that they could no longer pursue the issue for “technical reasons.”

The Kiev scene is buzzing with rumours, theories, reports based on “absolutely 100 per cent” sources, etc, etc, etc. One local businessman, very well clued into the local business community, asked me to stop “bug-

ging” him with questions about Gongadze. “If I told you some of the stuff I heard, I am not sure I would be alive,” he quipped in a half-whisper over a glass of beer. In general, people were not afraid to discuss the Gongadze case, but when confronted with difficult questions, especially related to the tapes, often nervously looked around as if some hidden force was present that would make sure that whoever committed this crime knew that they had talked. Often, I could not even get a straight answer.

Although I spoke with Moroz in early February, he avoided putting the blame in the Gongadze case at anybody’s door. He was evasive. His views changed two weeks later when in an interview with *Izvestia* Moroz underlined that “he [Gongadze] was probably killed by those people that Kravchenko described to the President. Remember, on the tapes the Minister of Interior says that he has “these mighty eagles who have no morals?” Moroz is candid enough to be either sued for libel by Interior Minister Kravchenko or the Minister has to resign. It is difficult to see a third option.

Tensions continued to rise in Ukraine, statements coming from different politicians accused this group or that of undermining stability in Ukraine, “dark forces” were often mentioned although references to Darth Vader were avoided. With all this finger pointing that spilled into the media it became clear that Ukraine has moved miles from where it started ten years ago. Of course, some people were still afraid to talk openly – the virus of communism is not that easy to remedy – but the medication was working. Despite harassment, despite accusations of government pressure, the Ukrainian media were debating the Gongadze case and the tapes relatively freely, were offering their pages, studios to opposing views and were generally informing the public in a fair manner. Even Moroz, a fervent critic of the state of freedom of expression in Ukraine, acknowledged that “the local media are now more objectively describing events.”

The scandal around the Gongadze case became a huge issue abroad, with newspapers like the *Washington Post* dedicating its pages to the fate of a relatively little-known on-line journalist in a country where only one per cent of the population has access to the Internet.

One of the best quotes, in my view, comes from Gwynne Dyer, a London-based independent journalist who wrote in the *Washington Times* that “Ukraine, with 50 million people and huge resources, is one of the most important countries in Europe, but it is not Mr. Kuchma’s personal property. Indeed, there is a good chance that Ukrainian democracy, as young and as tainted by corruption as it is, can sort this problem out by itself.”

Let’s hope he is correct.

Halka Kaiserová

Fragile Power of the Media

“Whatever good or bad happens today wherever in our world it can have consequences for all of us” is one of the fundamental thoughts of Václav Havel. I am convinced that the recent history of Europe with the fall of the Berlin wall and decline of the so-called communist bloc, has again confirmed its validity. There is no doubt that nowadays we live in one global civilization, which in spite of consisting of a large number of cultures with a colourful spectrum of historical, social, cultural and spiritual traditions, is interconnected by the one and only unseparable fate. In other words we share common responsibility for the promotion of our basic values. This is, however, unthinkable without the free flow of information.

Free press is said to be the fourth power. I do not know which power it is; however, free and independent media do undoubtedly represent a power. They are a power in the sense that they bear a large part of responsibility for our common fate, for what we can learn and what we cannot, what we should be afraid of and of what we should not, what to believe and what to distrust. Free media can become – as a part of the information and communication system of the current civilization – a tool of our self-recognition.

Although ten years ago I used to spend my days and sometimes nights analysing stylistic ill manners of journalists and summarizing their violations against sentence structure, texture and even genre, I did this with the feeling that it was worth doing, since the media of my country had become free and pluralistic. They got rid of the unified language and the depiction of reality, so typical for societies under the dictatorship of one person or of one party.

I entered the Office of the OSCE Representative on Freedom of the Media in the third year of its existence. For OSCE it was the year when the topic of good governance and transparency was raised. It was only

logical that my role would also include involvement in the activities of the OSCE Representative on Freedom of the Media in this field.

Independent and responsible media are one of the instruments for promoting transparency and good governance. Moreover, independent media have the potential to serve as a catalyst for reform beyond national borders. In the world of global communications, a local story attracts the attention of an international audience, increasing external pressure for change. This can lead to pressure for systemic reform, which in turn adds impetus to existing local demand for reform.

Therefore, media are also an important means to fight corruption, a factor antithetical to good governance. Freedom of speech, investigative journalism and free flow of information are the essential ingredients necessary to sustainable reform and addressing corruption.

Just over a year ago, the Istanbul Summit declaration underlined the importance of OSCE involvement in promoting good governance. The OSCE Parliamentary Assembly led this call to action and reinforced it with the Bucharest declaration. The Chairman's report to the 2000 Ministerial on OSCE Contributions to International Efforts to combat corruption defined the role that the OSCE can play to promote good governance. The main task for OSCE institutions and participants now is to seek concrete and practical ways to give substance to this important agenda.

The Office of the Representative on Freedom of the Media is often urged from various sides to promote investigative journalism. What does this mean concretely? What conditions are required so that investigative journalism, capable of combating corruption, flourishes?

What is very important both for journalists and the public is free access to information. In many OSCE transition countries, the media lack access to even the most basic official elements, including such items as budgets, statistics, public procurement, tax revenues and court proceedings. The freedom-of-information legislation giving the public the right to certain information on essential state functions is the first step. There are a few countries where such legislation exists and its implementation is, however, still neither generally known nor enforced. Also

discussions may take place about the degree to which all information should be made public, about the extent to which government documents might be marked secret, as well as the extent to which privacy for the individual should be protected. However, it has been proved: laws that guarantee freedom of information are critical for combating and controlling corruption. Statistically, the countries where the freedom-of-information law is in place belong to the least corrupted nations.

Effective results cannot be expected from investigative journalists combating corruption when the judiciary is not efficient and independent. All OSCE countries have committed themselves to recognize freedom of speech as the fundamental human right and the legal system in most of them guarantee the freedom of the media. Without enforcement, however, such rights are a sham. Reporting on corruption is a highly demanding job, especially where professional expertise is needed (as for instance to address the complexities of financial records or complex business transaction). Moreover, collecting evidence is often a long and uneasy process. Allegations of corruption must be substantiated before they are published, but since the allegations concern practices that are, by definition secret, proof is often difficult to obtain. When protected by an independent judiciary, a reporter is encouraged to stick with his investigation. If the punitive libel laws are misused to harass the journalists, if a court requires them to reveal their source as a part of their defence, the prospect of meaningful investigation is remote. Especially, when physical intimidation or even murders inhibit the reporting on corruption. Censorship by killing is still a reality of the OSCE area.

Besides the above-mentioned non-media developments on which success of the media anti-corruption work depends, there are obstacles connected with editorial attitudes and financial pressures within the media.

In transition democracies media are not economically viable and rely on state or owner subsidies. The developed countries on the other hand have an incredible concentration of media ownership. In the US for example fewer than one hundred newspapers are owned by individuals or families, the rest are owned by corporations who own other

newspapers and broadcast stations nationally. In both cases, the most difficult and increasingly important function is that of top editors. They should insulate news coverage from pressure of political authorities as well as from commercial interest of owners and advertisers. The independence of media owners should be a matter of concern especially in countries where corruption is high. The media owners may have diverse business interests that frequently bring them close to civil servants and leading politicians.

The best investigative reporters are journalists who have the backing of editors, the time to do in-depth investigation and a good portion of inner integrity and intense curiosity. Investigative journalism is expensive and time-consuming. And financial constraints can stop even a sympathetic editor from releasing staff to do an extended investigation.

How can the OSCE Representative on Freedom of the Media help? Dealing with structural media issues he has tackled most of the above-mentioned problems in one way or another. The misuse of defamation and libel laws has been followed in particular cases presented to the OSCE Permanent Council and public as well as comprehensively discussed on the Kiev round table on libel laws in 1999. The Representative devotes permanent attention to censorship by killing, structural censorship and the protection of journalists in a wider sense. The Office monitors and reports the cases of harassed journalists, including those combating corruption. The Representative has many times raised the question of media ownership and its potential capacity to abuse the independence of professional journalists. The Office provides legal advice on laws that could constrain the enforcement of freedom of speech and thus the promotion of investigative journalism.

The Office of the Representative on Freedom of Media has been asked several times to facilitate the training of investigative journalists. Training courses for investigative journalists are very important and can help especially the young and inexperienced journalists to learn the framework of this difficult and at the same time creative job. Therefore, the round table on corruption and journalism in Prague, organized by the Office of the Representative, was prepared in co-operation with the

school of journalism. However, the role of such training should not be exaggerated. It is deeper education (a reporter should know how to interpret law, to read balance sheets etc.) and practice which can make an investigative journalist successful. Neither Woodward in the past nor Leyendecker or Kislinskaja today undertook special courses for investigative reporting.

The strategies to promote investigative journalism and enhance the capacity of journalists to combat corruption should be tailored to a particular situation in a particular OSCE country fighting corruption. In some, the country priority needs may include legal reform initiatives to promote the passage and effective implementation of a freedom-of-information law and to provide training and technical assistance to government officials in law enforcement, on press relations. In others it is crucial to build up coalition among judges, prosecutors, regulators and journalists. These strategies, however, are far beyond the capacity of one institution and require the determination of the whole international organization in co-operation and co-ordination with governments, NGOs and other international organizations.

Hanna Vuokko

Common Values, Different Histories

Chaotic, conflicting and confusing? Creative and inspiring? A bit of both. More or less. But always: Challenging. The question connected to this dichotomous answer is of course: “What is it like to work in a multicultural organization?” These are the answers I received conducting an unofficial survey among friends and colleagues. These are the answers I have myself given over the years depending on my experiences in particular jobs. However, in my current job at the Office of the OSCE Representative on Freedom of the Media I have found new dimensions in the answer. I have even acquired some new insight into the question itself.

The basic statistics of our FOM Office are fairly simple. The total number of people in the Office is ten, including five advisers, two secretaries and two interns in addition to the Representative himself. The current staff represents nine nationalities. However, this does not show the full cultural picture, as we are much more multifaceted. Collectively we have lived in 16 of the OSCE participating States, and we conduct business in about 20 languages. That’s quite a bit of “cultural baggage” to bring, for good and bad, to a small office.

Naturally, our cultural background is not the only thing defining us. Add to the mix our educational and professional backgrounds to get a clearer view: we have worked as diplomats, politicians, publishers, journalists, editors, and spokespersons but also in shipping, as rock critics and with the mentally handicapped. We’ve worked for Presidents, Parliaments, Ministries, universities, NGOs as well as the private sector. *Et cetera*, the list is long. The variety in the education spectrum is too wide to even be brought up in this context. The gender balance is also quite unique for an international institution, as currently 80 per cent of the staff is female.

Any office with such diversity must inevitably take this into account in conducting its everyday business. This becomes particularly

challenging when dealing with values, many of which vary on an international scale, and values happen to be the bread-and-butter in our work, at the very core of our everyday functions. We can only realistically continue to work together and function as an office if we have common values. In our case we are fortunate to have a clear basis to work on with the mandate as well as 20 pages of OSCE commitments related to freedom of the media. However, our differences show when discussing interpretations as well as priorities. We rarely end up contesting different aspects of freedom of the media, but we frequently consider best ways of spending scarce funds, alternative methods of reacting to a violation of the commitments and how to best assist a participating State in a media problem.

Of course we have particular interests when it comes to countries and issues, based on totally subjective criteria, e.g. whether we have lived in particular countries. We have soft spots we focus on more eagerly – the readers of this and past yearbooks are acquainted with some of our views and motivations. From a personal perspective, as a minority language speaker, I tend to note this angle in our cases and it is understandable that the legal aspect interests me since human rights law was my field of study.

The main term to characterize our everyday efforts, though, is teamwork. Our special interests, be they culturally related or not, only add to the strength of the group. And we often have to rely on the special cultural know-how of one staff member or another in grasping and explaining different phenomena unknown to the rest of us: how do individuals react in particular cultural settings, how should we counteract to receive a desired result, and what does it all mean. Extensive insights are often necessary to understand the delicate “body language” of different cultures.

Our teamwork is reinforced in an interesting, and quite unintentional, way in the physical setting of our Office. We are located in the heart of Vienna on the top floor of the OSCE Secretariat building. Most of us share one large room with a beautiful view over the rooftops towards Karlskirche. Those of us who do not actually possess a desk

in this room nevertheless spend quite a bit of time in it, since our conference table is there as well as all our current files. This room sharing has some definite advantages, many of which are related to teamwork. You will inevitably share views on projects and plans if you sit so close to each other every day. The drawbacks should be quite clear as well: it is quite impossible **not** to share each other's projects when sitting so close to each other every day, e.g. trying to focus on something requiring concentration can be a challenge when four colleagues are on the phone at the same time (if you are lucky they are speaking in four languages unknown to you - it's easier to ignore a conversation you don't understand).

Another element conducive to good teamwork is the size of the Office. Actually, during the first half of the year covered in this yearbook there were only three advisers in the Office; we did not receive the badly needed reinforcements until September. This naturally limits us to some extent; it is impossible to accomplish everything with limited human resources. On the other hand, this allows us to have an overview of what everyone is doing as well as discuss individual projects at staff meetings together. Since there is also quite a bit of travelling involved and we frequently need to cover for each other in following the media situation in the region, teamwork is crucial even as a basic element.

Not only are the views of all staff welcome, but different perspectives are at the core of a good discussion. Apart from examining alternative approaches to particular individual cases, best fund-raising strategies, possibilities of combating excessive defamation suits or other media-related questions, we have ended up debating anything between heaven and earth - a discussion starting with any media question can end up with healthcare, gender equality or the goriest details in the latest movie. Needless to say, we also cover most of the spectrum related to political views.

The cultural differences between us don't only appear when discussing issues. This also shows in the different ways we discuss, act and interact with each other, something that should be familiar to anybody working in an international setting today. While trying to avoid stereo-

types and clichés we can still distinguish some differences in our actual behaviour. Easiest to exemplify as a clearly culturally related issue is the degree of formality between the staff members. We happen to be lucky in the fact that our sense of humour coincides to the extent that it is possible to enjoy the contrasts. Or at least most of them...

A thesaurus offers several synonyms for “challenge”: confrontation, test, trial, provocation, obstacle. On a bad day, working in a multicultural organization can be all that. In my view the most appropriate parallel is nevertheless “dare”. If we dare to let multiculturalism work its magic, the advantages will far outweigh the disadvantages, making both the work and our daily life much more interesting. Opposing views expand the range of deliberations. We can profit from our differences, if in no other way then at least as a comic relief to let off steam after a long day. The main keys are self-awareness, sensitivity and a basic appreciation of diversity.

The insight into the question itself? Multiculturalism and internationalism has stopped being the extra spice added by pinches and dashes to a ready-made stew to add flavour, and become inseparable main ingredients. For me the question has lost its importance – it is the only way I can imagine working.

Ana Karlsreiter

Courage after the Courage Award – Women Journalists in Bulgaria

Before a hit-man threw sulphuric acid in her face, causing extensive burns on her face and arms and blinding her left eye, Anna Zarkova was the editor-in-chief of the crime news department at *Trud*, one of the biggest Bulgarian daily newspapers. She was investigating and reporting on drug trafficking, police violence, local Mafia and official corruption. Her articles brought death threats against her and her two children. But she could not remain passive and keep silent. She was convinced that with her writing she was contributing to the battle against corruption and crime in her country: “The Mafia has already deprived me of my eye; I will not give them the pleasure of pushing me out of journalism”, Anna Zarkova said in an interview after receiving the Award from the International Women’s Media Foundation for her courage in journalism.

This fearless and confident Bulgarian woman reminds me of my own mother, who was a TV journalist in socialist Bulgaria. In a completely different environment but with the same persuasive power as Zarkova she was working and fighting according to her self-made, but very ambitious and highly professional journalistic codex.

There have always been committed women at the forefront of Bulgarian journalism. And this in a country which to the present day continues to cling to its patriarchal traditions and where the concept “advancement of women” is still a foreign word in political circles. As a matter of fact, equality between men and women stood as a principle at the basis of the Marxist doctrine and it was seen as providing women with full and equitable access to economic activity outside the home. Equal access to employment, it was argued, would inevitably and automatically lead to equality in all other spheres. Practically, women were provided with paid jobs outside the home, both for ideological, but more importantly for pragmatic reasons, as a response to the

demand for cheap labour in the extensively developing economy. Although the principle “equal pay for equal work” was applied in practice and the State as the only employer unified salary rates for all levels and types of work, the average woman received lower wages. Disregarding their achievements in education, women had to conform with marginalized positions and limited career chances. In general, this situation left generations of Bulgarian women with very frustrating experiences of being equal workers. They were, besides, expected to comply with their triple role “good worker, caring mother and wife, active citizen”. This role conflict was the prevalent challenge also in my mother’s everyday life - an impossible mission. I remember her coming back home late overtired after ten strenuous hours at the TV set, starting to prepare something for dinner, trying to show me, that although her work is significant for her I am actually the centre of her life. She was a famous journalist, but I know how severely she suffered when in the TV programme credits her name always came in second place after the name of the editor-in-chief, a man, who sometimes did not even have the slightest idea of what the programme was all about and she was the one doing the entire job, beginning with the script and ending with the organization of the event. She also deserves an award for her courage and professionalism.

Today the picture has changed; female journalists are unusually well represented even in executive positions, in management or as responsible editors in the print media, radio and television in Bulgaria today. There are no reliable statistics available, but a glance at the names of publishers and editors of newspapers and magazines is revealing. Anna Zarkova continues to work at *Trud* as the chief of its criminal news department fighting corruption. In the case of the newspaper with the largest circulation in Bulgaria, *24 Hours*, the name Venelina Gotscheva heads the list, and a further six out of the ten department heads on this newspaper are women. The bestselling weekly newspaper *168 casa* is also managed by a woman, Veselka Vasileva. At the head of the editorial board of the weekly newspaper *Kultura* is another woman, Koprinka Tschervenkova, and half of the editors are also women. Lastly, men-

tion may also be made of the weekly business newspaper *Kapital* which also employs a large proportion of female journalists as editors. It is worth noting here that the departments managed by them also include foreign and domestic policy, economy and finance, social affairs, etc., and are not merely confined to entertainment, fashion, health, cosmetics, house and home and cooking.

I was surprised, when I lived in Germany, that not a single influential daily newspaper or business magazine is under the direction of a female editor-in-chief.

In Bulgaria media women are also to be found in prominent positions in the political area as well. The President's media advisor is a woman, Neri Terzieva, who was previously a television journalist. Stojana Georgieva, previously a journalist at *Radio Free Europe* in Sofia, was until recently the media advisor to the head of Government. A female media law expert, Neli Ognjanova, played a key role in the drafting of the current media law. The press departments of most ministries are under the direction of women, and on 22 January 1999, Lili Popova, became Director General of *Bulgarian State Television*.

The high proportion of women in the media today in Bulgaria is nothing less than phenomenal. The so-called gender aspect was not on the agenda of the Bulgarian Governments, also after 1989, with the exception of several symbolic steps under pressure of the OSCE, the Council of Europe and the European Union. As a matter of fact in 1996 an inter-ministerial working group headed by the Secretary General of the Ministry of Labour and Social Affairs (a woman) succeeded in developing a national action plan. This document initially named "Measures to Implement the Beijing Platform" was adopted by the Government in October 1996. This working group was closed in 1997 without any remarkable results. The two main policy documents issued by the current Government in 1997 ("Bulgaria 2001" and "National Strategy for the Accession to the European Union") do not even mention any action directed at the advancement of women, in contrast to minorities and so-called "non-traditional" religious groups that are rather high on the official human rights agenda. The existence of gender issues is being

denied as such. The “equality without democracy” was replaced by “democracy without equality”. In Bulgaria there is no ministry for women’s affairs, no parliamentary commission for women’s issues and no ombudsman for women. Terms like “feminism” and “emancipation” have predominantly negative connotations in Bulgaria, and Western feminist concepts encounter criticism and a lack of understanding because they regard the family - which is held in Bulgaria to be a fundamental institution - with scepticism.

Despite all this, the journalistic profession is a domain of women in Bulgaria. In a media age, the influence on society that women exert through their prominent presence in the media cannot be overstated. Only time will tell whether and how, young and ambitious female journalists will put this influence to use. Anna Zarkova’s message to them: “Colleagues, for us there is no other way. If they don’t splash acid in your face as a journalist, tomorrow they will kill you in the street as a citizen. Stick together, do the job and be brave”, is guiding the direction.

Vladimir Kondratsky

“Freedom Parachutist”

“Freedom Parachutist” is what I am called here in the Office of the OSCE Representative on Freedom of the Media. As fate decreed, I appeared to be the first intern, who “jumped” into the Office from the post-Soviet environment which is finally, gradually freeing itself from the 70-year-old fetters of bondage and arbitrariness. I did not misspeak by saying “gradually freeing”, since these fetters were not cast off in 1991 nor did they disappear with the fall of the Soviet Union. They were just acknowledged as such and condemned to perish.

How was my “landing”? I would say quite soft and painless. Apparently because I belong to that new generation which inherited the opportunity of freedom. I have not made a slip of the tongue again: our generation did not inherit freedom itself but only the opportunity of freedom. It means that freedom is yet to be achieved. A way to freedom, so personal and so universal, should be found. Only this way leads to peace and prosperity. But how to find this way, and how to follow it? This is that very complicated and at the same time vitally important question which ought to be answered. Must this way be violent? I am certain it must not. The very concepts of freedom and violence are directly opposite to each other. The way of violence is the way to non-freedom. Violence only destroys freedom and never creates it. I believe that there is no situation when violence is necessary. But there are situations when people lose their patience and escalate their hatred. And thus, through their own fault, they resort to force by their merest weakness and lack of will. Violence is the lot of weak-willed people.

I believe that the way to freedom should be peaceful, balanced and gradual. Since only violence and its source – hatred – are thoughtless and precipitative. The way to freedom is the way of reason led by good feelings. This is the way of each individual and the whole of society.

Freedom has many dimensions – one can speak about freedom of thought, freedom of religion, freedom of opinion... It is impossible to

say which one of the freedoms is more important and which is less. They should be deemed as a whole. Therefore they need to be equally guaranteed and equally protected.

The post of the OSCE Representative on Freedom of the Media was established as an instrument for “co-operation in humanitarian and other fields” – the so-called third basket – with the purpose to promote and protect freedom of expression. Since this freedom, which is vitally important to any democratic society, is mostly realized through the media, the Representative has been called to advocate and promote free media.

I remember the first staff meeting where I was introduced as a new intern to the Office staff. The first question I was asked was about my understanding of the role and activities of the OSCE Representative. Before coming to Vienna I had spent quite a lot of time reading information from the official Website of the Representative. I remembered general provisions of his mandate, the accusation against him by Slobodan Milosevic’s regime, even some recent activities of the Office. But nevertheless, that question confused me. I realized that I was expected to give a rather short and laconic answer showing my understanding of the meaning of the OSCE Representative on Freedom of the Media’s mission. I did answer in a laconic way. I said the Representative protects journalists. Now after having been engaged in the Office workings, having seen the Representative’s activities from within the Office, having co-experienced some major events where the Representative and his Office took part I think my answer was, of course, not complete but neither was it irrelevant. One of the major activities of the Office is protection of free journalism in all OSCE participating States. This protection can take on different forms. Sometimes the Representative intervenes with the relevant governments on activities incompatible with journalistic freedoms. Sometimes the Office organizes conferences and round tables on protection of journalists. Different forms but the same purpose – advocating free journalism to promote freedom of expression. Another example of the Representative’s activities is his quick reaction to any obstruction to media activities. The Representa-

tive uses all available instruments – from early warning to interventions and recommendations – in order to prevent or halt those activities which undermine or apparently obstruct freedom of the media.

Thus the Representative fulfils the whole range of his duties imposed by the mandate using different instruments. But none of these instruments involves violence. He fights all forms of censorship including the most horrible one – censorship by killing – but never resorts to force. He combats “hate speech” that generates violence. He fights violence itself to promote freedom of expression.

The Representative initiates, supports and welcomes public discussion in the whole OSCE region. What, if not public discussion by free people, can be more productive and efficient for the development of a free society? What, if not public discussion by free people, can promote, strengthen and guarantee freedom and democracy? Efficiency and the importance of public discussion are proved by the history and current development of stable democracies. Public discussion leads to and secures freedom. But public discussion itself needs to be initiated and supported. And these are free and independent media that should play the role of public discussion initiators and supporters. Therefore freedom of the media has to be guaranteed and protected. Therefore the post of the OSCE Representative on Freedom of the Media was established as an integral part of the third basket.

I hope for and anticipate the time when new interns from the post-Soviet countries will not “jump” into the Office but will come as “freedom partners” to develop and strengthen freedom of expression in the OSCE region.

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Decision No. 193

Mandate of the OSCE Representative on Freedom of the Media

PC.DEC No. 193
Organization for Security and Co-operation in Europe
5 November 1997

137th Plenary Meeting
PC Journal No. 137, Agenda item 1

1. The participating States reaffirm the principles and commitments they have adhered to in the field of free media. They recall in particular that freedom of expression is a fundamental and internationally recognized human right and a basic component of a democratic society and that free, independent and pluralistic media are essential to a free and open society and accountable systems of government. Bearing in mind the principles and commitments they have subscribed to within the OSCE, and fully committed to the implementation of paragraph 11 of the Lisbon Summit Declaration, the participating States decide to establish, under the aegis of the Permanent Council, an OSCE Representative on Freedom of the Media. The objective is to strengthen the implementation of relevant OSCE principles and commitments as well as to improve the effectiveness of concerted action by the participating States based on their common values. The participating States confirm that they will co-operate fully with the OSCE Representative on Freedom of the Media. He or she will assist the participating States, in a spirit of co-operation, in their continuing commitment to the furthering of free, independent and pluralistic media.

2. Based on OSCE principles and commitments, the OSCE Representative on Freedom of the Media will observe relevant media developments in all participating States and will, on this basis, and in close co-ordination with the Chairman-in-Office, advocate and promote full compliance with OSCE principles and commitments regarding freedom of expression and free media. In this respect he or she will assume an early-warning function. He or she will address serious problems caused by, *inter alia*, obstruction of media activities and unfavourable working conditions for journalists. He or she will closely co-operate with the participating States, the Permanent Council, the Office for Democratic Institutions and Human Rights (ODIHR), the High Commissioner on National Minorities and, where appropriate, other OSCE bodies, as well as with national and international media associations.

3. The OSCE Representative on Freedom of the Media will concentrate, as outlined in this paragraph, on rapid response to serious non-compliance with OSCE principles and commitments by participating States in respect of freedom of expression and free media. In the case of an allegation of serious non-compliance therewith, the OSCE Representative on Freedom of the Media will seek direct contacts, in an appropriate manner, with the participating State and with other parties concerned, assess the facts, assist the participating State, and contribute to the resolution of the issue. He or she will keep the Chairman-in-Office informed about his or her activities and report to the Permanent Council on their results, and on his or her observations and recommendations.

4. The OSCE Representative on Freedom of the Media does not exercise a juridical function, nor can his or her involvement in any way prejudice national or international legal proceedings concerning alleged human rights violations. Equally, national or international proceedings concerning alleged human rights violations will not necessarily preclude the performance of his or her tasks as outlined in this mandate.

5. The OSCE Representative on Freedom of the Media may collect and receive information on the situation of the media from all bona fide sources. He or she will in particular draw on information and assessments provided by the ODIHR. The OSCE Representative on Freedom of the Media will support the ODIHR in assessing conditions for the functioning of free, independent and pluralistic media before, during and after elections.

6. The OSCE Representative on Freedom of the Media may at all times collect and receive from participating States and other interested parties (e.g. from organizations or institutions, from media and their representatives, and from relevant NGOs) requests, suggestions and comments related to strengthening and further developing compliance with relevant OSCE principles and commitments, including alleged serious instances of intolerance by participating States which utilize media in violation of the principles referred to in the Budapest Document, Chapter VIII, paragraph 25, and in the Decisions of the Rome Council Meeting, Chapter X. He or she may forward requests, suggestions and comments to the Permanent Council, recommending further action where appropriate.

7. The OSCE Representative on Freedom of the Media will also routinely consult with the Chairman-in-Office and report on a regular basis to the Permanent Council. He or she may be invited to the Permanent Council to present reports, within this mandate, on specific matters related to freedom of expression and free, independent and pluralistic media. He or she will report annually to the Implementation Meeting on Human Dimension Issues or to the OSCE Review Meeting on the status of the implementation of OSCE principles and commitments in respect of freedom of expression and free media in OSCE participating States.

8. The OSCE Representative on Freedom of the Media will not communicate with and will not acknowledge communications from any person or organization which practises or publicly condones terrorism or violence.

9. The OSCE Representative on Freedom of the Media will be an eminent international personality with long-standing relevant experience from whom an impartial performance of the function would be expected. In the performance of his or her duty the OSCE Representative on Freedom of the Media will be guided by his or her independent and objective assessment regarding the specific paragraphs composing this mandate.

10. The OSCE Representative on Freedom of the Media will consider serious cases arising in the context of this mandate and occurring in the participating State of which he or she is a national or resident if all the parties directly involved agree, including the participating State concerned. In the absence of such agreement, the matter will be referred to the Chairman-in-Office, who may appoint a Special Representative to address this particular case.

11. The OSCE Representative on Freedom of the Media will co-operate, on the basis of regular contacts, with relevant international organizations, including the United Nations and its specialized agencies and the Council of Europe, with a view to enhancing co-ordination and avoiding duplication.

12. The OSCE Representative on Freedom of the Media will be appointed in accordance with OSCE procedures by the Ministerial Council upon the recommendation of the Chairman-in-Office after consultation with the participating States. He or she will serve for a period of three years which may be extended under the same procedure for one further term of three years.

13. The OSCE Representative on Freedom of the Media will be established and staffed in accordance with this mandate and with OSCE Staff Regulations. The OSCE Representative on Freedom of the Media, and his or her Office, will be funded by the participating States through the OSCE budget according to OSCE financial regulations. Details will be worked out by the informal Financial Committee and approved by the Permanent Council.

14. The Office of the OSCE Representative on Freedom of the Media will be located in Vienna.

Interpretative statement under paragraph 79 (Chapter 6) of the Final Recommendations of the Helsinki Consultations

By the delegation of France:

“The following Member States of the Council of Europe reaffirm their commitment to the provisions relating to freedom of expression, including the freedom of the media, in the European Convention on Human Rights, to which they are all contracting parties.

In their view, the OSCE Representative on Freedom of the Media should also be guided by these provisions in the fulfilment of his/her mandate.

Our countries invite all other parties to the European Convention on Human Rights to subscribe to this statement.

Albania	Latvia
Germany	Liechtenstein
Austria	Lithuania
Belgium	Luxembourg
Bulgaria	Malta
Cyprus	Moldova
Denmark	Norway
Spain	Netherlands
Estonia	Poland
Finland	Portugal
France	Romania
United Kingdom	Slovak Republic
Greece	Slovenia
Hungary	Sweden
Ireland	Czech Republic
Italy	Turkey

1. Reports and Statements to the OSCE Permanent Council and other OSCE Fora

Report to the Permanent Council of 30 March 2000

In my first quarterly report to the Permanent Council this year, I will cover our main activities since December 1999. And as last year, at the end of March, I would like to present to you again our yearbook that covers our main themes and activities since February 1999.

But first of all, two remarks on current issues:

I am concerned about developments in Kyrgyzstan last week. One journalist of *Res Publika* newspaper was arrested for some days after covering a peaceful demonstration in Bishkek. *Vash Advocat* has ceased publication as the tax inspection authorities have frozen its accounts. The state-owned distribution network has refused to distribute three newspapers. These developments are disturbing in the election context as all papers in question were involved in election coverage.

On Belarus: More than 30 journalists, both Belarusian and international were arrested during the opposition-staged demonstration in Minsk on 25 March. The police did not express the reason for detention. Some of the journalists have been illegally searched, some lost their film and other equipment, and none were permitted to inform relatives or employers about their detention. This type of action is totally unacceptable in an OSCE participating State and must be condemned in the strongest terms. It endangers, once more, the political and social dialogue in Belarus about elections in the course of this year. I have asked the Foreign Minister to ensure that the journalists remaining in custody should be immediately released.

Now on our work during the past four months:

We have continued not only to monitor the situation in the Federal Republic of Yugoslavia, but have also actively intervened in Belgrade and informed the OSCE Member States again and again on our concern about the use and misuse of the Law on Public Information of 1998. When this law was adopted in 1998, we called it a declaration of war against journalists - a definition, which is true until today. The media repression has not only been going on, but the Belgrade regime now seems to have started the final onslaught against those few independent media that continued to inform the public about the real situation in the country. This move is an attempt to cut off all independent sources of information in the run up to several elections scheduled in 2000.

(As to the details of Belgrade's action, I will not read them out here to save time. You shall find them in the written form of my report.)

On 10 February, Serbian Deputy Prime Minister, Vojislav Seselj, accused journalists of being involved in the murder of Pavle Bulatovic, Yugoslav Defence Minister. Seselj is a leading member of a Government, which claims to be democratically elected. He threatened independent journalists with types of revenge, which would also include physical attacks. To my knowledge, this extremism is the most radical public declaration of war by a member of Government against free journalists in a European country since 1945.

In line with this threat, Yugoslav Telecommunications Minister, Ivan Markovic, announced at the end of February that legal action would be taken against radio and television stations which have failed to meet their obligations to the State. The basis of this action is the Serbian Law on Public Information.

On 6 March, five men in police uniforms took transmission equipment from the *Studio B* and *Radio B292* facility in Belgrade. *Radio Boom 92* in Pozarevac was closed on 8 March under the pretext that it had been refused a frequency licence. *Radio Tir* and *Nemanja TV* in Cuprija were shut down by Federal telecommunications inspectors on 9 March. Police also seized in March the transmitter of the opposition-run *Radio and Television Pozega*. On 17 March, transmission equipment was removed from *Radio and Television Kraljevo*.

Large fines were levied on independent media. For example, *Vecernje Novosti* was fined 150,000 dinars on 24 February, *Studio B* was fined on 7 March 450,000 dinars, *Magazine Srpska* - 450,000 dinars on 10 March. *Danas*, a leading independent daily, was fined on several occasions. Among some of the more bizarre methods of repression, Belgrade trade inspectors ordered the dailies *Blic* and *Glas Javnosti* to reduce their cover prices by 25 per cent. *Blic* informed its readers that because of this order, the newspaper has started making losses. *Glas Javnosti* saw this measure as destroying the newspaper through economic means.

In a move to protect one of the few independent broadcasters in Serbia, the Belgrade City Assembly, as the proprietor of *Studio B*, paid the Yugoslav Ministry of Telecommunications almost half a million German Deutschmarks in fees for "temporary frequency use".

Recently, Aidan White, the Secretary-General of the International Federation of Journalists, was refused a visa to visit Belgrade. The same happened to me in 1998. In other acts of intimidation, police in Bajina Basta prevented people from taking part in an official ceremony organized by the Committee for Defence of the Media established recently by *Radio and Television Bajina Basta*.

These are only some of the cases that I wanted to draw your attention to. The list of those suffering from harassment and intimidation by the Government in Belgrade is getting longer every day. We cannot allow this country in

Europe to fall back into the worst days of totalitarianism when both the Federal and Serbian Information Ministers are quoted on national television calling independent journalists “traitors”, “the worst kind of people”, and “servants of the US State Department”.

If we want the few remnants of democracy to survive in Serbia, we should immediately take action as an international organization and through our bilateral relations with Belgrade to try to ease the pressure on the independent media. This includes support to those demonstrators who defend the independent media against state action. The war against them is on and the gloves are off.

Last week one of my advisers took part in the Second Szeged Meeting on the Role of the Media and the Local Governments in the Implementation of the Stability Pact. This meeting was attended by dozens of representatives of independent media from Serbia. All of them are in dire straits; they urgently need financial and moral support. As one participant stressed, the current regime in Belgrade was out to destroy all independent voices that were still there.

On 16 and 17 March, I took part in a unique meeting in Montenegro dedicated to Truth, Responsibility and Reconciliation. As far as I know, this was a première on the Balkans. Writers, journalists and intellectuals mostly from Belgrade came together to discuss in public a theme which is essential for all future initiatives on peace and stability and democratic societies. About two years ago Veran Matic and others had started to look into this important issue, and he had asked me and others to provide reference texts, which were important to the debates in Germany after 1945. Public debates on truth, responsibility and reconciliation took place later in Chile and in South Africa. In Montenegro, the other day, I was impressed by the openness and the intellectual sincerity of the journalists from Belgrade in our discussions on such challenges and on the historic examples of overcoming “hate speech” and feelings of revenge. I believe that these are essential for peace and co-operation in our OSCE region. In early February, I visited Kosovo to address the conference on “Ten Years of War and Conflict in the Balkans”. The appalling practice of “hate speech” in the local Albanian-language media which I have mentioned has not yet vanished from the pages of newspapers and from the air waves. Nor has the radically one-sided media information that the Serb citizens in the enclaves had been receiving. The Decree on “Hate Speech” issued by the UN Civilian Administrator is an important step, but has so far had little impact. Local judges seem to be afraid to go against the KLA. On the positive side, I would like to commend the Mission for its outstanding work in establishing the delivery of two independent Belgrade dailies, *Blic* and *Danas*, to the Serbian enclaves in Kosovo. This is important, since for the first time in months people in the enclaves have access to other information rather than just to the mouthpieces of Slobodan Milosevic.

This project is not cheap and currently the Mission only has enough money to continue the distribution until early June. I urge the OSCE participating States to support this programme financially.

(We are pleased to announce that with the support of the OSCE Mission, the Children's books in Albanian are currently being distributed to schools in Kosovo).

As to the Russian Federation and to the military activity in Chechnya in particular, it has become clear that the repercussions of this conflict had their effects on the media. One case we all know very well - the plight of Andrei Babitsky, the *Radio Liberty* correspondent in Chechnya. My Office has intervened on his behalf in January, and I have appreciated the quick responses from the Russian Government to my interventions and, eventually, the release of Mr. Babitsky. Although free, he is still under criminal investigation on charges of allegedly "supporting an illegal armed group". I have asked the Russian Government to drop all charges against Babitsky for humanitarian reasons and to allow him, like all other journalists, to work freely.

I am concerned with the warning issued by the Russian Government this month, that journalists who quote Chechen rebel leaders will be liable for prosecution under anti-terrorist legislation. According to Russian media, the Press Ministry was closely watching about 50 media sources that have been suspected of extremist views and propaganda, the Press Minister's first deputy, Mikhail Seslavinsky, told the press. This statement was made on Tuesday, 14 February, after a session of the Presidential Commission for Confronting Political Extremism. Seslavinsky said that from now on interviews with Chechen terrorist leaders, on air or printed, would be regarded as a violation of the law called "On fighting with terrorism". Aslan Maskhadov and Shamil Basayev are among those who are not allowed to be interviewed (quoted from www.lenta.ru). On 16 March, *Izvestia* printed a short interview given to Interfax by Sergei Sobyenin, Chairman of the Committee for Constitutional Legislation of the Federation Council, who stressed that this prohibition did not violate freedom of expression (*Izvestia*, 16 March, p. 3). Although similar legislation existed in the United Kingdom in the eighties (Section 31 of the Broadcasting Act), I do not believe that these regulations, although up to now not enforced, are helpful to a healthy public debate on issues of concern to the citizens of Russia. With regard to this particular challenge, I addressed the OSCE Parliamentary Assembly here in Vienna in January, stressing the challenges all democracies face in times of their own participation in warfare.

In this context, I refer to a report issued by the Committee to Protect Journalists in New York on 16 March. This NGO stresses that "throughout the conflict, virtually all Russian media have demonized Chechens and highlighted Russian military successes. At the same time they have downplayed the

destruction of villages and cities, the plight of refugees, and allegations of brutality and torture by Russian troops. Independent Russian journalists worry that with so many of their colleagues accepting the role of adjunct government flacks, the hard won freedoms of the post-Soviet era could be in jeopardy." There are notable exceptions to the rule, such as, for example, *Novaya Gazeta*, *Noviye Izvestia*, and, to a certain extent, *Izvestia* and *Itogi magazine*, but their voices, I am afraid, are lost among the many editions and programmes that cover the activities in Chechnya in a one-sided manner. I urge the Russian Government to support pluralism in all challenging situations like issues of national security and separatism, the traitor syndrome being used against journalists seems to be the most effective instrument. A look at Europe's history in the past century shows that the traitor syndrome is one of the most dangerous traps for a democratic country facing its problems.

My Office has also focused on media development and media freedom in Ukraine. One of the reasons for this intensive co-operation is the vital importance of this country to the further development of cultural and political co-operation in this part of Europe. We therefore took note of Foreign Minister Tarasyuk's comprehensive speech at the Permanent Council two weeks ago in which he briefly mentioned the human dimension and democratization issues (not the media), when he said, "Ukraine continues to demonstrate in its domestic policies adherence to democratic values and economic progress thus consolidating internal stability."

In early December 1999, my Office held a major round table on libel issues in Kiev in a fruitful co-operation with the Government of Ukraine, the Council of Europe and IREX/ProMedia. This round table was based on our assessment that the abuse of libel suits by politicians of all political groupings is a serious obstacle to free media and independent journalism. It was meant to lead to concrete conclusions and recommendations to the Government on how to address this problem. We have distributed these conclusions and recommendations here in Vienna (FOM.GAL/23/99 of 9 December) as well as in Ukraine. I have also submitted them to Foreign Minister Tarasyuk in a letter of 15 December 1999. We have asked the Government since then to follow up on our recommendations, but so far without any concrete answers. Earlier this month, we suggested to the Government to consider the implementation of these recommendations as an OSCE project in Ukraine. This has also been discussed with the OSCE Project Co-ordinator. From this round table we concluded together with the Council of Europe that abuse of libel suits was basically not a problem of the existing laws, but a problem of proper application by the courts of domestic law in compliance with the European standards. The courts are unaware of the international law relevant to media, such as the case law provided by the European Court on Human Rights in Strasbourg which for example, requires politicians

and officials to be more tolerant about criticism by media than an ordinary person. In addition, there is still a lack of non-partisan rule of law and independence of the judiciary, which becomes quite obvious in a number of media cases. Whereas on the positive side, we have to state that censorship was abolished in Ukraine, that the legal basis for media issues can be considered to be generally adequate in Ukraine, and that media pluralism exists to a certain extent, current practices of the executive at all levels still include arbitrary action against critical media. The role of free and independent media as a fourth power and counterpart of government in a democracy has not yet gained ground in Ukraine. Therefore, efforts should be undertaken by the Government to enhance public awareness on relevant European standards of the OSCE and the Council of Europe. The Government should also ensure that the executive takes no arbitrary action against media. Furthermore, the Government and other public officials should provide greater access to information, as such transparency would improve the quality of media coverage on official activities.

The round table took place after the presidential elections and the forming of a new Government committed to undertake substantial internal reforms with a view to further integration into Euro-Transatlantic structures. Referring again to the Foreign Minister Tarasyuk's speech here two weeks ago, we cannot assess today, to what extent the Government of Ukraine is interested in directly addressing and improving media freedom.

Apart from the fact that we have not received any reply to our recommendations of December on the libel issue, there has been no progress either on a number of cases. One of them, the case of the Crimean newspaper *Chernomorskaya Zarya* has been mentioned already several times in the OSCE since March 1999. This newspaper has been faced with nearly 20 lawsuits as well as eviction attempts, resulting from its opposition to the local government. The newspaper has been forced to close down recently. Furthermore, the husband of the newspaper's editor-in-chief Irina Khrol, has recently been detained on alleged bribery charges. We have asked the Government of Ukraine several times to take prompt action in this case. Yesterday, we received a first reply on this matter which answers our questions partially. However, the editor-in-chief has asked us to help her seek political asylum because of the unbearable situation she has found herself in.

Last week, a major newspaper *Silski Vesti* appealed to me after being accused of failing to pay taxes, the freezing of its bank accounts and criminal charges being brought up against the chief editor. The newspaper sees this action in context with critical coverage of the referendum. We have asked the Government to comment on this case.

A final word on our country report distributed earlier this month. We have taken note of the remarks of the delegation of Ukraine last week, both of the

contents and of the rhetoric. Today, I have reacted to the general criticism of our report. Regarding all the concrete details, we provide a point by point answer in writing today. I repeat: we would like to co-operate with the Government on a number of substantial and structural issues on the basis of its commitment to European values.

In February, my Office conducted another assessment visit to Albania. It seems that free media are now arguably the greatest accomplishment of the changes in post-communist Albania. Albanians can read or listen to the entire very pluralistic spectrum of news and opinion. As far as we could find out, at present no newspapers get closed down, and intimidation of journalists has diminished. But journalistically there is a serious problem: The downside of this media freedom is that the media in Albania is an arm of politics, and politics is everywhere, leading to the conclusion that Albania might well have one of the most politicized media in Europe. Nearly every newspaper or electronic media outlet has its political affiliation, whether they are direct arms of the parties, or tools of owners who have their own inevitable political agenda.

We have made several specific suggestions to the Foreign Minister of Albania regarding the difficult transition of State Television to Public Television and the continuing need for equality and fairness in broadcasting in this new experiment of Public Television. Most notably, however, we look forward to seeing the Albanian media relinquish at least some of its political agenda and begin to concern itself with the serious journalistic tasks. We hope to work with Albanian media and NGOs to promote the concept of "Civic Journalism". To this end, my Office is in the process of arranging a seminar on Civic Journalism for the Albanian media, which I would hope to attend. Working closely with the OSCE Presence in Albania, we hope this conference might take place in the month of May.

I am getting to our agenda for the next months:

- In the framework of the Stability Pact, we shall organize a regional meeting on the role of media in conflict prevention, and more specifically on the "hate speech" problem and lessons learnt over the past years in South-East Europe. Our Office, the Council of Europe and the OSCE Mission to Bosnia will organize this meeting in late September in Bosnia.
- In the near future, we shall publish the first report on the *Intergovernmental organizations and media reform in Slovenia, Croatia, Bosnia and Herzegovina, FYR of Macedonia and Kosovo*. It was written by the British expert Mark Thompson. The European Commission, to which I would like to express thanks, mainly funded it.
- Building on the success of last year's first Media Conference in Bishkek, my Office is working with the OSCE Mission in Dushanbe to arrange a second

conference in the autumn of this year. We hope that this conference will be as successful as the first one and that it will help to institutionalize the concept of regional media co-operation in Central Asia.

- Apart from “hate speech” and media freedom, the two other structural themes of my Office throughout this year will be the protection of journalists in wartime and conflict zones and the role and risks of journalists fighting corruption.
- I have addressed these themes also in my reports to the Foreign Affairs Committees of the Irish and the German Parliament in Dublin and in Berlin. And I will do so next week in Washington where I have been invited to testify before the Helsinki Commission. Let me seize this opportunity to thank the Irish Government for its hospitality and its support during my visit at the end of February.
- In conclusion, I would like to present to you our second yearbook, which is in front of you. The yearbook will be available also in Russian in the course of this spring.

Statement at the Permanent Council of 18 May 2000

(Review of Current Issues)

Yesterday morning the Serbian authorities took over control of the Belgrade TV station *Studio B* accusing it of calling for “the violent overthrow of the legitimate authorities”. In an official statement broadcast on *Studio B* the regime said: “The Serb Government had decided to take over all the assets of *Studio B*.” The statement was signed by Serbian vice-premiers Vojislav Seselj from the Radicals and by Milovan Bojic from the United Left. Most of you are well aware of the reputation of Seselj - a notorious paramilitary commander during the wars in Croatia and Bosnia and Herzegovina and an outspoken enemy of free media in Serbia.

The authorities also discontinued the programmes of *Radio B2-92* carried on *Studio B*'s third channel. Journalists from *Blic*, a leading Belgrade daily, were not able to enter their offices yesterday. Their reporters called my Office to inform us that the newspaper was basically closed down without any official explanation and that the staff planned to publish a special edition at a different location.

Through the enormous efforts of its staff, *Radio B2-92* was able to re-start broadcasting via satellite. *Blic* also published yesterday a special edition thanks to the solidarity of journalists from *Danas*, and my Office was informed this morning that the editors of *Blic* will try to put out a regular edition today. Yesterday evening, thousands of people gathered in Belgrade to support the independent media.

This new and unprecedented attack on freedom of expression in Serbia follows a long campaign against independent journalists that gained new momentum this year with many reporters being arrested, harassed, their equipment and materials and even passports confiscated.

For example, Miroslav Filipovic, a correspondent for *Danas* and *AFP* and a contributing editor with IWPR in London, is “still enjoying the hospitality” of the police after being arrested at his home in Kraljevo on 8 May. His passport, address book, texts and the hard disc of his computer were confiscated. There are reports that he may be charged with espionage - a ludicrous assertion that was often used by the Soviet Union to stamp out dissent.

I can spend here hours giving you detailed information on all the cases of media harassment recorded by my Office this year. Dozens and dozens of cases reported every day, I would like to underline, every day. Nothing like this, reminiscent of the worst days of totalitarianism, has been seen in Europe for years.

The Director of *Studio B*, Dragan Kojadinovic, described the closure of his station as an act that showed that “the Government is practically introducing a state of emergency in the country.” A country ruined by a family that misuses state

functions to stop all protests against Bambiland, its citizens plunged into darkness by leaders that are indicted for crimes against humanity by an international tribunal. A new crime was committed yesterday against the people by Milosevic's group that believes that they are the only ones who can uphold the truth.

Serbia now is on the path that many countries with authoritarian leaders have experienced in the twentieth century. UN Balkans envoy Carl Bildt described the country as a "system in serious decay, which, day by day, shows increasing signs of severe instability and lawlessness."

What can all of us do to stop the decay and help the people of Serbia? The limits of my mandate are very clear - I have intervened with Belgrade on several occasions but to no avail. However, among us are participating States that can exercise substantial influence on the actions of this Government. I understand from media reports that over the past ten days both the Defence and the Foreign Ministers of the Federal Republic of Yugoslavia visited Moscow for talks with senior Russian officials.

Defence Minister Dragoljub Ojdanic, indicted for war crimes by the Tribunal in The Hague and for some reason not arrested by Russian police on his arrival to Moscow, met with Russian defence officials. Foreign Minister Zivadin Jovanovic, banned from entering most European countries, spoke in Moscow with Foreign Minister Igor Ivanov.

Russia fully supported the establishment of my Office and throughout the last two years supported my everyday work. That is why I ask the Russian Government to use its influence on Belgrade and particularly on many Cabinet members in order to rectify the situation and to stop attacks on freedom of expression in Serbia.

I believe that if Russia makes this plea many ears in Belgrade will be listening very carefully.

Statement at the Permanent Council of 1 June 2000

(Review of Current Issues)

Let me start by thanking you for the broad support of my work in last week's Council meeting. I greatly appreciate the statements of the Chairmanship and of the majority of the delegations present here regarding Belgrade's verbal attack against my Office.

Today, I would like to present to the OSCE Permanent Council a report on International Assistance to Media in South-Eastern Europe. The report was commissioned by my Office and financed by a grant from the European Commission. It deals with international involvement in post conflict media development in Slovenia, Croatia, Bosnia and Herzegovina, Macedonia (FYROM) and Kosovo. Mark Thompson who is one of the leading experts on media issues in the region wrote it.

After visiting all the former Yugoslav Republics in 1998-99, I felt that there was a need for a study that would look at the post-Yugoslav media, how after becoming independent, for example, Slovenian TV developed as compared to Macedonian TV. However, for reasons beyond my control, it was difficult to find funding for such a large and comprehensive study. With Mark Thompson we therefore discussed another approach - to look at the region from the perspective of international assistance to media. As a result we are presenting this report today.

The report is a unique study that analyses a new trend in post conflict development known, for a lack of a better name, as media development (as you know, this was successfully done in my own country in 1945 and in Cambodia in the early 1990s). OSCE is the main international organization involved in this matter. OSCE media development offices are operational in Bosnia and Herzegovina and Kosovo. OSCE Missions in Croatia and FYROM also deal with support and assistance to independent media.

Mark Thompson looks at the many obstacles faced by the local media and the governments in establishing free journalistic media in the region. Where can the international community help either through international governmental or through non-governmental organizations? Where is there a need for relevant legislation to be introduced by the international community? These and other questions are answered in the report.

In my view, the report is important as a lessons-learned study that should be used by the OSCE as a training manual when it tasks its Missions with media development. It should also be part of the OSCE induction course for new Mission members who will deal with these issues. One thing is clear – international players in the future should be better prepared to assist the public of the country concerned.

Here are some of the author's conclusions and recommendations:

On Slovenia - According to the author, Slovenia's progress in democratizing the media shows that events in other former Yugoslav Republics were not a legacy of the socialist system, but were the outcome of deliberate policies.

On Croatia - the author believes that international organizations tended to neglect journalists in order to devote time to politicians, arguing the need for media reform. In hindsight, they should have tried harder to educate the journalists, who, like the politicians, had little or no experience of life in a liberal democracy. It is important to underline the constructive work that the OSCE played in keeping media reform issues as a priority even during discouraging times.

On Bosnia and Herzegovina - The struggle for a democratic public media has not been won yet. We are still in the middle of that struggle. With enough international will, a democratic broadcast network for the whole country can be developed. Without strong determination, this will not happen.

On FYROM - Restructuring the state media should be a high priority, within the framework of the European Union's regional approach and the 1995 commitments to the Council of Europe. More should and can be done to help and encourage the liberalization of the state broadcast network.

On Kosovo - UNMIK's overriding obligation is to ensure that the public obtains accurate and impartial information from Kosovar media. This will become even more important as elections approach. The media must reflect the genuine concerns and priorities of people from Kosovo. This will not be possible in an atmosphere of intimidation and lawlessness, such as currently prevails. The author also believes that donors should know more about media that they support. If the problem of donor-supported media pursuing undemocratic and illiberal objectives is to be eliminated, donors will need to keep themselves better informed about the content purveyed by their beneficiaries.

This is only a small fraction of the issues Mark Thompson raises. These are his conclusions based on extensive research and many interviews. Not every international intervention into media is positively assessed by the author. Mistakes were made – unavoidable since international organizations have almost no experience in this field. The report helps us look back and learn from both our successes and from our mistakes.

I hope that this report will be useful to all the delegations and not only to those that represent South-Eastern Europe. Many of the problems discussed in the report are generic and the author's views should be of interest to most newly emerging democracies.

Let me, for a minute, use this opportunity to remind us of the death of two journalists from two of our participating States: last week *Reuters* correspondent

Kurt Schork, a 53-year-old U.S. citizen, and *Associated Press* cameraman-producer Miguel Gil Moreno, 32, of Barcelona, Spain, were killed in an ambush in Sierra Leone. Both had worked in Bosnia.

Let me quote Martin Bell, *BBC* veteran reporter and currently member of the British Parliament, on Kurt Schork: "...He did more than file dispatches, which he did faster and better than anyone. He helped the helpless, rescued the wounded, and became the conscience-in-residence of the Sarajevo press corps...For Kurt the Bosnian war was and still is an epic struggle between good and evil."

Paying tribute today to the memory of Kurt Schork and Miguel Gil Moreno, we should also look at what we can do more to protect journalists in areas of conflict. Schork and Moreno were seasoned war correspondents, they knew the risks and how to minimize them. This knowledge did not save their lives. There are others, mostly freelancers, who go into battle with no protection, no insurance and very little if any experience.

Last year, after the death of three journalists in Kosovo, I once again raised the issue of protection of journalists. My Office will continue the discussion on protection of journalists with media and military experts from OSCE Member States this year; look at options that are available to governments to try to help minimize the risks for war correspondents and look at such issues as training, insurance and protection gear. We owe it to the memory of Kurt Schork and Miguel Gil Moreno and many others who have died trying to provide us with accurate and timely reports on a subject the OSCE since its birth in 1975 had been committed to stop before it ever starts: war.

Alexander Ivanko, one of my advisers who knew Kurt Schork, is trying to get a street in Sarajevo named after him. He is in touch with some Bosnian officials, however, I would like to ask the Bosnian delegation to support this initiative.

Report to the Permanent Council of 13 July 2000

Let me begin today with a very interesting and critical analysis by the President of the largest OSCE participating State, President Putin of the Russian Federation. I quote from his address to the Federal Assembly (8 July):

“Russian media, like society as a whole, is still in the developing stage. One should talk about this directly. The media reflect all the problems and the “growing pains” of the country. Since they work here, in our country, and are not following events from some island. Our journalism is like society and like the power structure. That is why, when I am often told: ‘Deal with the media, do this and that.’ I answer: ‘let us deal with society as a whole, than the media will change.’ But without truly free media Russian democracy will not survive and a civil society will not be developed. Unfortunately, we have not been able to develop concrete democratic rules, which guarantee the genuine independence of the fourth power. I would like to underline genuine. Journalistic freedom turned into a tasty dish for politicians and leading financial groups, became a useful tool for clans in their infighting. As President of the country, I consider it my duty to draw the attention of the public to this.”

This statement is a broad commitment to freedom of media and, at the same time, a convincing description of the challenges Russia is facing in this regard.

With great relief we learned last month that French freelance photographer Brice Fleutiaux, held hostage in Chechnya from October 1999 until June 2000, was finally freed. I would like to use this opportunity to thank all those involved in his release, especially the Russian Government. We regret, however, that the Russian journalist Andrei Babitsky was finally not able to personally receive the OSCE Prize for Journalism and Democracy 2000 during the OSCE Parliamentary Assembly’s session in Bucharest last week.

My Office has continued to observe the situation of *Media-Most*, a leading Russian media conglomerate owned by Mr. Gusinsky. The media belonging to this conglomerate tend to take a generally critical attitude towards the Government. Three incidents in the past weeks - the raid on the premises of *Media-Most*, the detention of Vladimir Gusinsky, the delay in allowing a top manager with *Media-Most*, Igor Malashenko, to leave for the World Economic Forum on Central and Eastern Europe - could suggest a certain pattern of action against *Media-Most*. These incidents, on the other hand, did not affect so far the work of the media that are part of this conglomerate. We have also taken note that other major companies which also own media outlets are currently being investigated for alleged business malpractice.

The situation of the media in the Federal Republic of Yugoslavia remains very difficult. I have spoken at length here regarding the ongoing (for over a year-and-a-half) campaign of persecution against the media in Serbia. Here are some additional facts: Since the beginning of the year about 15 independent media have been shut down. More than 200 broadcasters were threatened with closure after the Government refused to renew their licences. Arrests of journalists and acts of vandalism are common, and the authorities have stepped up their threats against members of the press. Moreover, about 30 media have been ordered to pay heavy fines totalling 28 million dinars (2.6 million euros) in the past 20 months. I have written on numerous occasions to Yugoslav Foreign Minister Zivadin Jovanovic. We have asked also the Russian Government to use its influence on Belgrade to ease the pressure on the media.

Regarding Kosovo, I would like to draw your attention to the recent attack on Valentina Cukic, the Serbian editor of *Radio Kontakt*. I consider any attack against a Serbian journalist in Kosovo, especially in Pristina, to be related to the ethnicity of that journalist and I urge UNMIK, which is in charge of administering the province, to investigate this case promptly.

My Office continues to be concerned with cases of "hate speech" that are still reported in the Kosovo Albanian language media. I have been raising these issues since last autumn.

Some of these cases will be probably dealt with under the new UNMIK regulations of 17 June regarding broadcast and print media. These regulations, dealing with the conduct of the print media and the licensing and regulation of the broadcast media, can be an important step in developing a democratic society in Kosovo. They are timely and we should urge our colleagues in Kosovo to start implementing them as swiftly as possible. We should bear in mind: these regulations are established in a society, which does not have an independent court system and that the laws applicable in Kosovo are those of the Federal Republic of Yugoslavia.

However, the UNMIK regulations have already been heavily criticized by NGOs as being too intrusive. I believe that under the current circumstances, the anarchy in the media scene, where, for example, it is almost impossible to monitor all unauthorized radio stations, can only be streamlined by an international organization, in this case the OSCE. I also understand that a media appeals board will be established in Kosovo. This board will have the right to overturn any decision made by the media commissioner, who will have overall authority for media. Both my Office and the Council of Europe have been asked to serve on this board together with a prominent local lawyer.

On 22 June, the Russian Ambassador addressed my Office on *Radio and Television Kosova (RTK)* administered by the European Broadcasting Union. According to the Russian delegation, the programming of RTK was "unbalanced", "has

clear anti-Serb orientation, ignites inter-ethnic divergences and ultimately undermines efforts of the international community aimed at peaceful settlement in Kosovo.” I have asked the Russian Delegation to provide my Office with more detailed information on cases supporting this critical assessment of *RTK* programmes. No such information has yet been provided. As to my Office, I will take up, as I have done before, all serious cases of “hate speech” in the media in Kosovo. For the time being, it seems, however, that *RTK* is one of the better broadcasters in the province. It provides a forum for different political forces and promotes dialogue. And it is only one of the two licensed and reliable sources of information in the province in the Serbian language.

My Office has continued to monitor developments in Central Asia and to intervene in a number of cases. In Tajikistan the Chairman of the State Radio and Television Company, Saifullo Rakhimov, was killed on 20 May.

In Turkmenistan all private Internet and e-mail providers were closed down at the end of May. The largest private Internet provider *Ariana Ltd* has continued despite this decision, now as a free service: currently it faces threats of frozen bank accounts and cut satellite connections. The Government should revoke this decision which is a step towards full state monopoly on information. In Uzbekistan, several journalists serve sentences because of defamation and “insulting the President”. I have earlier intervened on several of these cases: no journalist should be sentenced to prison because of his journalistic activities. In the last months there has been further concern because of the deteriorating health of some of these prisoners.

In Kyrgyzstan several newspapers have experienced harassment, including *Res Publika* and *Vash Advocat*. The problems range from frozen accounts and distribution refusal, to arrest of journalist Aziza Abdrasulova after a peaceful demonstration in March. *Vash Advocat* has ceased to appear. Most recently, 19 June, the independent journalist Ibrainov Moldosali was sentenced to two years in prison for criminal defamation. In the newspaper *Akyikat* he had accused a judge of taking a bribe during an election-related case. There are procedural problems in the trial, including the fact that the journalist was not represented in court by a lawyer. The case is currently being appealed to a higher court.

The President of Kazakhstan, in a televised speech on 24 April, stated that he would not tolerate mass media insulting and discrediting those in power. He also encouraged the media to focus more on positive developments. I have voiced my concern about these remarks to the President. My Office has since identified and intervened in several cases. The newspaper *XXI Vek* has been suffering from a series of persecutions. In the last months different state agents have seized several of its issues. Now the newspaper has disrupted its publication for an indefinite future. Similar problems have also been experienced by the newspaper *SolDat*, which is now having problems finding a publishing

house willing to print the newspaper. In March, the *Channel 31* News Director Tatiana Deltsova was fired. There are strong indications that the firing was a political one as she had, as the sole journalist, been reporting on harassment of the opposition. Libel is also a serious problem involving many media outlets in Kazakhstan. The case of *Nachnyom s Ponedelnika* can illustrate the situation: since October 1998 a total of 17 lawsuits have been filed, involving more than 2 million USD. Fifteen cases are still pending; the newspaper has lost the other two. As a result, the property of the newspaper and its parent company, *Tokh-Nur*, has been seized. The newspaper has ceased publication. Earlier this week, the bi-weekly Russian-English newspaper *Globe* could not be printed due to a sudden refusal of the printing house. On 8 July, *Globe* had published a major critical article on the President of Kazakhstan. Apparently, the tax police already indicated thorough investigation of *Globe*.

I have earlier identified several strategies used in different countries to hinder the media from fulfilling their function in accordance with OSCE principles and commitments. One of these strategies that should be highlighted is “censorship by warning”: after a certain number of warnings or admonitions on the contents of reporting a newspaper can be closed down by court order. Currently this strategy can clearly be seen in Belarus. The last months have seen a serious increase in warnings to independent newspapers that are now under threat of closure. This type of warning legislation cannot be accepted as it distinctly hampers the freedom of information and leads to self-censorship. This practice must be changed.

Within the realms of the ongoing public dialogue in Belarus, the expert group on media has developed several proposals for improving the media field in the country, especially in light of the upcoming elections. I encourage the Government to now accept these amendments. Another reminder: the opposition in Belarus still does not have access to the electronic state media as was agreed by the Government and the opposition in November 1999. This access must be granted. Finally, I have to draw your attention to the disappearance of cameraman Dmitry Zavadsky on 7 July at Minsk airport where he was supposed to meet *ORT* journalist Pavel Sheremet. I urge the authorities of Belarus to do their utmost to find Mr. Zavadsky.

An update on media issues in Ukraine: We would like to start implementing the recommendations outlined by the Council of Europe and my Office at our joint round table on libel held in Kiev in December 1999. To this effect, we submitted to the Government of Ukraine several concrete proposals for action on 18 April. Our proposals include the production of a television programme on European and international standards in the media field to enhance public awareness of these standards. We also suggested the publication of a bulletin with specific legal information to be distributed to judges and lawyers. Obvi-

ously, we are also open to any other suggestions for projects in line with our recommendations of December 1999. In our view, our proposals could and should be developed into projects to be implemented by the OSCE Project Coordinator in Ukraine with whom we have consulted on this matter. Such projects are subject to the formal approval by the Government, which we have not received yet. However, the Ministry of Foreign Affairs informed me earlier this week on the state of proceedings.

Let me inform you also that the first Russian edition of our yearbook is available now and will be distributed to interested delegations and to the OSCE offices in Russian-speaking countries during the next weeks.

An issue of concern to my Office is the case of *Avrupa*, a small newspaper in the northern part of Cyprus. On 8 July, the editor-in-chief Shener Levent, two editorial writers as well as a local military officer and his wife were arrested and accused of espionage. Beforehand, this newspaper had been sentenced several times for libel and defamation of Mr. Rauf Denktash to pay fines of more than 200,000 USD. These fines, if paid, would ruin the newspaper. On 16 May, Mr. Denktash's lawyer had the newspaper's equipment seized to ensure payment of his own fees. At the end of May, trials began against *Avrupa* on a number of lawsuits for "instigating hatred against the Turkish Republic of North Cyprus and the Turkish army". We are in close contact with the UN and other agencies on this matter.

Now a few words on our plans for the next few months:

On 10-12 October, my Office together with the OSCE Mission in Bosnia and Herzegovina and the Council of Europe will hold a regional Media Conference in Sarajevo in the framework of the Stability Pact. This conference is intended to focus attention on the current state of the media in SEE and to assess its role in conflict prevention and in the process of reconciliation that is slowly moving southward in the region. Based on this assessment, the conference is intended to facilitate the development of regional strategies to promote free media.

At the end of last year, I published together with Nenad Popovic *In Defence of the Future* with contributions from key authors of former Yugoslavia on prospects for peace and stability in the region. We have been encouraged to undertake a similar publication with contributions from writers and journalists from the northern and southern Caucasus, that is from Russia, Georgia, Azerbaijan and Armenia. Ambassador Heidi Tagliavini, Representative of the CIO for the Caucasus, and I will edit this book together. It will be available in Russian, English and German in October and also be presented in the region.

Together with the OSCE Mission in Tajikistan, we are currently organizing the second regional Media Conference in Central Asia to take place in the autumn in Dushanbe.

We are also planning to hold two round tables in the second half of this year: one on the protection of journalists in conflict zones and another on journalism and corruption.

Let me address here also a more organizational element in the work of my Office: The Third OSCE Public Affairs Round Table of May 2000 recommended (*inter alia*) that my Office should be strengthened with a legal expert who could advise OSCE Missions on legal frameworks, press codes for the media and act as a repository for good practices. We believe that this is a justified demand, and providing assistance is clearly part of our mandate. Therefore, we are prepared to examine the possibilities of integrating such expertise into our Office including the costs, which are of course not yet foreseen in our budget outline of April.

In conclusion, I would like to share with you a few thoughts on freedom of media in the Helsinki process and on the work of my Office. The OSCE is celebrating the 25th anniversary of the Helsinki Final Act. Therefore, we have recently circulated as a reminder a document of reference that contains all the CSCE and OSCE commitments related to freedom of expression, free flow of information and free media since 1975. It is an impressive document about a main element of democracy and of co-operation among States. These commitments are valid throughout the OSCE regions, and they form the basis for government action in the field of media and for action by my Office.

After my last report to you, end of March, there was one question about our working methods, especially about dealing with information we receive from non-governmental sources. In fact, we do our utmost to clarify NGO and media information on the numerous alleged violations of press freedom. A great number of letters, which I address to Foreign Ministers, do ask for official clarification on such information. Many governments respond quickly, others take their time. My experience over the past two years is, however, that such direct contacts with governments do not necessarily lead us to always adhere to the views of the Government concerned. This has certainly and objectively to do with the subject-matter of our work, freedom of media which has often to be defended against government action. In this respect, my mandate (par. 9) requests me to be guided by my "independent and objective assessment".

I would like to add another explanatory element here: how do we decide when to take action in defence of freedom of the media? When I make a decision to either intervene or not intervene on behalf of a person who may be prosecuted for exercising his or her right to freedom of expression or a media outlet, I always take into account the situation in that country. On individual cases the question is: Can a newspaper or a journalist defend themselves? Does a legal framework exist in the country concerned that will ensure justice without prejudice or bias? Could the case be eventually solved by the European Court on Human Rights in Strasbourg?

That is one of the reasons why we have to focus so often on the challenges in the newly emerging democracies in Eastern Europe and the former Soviet Union, where the existing court system is still fragile and relevant legislation is in need of further improvement. President Putin referred to these challenges in his speech, which I quoted at the beginning of my report.

On broader issues such as, for example, access to information, media laws, governing bodies of public broadcasters, I always look: Is there a public debate on these matters and is this debate unhindered? Or are decisions made behind closed doors with the public told of the result? The open debate has a corrective function, and I believe as long as this function exists there is still a need to gather relevant information but less necessity to intervene.

Statement at the Permanent Council of 7 September 2000

(Review of Current Issues)

I would like to draw your attention today to current media developments in Russia. First of all I would like to extend my condolences to the Russian people regarding the death of 118 sailors on the Kursk nuclear submarine last month.

The Kursk tragedy and the fire at the Ostankino TV tower in Moscow that blanked millions of television sets showed once again how important media is in the life of people. After the fire, in trying to fill the information vacuum, daily newspapers were selling out by early morning and the three leading Russian news providers on the Internet crashed because of an influx of users.

The death of so many marine soldiers has opened a very serious and challenging debate on the role of the media in OSCE's largest participating State. During the month of August Russian media, in an invigorated and combative mood, tried to provide the people with information on this tragedy in real time.

For example, *NTV*, the leading non-government national television channel, on the one hand was accused by some independent experts of "waging a campaign against the President", on the other it had been praised for regaining "its combative voice".

The coverage of the Kursk tragedy prompted Vladimir Zhirinovskiy, Deputy Speaker of the Russian Duma, to ask Putin to withdraw *NTV's* licence. According to Zhirinovskiy, *NTV* programmes "were hazardous to the health of the population because of their anti-Russian character."

NTV, like any other media outlet, can and should provide a forum so that different views, especially at a time of national crisis, are aired for the benefit of the public. Many of the views may be critical of the Government and here media play a corrective role by bringing to the public's attention cases of government mismanagement and even corruption. Providing such a forum is not a reason to revoke a station's licence.

According to an opinion poll conducted by the All-Russian Centre for Public Opinion Research, 53 per cent of the population thinks the media "played a positive role" during the Kursk crisis. The Centre's Director, a respected Russian pollster Yuri Levada believes that "the atmosphere the media created forced the Government to invite foreign help [to recover the bodies]. That surely wouldn't have happened without them."

The topic of this statement is how will this new situation – the combative spirit among many journalists, the atmosphere of openness in the country, already deeply routed – affect the future relationship between the media and the Government of Russia. Most of the information evaluated is from Russian sources and experts that my Office interviewed.

However, if the current volatile situation develops in a negative direction with pressure being applied on non-government media - the OSCE Permanent Council should be informed. This negative scenario is still possible. This is how I understand the early-warning function of my mandate.

Boris Berezovsky, a leading Russian media owner, wrote a letter to Putin on 4 September informing the President that he was transferring his shares in the main TV channel *ORT* to “journalists”. According to Berezovsky, he made this decision after an “ultimatum” was issued by the President’s administration that he had two weeks to transfer all his *ORT* shares to the Government.

“By issuing this ultimatum, you have basically asked society a question: Does non-government media have a right to function in Russia? If I agree to this ultimatum there will be no television information, it would be replaced by television propaganda controlled by your advisers,” Berezovsky wrote in his letter. Names of potential beneficiaries - future owners of *ORT* stock – are being reported in the Russian media.

At the Istanbul Summit the participating States reaffirmed “the importance of independent media and free flow of information as well as the public’s access to information. We commit ourselves to take all necessary steps to ensure the basic conditions for free and independent media.”

It is the freedom of journalistic media that the OSCE, a declared community of democracies, is there to protect.

Statement at the Permanent Council of 5 October 2000

(Review of Current Issues)

This week *Radio Obrenovac*, *Radio Smederevo*, *Radio Novi Becej*, *Radio Zajecar*, *Radio Lazarevac*, *Radio Mladenovac*, *Radio Sremcica*, *Radio Television Krusevac*, *Timocka Television* in Zajecar and some others in Serbia have changed their editorial policy and told their audiences that in the future they will broadcast objective information about events in the country. All these stations were close to the ruling coalition.

It seems that Milosevic is losing control of the media – one of his main power bases. Journalists from state-controlled media are joining their colleagues from the independent broadcasters and newspapers in calling on the regime to respect the will of the people. This deserves full support from the OSCE.

On 3 October, therefore, I issued a public statement stressing that over the past week hundreds of employees of state-controlled media have gone on strike protesting the Government's refusal to recognize the results of the elections and state media's lack of objectivity in covering the post-electoral crisis. The situation around the media in Serbia continues to be tense. That is why I decided to inform the Permanent Council on the latest developments.

On 3 October security guards at *Novi Sad Television* ordered journalists from minority-language programmes to leave the building, saying that these programmes would no longer be aired. Journalists who arrived later were barred from the building. In Kikinda, Vojvodina, the local SPS organization issued a statement in which it insulted journalists and the owner of the local VK radio and TV station and accused them of organizing the protests and "inciting a civil war".

Now the journalists themselves are reacting. Reporters at *Politika*, the leading state-controlled newspaper, are calling for a strike unless *Politika* changes its editorial policy. On the same day, 18 editors from *RTS* [Radio and Television Serbia], Milosevic's main propaganda outfit, asked the Serbian Parliament to dismiss the station's management. These editors called the editorial policy of national radio and television "arrogantly one-sided" and "humiliatingly unprofessional". All *RTS* broadcasts ceased in Nis as of 3 October.

Statement at the OSCE/ODIHR Human Dimension Implementation Meeting, Warsaw, 16-18 October 2000

17 October 2000

Today, at the opening of this major meeting, I would like to provide you just with a brief overview of our activities over the past year. You can find a detailed report on all our activities, including country by country interventions, in our 1999/2000 annual yearbook *Freedom and Responsibility*.

My Office has continued to monitor the media situation in the OSCE participating States and intervened whenever necessary to protect media from government harassment. One thing is clear: in several countries journalistic media freedom today is under more pressure than it was when I took this job.

Before I brief you on the media situation in some of the countries my Office has been active in, I would also like to draw your attention to a number of structural problems we have identified: censorship by killing; structural censorship; the role of the media when democracies go to war; industrial cross-ownership of media; post-conflict societies: defending the future; dealing with "hate speech". I have spoken on several occasions on censorship by killing and structural censorship – the two new phenomena in the emerging democracies, both used to silence critics in the media - either through murder or through a more sophisticated system of economic pressure. The end result, however, is the same: the public is kept unaware of certain events that, instead of generating an open debate, are swept under the carpet. We can talk about these issues in more detail at tomorrow's session.

My Office has continued to focus extensively on media developments in the Federal Republic of Yugoslavia. As I have said on many occasions, the 1998 Serbian Law on Public Information has been used throughout the past two years to harass independent media, fine it and even take over control. Millions of dinars had been paid in fines often bringing different media outlets to the verge of bankruptcy. On several occasions I intervened with Belgrade voicing my concerns regarding the situation of the media. In the end, I received a threatening letter from Ivan Markovic, Belgrade's Minister of Telecommunications, who, among other things, accused me of being a "German agent".

During the recent election campaign, my Office published a daily bulletin *Serbia: Journalism and Elections*. We collected from open sources and from journalists in Belgrade information on harassment of media and opposition supporters in Serbia as well as on the campaign against the opposition initiated in state-controlled media. That is why I was especially heartened to learn that in early Octo-

ber hundreds of employees of state-controlled media have gone on strike protesting the Government's refusal to recognize the results of the elections and the state media's lack of objectivity in covering the post-electoral crisis.

My Office has also been actively involved in Russia. Throughout this year we have raised on several occasions the case of Andrei Babitsky, *Radio Liberty* correspondent in Chechnya. I will not go into the details of the case. I have asked the Russian Government to drop all charges against Mr. Babitsky; however, this has not been done. On 2 October, Mr. Babitsky went on trial in Makhachkala accused of using falsified documents. He was found guilty and fined, but was cleared under current amnesty laws. Mr. Babitsky has said he will appeal the verdict.

I have also debated with the Russian authorities and at the OSCE Permanent Council about the recent developments in Russia. I have certain concerns that I would like to share with you. On a positive note, the Kursk tragedy showed that freedom of expression has taken root in Russia. The tragic events of August generated a public debate on the way the Government handled the crisis as well as on the role of the media in reporting disastrous events. However, not everybody was happy with the spirit of combative reporting seen in the Russian media.

On several occasions President Putin has stressed his devotion to freedom of expression. He has also raised the issue of the need for economic independence of the media. I share these concerns of President Putin and urge his Government to continue adhering to the commitments it signed up to as an OSCE participating State.

We continue to focus on Ukraine. An ongoing concern is the misuse of libel legislation by officials that sometimes lead to non-government media going bankrupt. My Office conducted a round table on this matter last December. We have made specific recommendations on the implementation of OSCE and European standards. The Government of Ukraine has expressed its readiness to implement these recommendations. They are in line with my mandate which stresses the need to assist participating States on media matters.

This September my Office was informed of the disappearance of a prominent Ukrainian journalist, Georgiy Gongadze, editor of the online magazine *Ukrainska Pravda*, who went missing in Kiev on 16 September 2000. Prior to his disappearance, Mr. Gongadze had published an open letter to the prosecutor on the Internet complaining about certain forms of harassment against him. I have also raised this case with the authorities.

Throughout the past year I have continued focusing on developments in Belarus, the Central Asian States, Turkey, Azerbaijan. Whenever I am informed of cases of pressure on media professionals I try to immediately intervene with the Government concerned. Furthermore, in Central Asia my

Office, in co-operation with the Government of Tajikistan, will host this November in Dushanbe a regional conference for journalists from the Central Asian States. This is the second such conference, the first one was held last year in Bishkek.

I would like to draw your attention to some of the projects my Office has been involved in over the past year and to some of our plans for the future. Last year, through financial aid from private donors, my Office, together with the OSCE Mission in Kosovo, organized the publication of children's books in Albanian for the schools and libraries in Kosovo. This spring almost 100,000 books were distributed throughout the province and are bringing smiles to the faces of children many of whom have lost everything, including their favourite books, during last year's refugee crisis.

One of the projects I developed deals with post-conflict societies and defending the future. Last year I organized the publication of a book titled *In Defence of the Future: Searching in the Minefield*. This book includes twelve texts by authors from South-Eastern Europe who examine the recent history of the area in regard to its consequences for the future. Now a collection of writers from the various nations of the Caucasus are contributing to a book, again under the title of *In Defence of the Future*. I expect to present this publication later this year at the OSCE Ministerial Council and in the region. This book is edited by Heidi Tagliavini, the CIO's Personal Representative for the Caucasus, and by myself and brings together over twenty writers from Armenia, Azerbaijan and Georgia and from the northern Caucasus Republics in the Russian Federation.

Currently my Office is also organizing a round table on media and corruption. I plan to invite journalists from the newly emerging democracies to discuss how they are dealing with corruption in their countries and what dangers they face investigating these stories. Among those planning to attend are reporters from South-Eastern Europe and Russia. The round table will take place later this year in Prague.

This is just a short description of some of our activities. I will discuss our other concerns in more detail at the session dedicated specifically to freedom of the media.

Report to the Permanent Council of 16 November 2000

First of all, I would like to extend on behalf of my staff our condolences to the Austrian Government on the tragic events in Kaprun. Our thoughts are with the families of those who have perished.

During the previous four months since my last regular report my Office had to act and react to quite a considerable number of challenges. Over the past months we have seen dramatic changes in our region – elections in the Federal Republic of Yugoslavia that have brought to power democratic forces. We have seen moderate forces win elections in Kosovo. We have also witnessed major shortcomings in Kyrgyzstan and Belarus where the recent elections could hardly be described as free and fair according to international observers. I will now give a general overview of our activities in the OSCE participating States since July including the projects we are currently implementing.

On the Federal Republic of Yugoslavia: I visited Belgrade on 11-12 October where I met with leading officials from the now-governing Democratic Opposition of Serbia and with journalists. The subject-matter of my visit was the freedom to speak, the freedom to write, the freedom to broadcast without any government pressure. In my meetings and at the press conference that I held there I underlined the need for support for media in the Federal Republic of Yugoslavia after the elections. Among other things, I suggested providing European programme packages to RTS and establishing a media board consisting of journalists and media experts, who fought for freedom of expression in Serbia for many years, to help the country's media during transition. Goran Svilanovic, president of the Civic Alliance of Serbia and now FRY Foreign Minister, supported the idea of a media board.

My Office will continue monitoring the media situation in FRY where most of the developments I see as being very positive and if there are problems we will try to help to overcome them. All of us were extremely pleased to see Miroslav Filipovic, a Serbian journalist sentenced under the previous regime to seven years in prison for espionage; Flora Brovina, a leading Kosovo poet and doctor; and Zoran Lukovic, a reporter for *Dnevni Telegraph*, all finally freed from jail. I welcome their release and our thanks go to FRY President Vojislav Kostunica.

During the Yugoslav election campaign my Office issued fourteen bulletins *Serbia: Journalism and Elections* drawing attention to the plight of journalists prior to Election Day. This project received a positive response from your delegations, NGOs and journalists. That is why we decided to continue with this effort and have issued several bulletins on *Journalism and Elections* in other countries.

Regarding Kosovo: The results of the first democratically held elections in the province are a reason for optimism. The victory of Ibrahim Rugova's moderate forces suggests that we might see a change in the media landscape - hopefully ethnic hatred will cease and the media will start transforming more quickly with the support from the OSCE Mission in Kosovo. On several occasions I have defended the work of the Mission on media matters and will continue to do so. In conversations and written communications with Aidan White, Secretary-General of the International Federation of Journalists, I and my advisers have underlined the need for an international oversight mechanism for media during the transition phase to democracy. I have not changed my position, however, and I believe that any such international mechanism is only a temporary measure with the accent on the word "temporary". I would also like to add that recently I was informed of increasing pressure against any critical article on illegal business practices. This is a worrying tendency with which the OSCE Mission, I understand, is trying to deal.

I would like to use the opportunity to thank the Government of Norway for its generous financial support for the distribution of Serbian independent publications in Kosovo.

We were pleased to hear that Claude Moisy was elected the Chairperson of the Media Task Force at the meeting of the Stability Pact for South-Eastern Europe in Bucharest. He is a well-known French journalist and editor who has actively worked for the defence of press freedom and protection of journalists. The co-operation of the Media Task Force and my Office has been further strengthened by the fact that Mark Thompson was elected by consensus the first Media Task Force Executive Secretary. Mark Thompson is the author of an extensive report on media activities of international organizations in post-Yugoslavia that was published by my Office this year.

On 18-20 July, I visited Albania where I held talks with members of the OSCE Presence, senior government and parliament officials, journalists and media owners and representatives from NGOs. On 19 July, I chaired a round table of leading media owners and editors on *The Albanian Media: New Laws, New Rights, New Responsibilities*. On 20 July, together with Ambassador Geert-Hinrich Ahrens, I held a press conference that was widely reported in the Albanian media. One of the issues that struck me in Albania was that although the media field was generally free, there was a worrying lack of professionalism among many journalists and editors. I suggested to the international NGOs present in the country to start providing training sessions for media professionals and in this way to try to lift the level of journalism in Albania.

My Office continues to co-operate with Ukraine where we are successfully working on two projects together with the OSCE Project Co-ordinator and the State Committee on Information Policy. These projects were agreed between the

Government of Ukraine, the OSCE Project Co-ordinator and our Office following our round table in Kiev in December 1999. The first project is a television programme recorded in October on the subject of European standards regarding freedom of expression and the current state of media affairs in Ukraine. The programme was conducted as a round table and involved one of my advisers; the OSCE Project Co-ordinator; Ivan Drach, a prominent Ukrainian politician and Chairman of the State Committee on Information Policy; and a leading Ukrainian media lawyer. The programme is supposed to air today. However, I am slightly concerned with the delay since the recording took place five weeks ago. The second project involves publishing a brochure in Ukrainian with relevant reference materials on media matters that can be of use to both journalists and judges.

On the other hand, we have focused on the disappearance of prominent journalist Georgiy Gongadze, on *Silski Vesti*, which is being continually pursued by tax authorities, on *Svoboda* that is refused printing facilities and whose case one of my advisers mentioned orally to the Government in Kiev. We have asked the Government for clarifications on these matters. On *Silski Vesti*, we received a reply from the Foreign Ministry on 30 April stating that the reasons for administrative measures taken against the newspaper were of a strictly financial nature.

As to the Russian Federation, one of my senior advisers took part in a round table in St. Petersburg of Ombudsmen from the CIS and Baltic States held in October. This was a first-time event organized by the Commissioner on Human Rights for the Russian Federation, Oleg Mironov. One of the major themes of the round table, attended by 50 representatives from the CIS and Latvian governmental human rights specialists, concerned the interaction of these institutions with NGOs and mass media.

We have read with great interest the report on media in Russia submitted by the Russian Delegation to the Implementation Meeting on Human Dimension Issues held in Warsaw in October. This report stated that "some representatives of the state power structure, especially at the regional level, are trying to restrict the independence of the media through administrative and financial pressure." This phenomenon, which I have described as "structural censorship", is present in many States in transition. I hope that regional leaders will come to the conclusion that for the Russian Federation to be a democratic country, it needs freedom of expression like any other democracy. There is no other known way for a democracy to develop.

My Office has noted with concern that an arrest warrant has been issued for the main shareholder of Russia's only independent, nationwide television network *NTV*, a respected, professional media establishment. Therefore, I would like to underscore our hope that the independent journalistic media, one of Russia's greatest achievements, will continue to develop and function in an unhindered way.

Turning to Central Asia: The conduct of the October 29 presidential election in Kyrgyzstan, according to international observers including ODIHR, did not fully comply with OSCE commitments. We were particularly disappointed to note the strong government pressure on the independent media in the run-up to the election in light of the previous media freedom that the country had enjoyed. Therefore I decided to issue bulletins *Kyrgyzstan: Media and Elections* on October 25 and 31 to underscore this regrettable turn of events.

In Kazakhstan, the case of the newspaper *SolDat* is still troubling us. I have already voiced my concern regarding this case several times this year. The last two issues of the newspaper have again been seized by the authorities. Furthermore there are three outstanding criminal investigations initiated against the newspaper for “insulting the honour and dignity of the President”. These cases have been filed by “concerned citizens”. The problem of misuse of libel legislation is another issue I have brought up again and again in Kazakhstan as well as in some other OSCE participating States.

During the past months, we have also started the implementation of four projects within the Central Asian Media Fund, two in Kyrgyzstan and two in Kazakhstan, and we are currently identifying a suitable project in Tajikistan as well.

In Azerbaijan, we note regarding the 5 November parliamentary elections that the media provided for a diversity of political views, although the state media clearly favoured the incumbents. The *Azeri* editor Rauf Arifoglu was released from prison as a result of the intervention by the OSCE, among other organizations. I had intervened in this case with the Minister of Foreign Affairs. On the other hand, we continue to be concerned about the situation of the independent, foreign-owned television station *SARA* which has been closed by the authorities for over one year.

On Georgia: The good news is that the independent press is active, with some 200 independent newspapers in circulation, and increasingly, they appear to be gaining in popularity among Georgians over the government-controlled press. Most Georgians get their news from television of which there are eight independent television stations in Tbilisi alone. However, we are concerned that independent newspapers and television stations continue to be pursued by state tax authorities. The regions have special problems and media there often practise self-censorship.

My Office is currently supporting the establishment of a newspaper in one of the high schools in Tbilisi, as we have already done last year in Kazakhstan and Uzbekistan. By the way, my Office arranged a presentation of these school newspaper projects during the Human Dimension Implementation Meeting in Warsaw. The well-attended presentation generated considerable interest, and therefore I have decided to build on this successful beginning by supporting school newspaper projects in other countries, to introduce young students to the working of a free media.

At the end of October I wrote a letter to Italian Foreign Minister Lamberto Dini expressing sorrow at the recent death of the Italian radio journalist Antonio Russo, murdered on a road near Tbilisi. The winner of two Italian journalism awards, Mr. Russo worked for *Radio Radicale* and had been reporting from the Georgian capital on the conflict in Chechnya. Appeals have been made to the Georgian President to ensure a thorough investigation so that the perpetrators of this terrible crime are found and punished.

Belarus failed to meet European standards in its recent parliamentary elections and did not satisfy the four established criteria, including the one that would allow the democratic opposition access to the state-controlled media. The regime seized 100,000 copies of an edition on an election boycott of the independent trade union newspaper *Rabochy*. Given the deplorable state of democracy in this country, and continued harassment of the independent press, including the principal printing company *Magic*, I have decided to start issuing on a regular basis a bulletin on elections and the media in Belarus as that country prepares for next year's presidential elections.

As to journalists in Conflict Areas: On 6 November leading media professionals and officials from OSCE participating States, from the United Nations and the Council of Europe met in Berlin at a round table organized by my Office and the Ministry of Foreign Affairs to discuss this matter. The participants agreed that the reality of conflict has changed considerably over the past years. During the last two decades most of the journalists killed became casualties of non-international conflicts. This type of "terror warfare" has considerably changed the conditions on the ground not only for military personnel but also for civilians, including journalists. We should focus on what OSCE, including OSCE Missions, could do in terms of practical steps to ensure a higher degree of safety for journalists covering conflict zones. The UN and the Council of Europe will do the same within their organizations.

I have just returned from Dushanbe where the second regional media conference for Central Asia took place this week, organized jointly by my Office and the OSCE Mission in Tajikistan. The conference was attended by more than 90 journalists from four Central Asian States who participated actively in the very interesting sessions highlighting the different aspects of freedom of speech and media. A productive exchange of views was held on topics related to libel, the role of new technologies, censorship and access to information. The conference ended with the adoption of the Dushanbe Declaration highlighting the need for free journalistic media that can play a corrective role in the major political and economic decision-making processes. Journalists from the region decided in Dushanbe to set up a working group to organize further co-operation. As has happened last year, no representatives from Turkmenistan took part in the conference.

I also want to take this opportunity to thank the Chairmanship and the Governments of the United States and Germany for their voluntary contributions to make the conference possible.

Together with Ambassador Heidi Tagliavini, Representative of the CIO for the Caucasus, we are now finalising a joint publication entitled *Defence of the Future* along the lines of the book, which I published last year together with Nenad Popovic on former FRY. This publication will contain contributions from writers and journalists from the northern and southern Caucasus - from Russia, Georgia, Azerbaijan and Armenia. It will be presented by the Chairman-in-Office in a side meeting during the OSCE Ministerial Council and later in the region. This book will be available in Russian, English and German. I would like to thank the Governments of Austria, Switzerland, Norway, Liechtenstein, Germany and the Austrian NGO KulturKontakt for their financial support, which made this project possible.

For the fifth anniversary of the Dayton Agreements, I am planning to unveil next week the project *Defence of our Future - the mobile.culture.container* for South-East Europe. This project will be implemented within the framework of the Stability Pact. It was initiated by my Office in line with my mandate that deals with security, co-operation and countering ethnic intolerance.

On 4 December, my Office will conduct a round table in Prague on “Corruption and Professional Journalists”. Prominent investigative journalists from both Eastern and Western Europe have been invited, as well as academic experts in the field.

This is only a brief outline of our activities. Early next year my Office plans to publish the third edition of our yearbook *Freedom and Responsibility*. As previously, it will provide an in-depth look at our work as well as subjective contributions on freedom of expression.

Statement at the Permanent Council of 11 January 2001 *(Review of Current Issues)*

Since December my Office has been closely monitoring the developments at Czech Television in line with my mandate. Following the appointment of a new Director General of Czech TV on 20 December, journalists, supported by the television staff, started a protest against what they believe to be serious political interference in the editorial operation of the TV station. These actions, including demonstrations and declarations of solidarity by leading Czech writers and intellectuals, have led to a major public debate about the future of independent professional journalism in the framework of a public TV station which a decade ago was still directly controlled by the State.

The Council on Czech Television, the supervising authority of public television, had dismissed the former Director General and appointed a personality who is understood to be linked directly to outside political influence.

The main argument during the critical public debate is that this Council as it is constituted, does not seem to be sufficiently protected from direct political influence, be it governmental or parliamentary. Although the Council has been defined as an independent institution, the Chamber of Deputies of the Parliament appointed all 9 members in April 2000 according to proportional partisan pattern. Apparently the alleged low level of protection of the body against political interference has resulted in the current unsettled situation in Czech public television.

Having been approached from several sides on my assessment of the events in Prague, I asked Minister of Foreign Affairs Jan Kavan in a letter of 28 December for his Government's views regarding this matter. I am grateful for the comprehensive and frank reply from the Minister of 4 January. In his response, the Minister informed me that the Czech Government "is aware of imperfections of the current media legislation as well as the importance of proper media law for functioning of democracy in its real form." Therefore, the Government has decided to address the legal core of the problem by changing the law. The new draft is to be consistent with relevant European standards on public broadcasting such as Council of Europe guidelines. He assures me that the whole issue will be settled through parliamentary means in harmony with the democratic traditions of his country. Further he wrote: "I am fully aware of the importance of independent public television and radio for democracy and I am sure that the Czech constitutional bodies will do their best to protect and strengthen this position without interfering in the internal affairs of the Czech TV".

I welcome the Government's approach to solving the current conflict in a forward-looking way. I also welcome that the current dispute on the future of

Czech Television has become a subject of intensive public discussion within the country. It is an important discussion about the administration of the country's public service broadcasting system and about the quality of journalistic independence of the national broadcaster. Journalists, writers, intellectuals, politicians, but also trade unions, NGOs and the broader public are taking part. It is a discussion, which in one form or other is of interest to the participating States of our organization, in particular to those, which have a long history of direct state control of the media. But this discussion is also of interest to all of us, because political interference with critical and professional journalism is not limited to the post-socialist world. The ongoing public debate reminds us of the great civil, cultural and intellectual history of Prague, the city with one of the oldest universities in Europe.

The great example of British *BBC* has proved: Public service broadcasting will remain one of the cornerstones of democratic pluralism and should be organized according to well-established principles of transparency, independence and accountability.

I am convinced that the current lively debate in the Czech Republic has opened the discussion on this subject in other OSCE countries especially in Central Europe.

Let me conclude with a personal remark. Foreign Minister Kavan's response mentioned a famous political essay on freedom, which the President of his Republic had written as a samizdat text during times of dictatorship. In a personal statement I had myself referred to Vaclav Havel's essay which I had once published in the 1980s as a book editor. The Minister reminded me that he personally had been involved at the time in publishing the same essay. You see with regard to freedom of expression we are all swimming in the same stormy river.

2. Censorship by Killing

Censorship by killing must end⁶

Press statement by the OSCE Representative on Freedom of the Media

Vienna, 14 February 2001 – the OSCE Representative on Freedom of the Media has issued a call for OSCE participating States to put an end to censorship, promptly investigate all pending cases of “censorship by killing”, and bring to justice those who have been involved in these crimes.

“I have two main messages today,” Mr. Duve said. “It is people in power – business, Mafia, terrorists, or government and other administrative powers – who try to silence the critical voices as soon as they realize these voices will be heard. The more you do this, the less your aim will be fulfilled. By trying to silence, you produce the contrary – an explosion of non-silence. People’s awareness is raised.”

“The murder of a journalist in the OSCE region, an organization of declared democracies, must become a matter of the past,” he added. “This does not happen only in the East, it happens wherever the rule of law seems to be weak, where there is an attempt to silence critics. We have it all over the world on different scales.”

During a press conference in Vienna, Mr. Duve noted that about a dozen cases of “censorship by killing” are reported in the OSCE area every year. He said his Office continues to look into questions of media censorship. “Those in power must realize that protection of investigative journalists is protecting their country’s future.”

“I urge OSCE participating States to do more to put an end to this form of censorship where killing is the final step – where harassment, kidnapping and torture is the first step,” he said. “It is very cynical if some people in any government believe we should not be concerned. To kill journalists is to kill the freedom of your country.”

Mr. Duve also described some recent cases where journalists have gone missing or were found dead in unexplained circumstances.

⁶ *Censorship by killing* is one of the major problems faced by the OSCE Representative on Freedom of the Media. An article dedicated to this problem was published in the first yearbook 1998/1999 of the OSCE Representative on Freedom of the Media (The article is available on the web-site of the OSCE Representative on Freedom of the Media: <http://www.osce.org/fom/>)

The following is an overview:

- During 2000, 11 journalists were killed in the OSCE region (according to information collected by Reporters sans frontières). Among those listed is Georgiy Gongadze, who disappeared in Kiev on 16 September. His presumed death has led to political upheaval in Ukraine. A report on his case was presented to the Permanent Council of the Organization for Security and Co-operation in Europe on 8 February 2001, and is available to the public.
- There are reports that media outlets in Ukraine are under increasing pressure because of their coverage of the Gongadze case. Structural forms of censorship are being applied. For example, *Radio Continent* has actively followed developments, and is under a new re-licensing procedure. The television channel *1+1* issued a statement in Kiev last week stressing that “the current political crisis in this country has intensified pressure on [free speech.]” *1+1* has been praised by local observers for its objective coverage of the Gongadze case. Media are also reporting that Valery Ivasiuk, a Ukrainian doctor who was helping the Ukrainian parliamentary commission to investigate the Gongadze case, has fled the country and is seeking political asylum in the United Kingdom after receiving death threats.
- In October 2000, Mr. Duve raised the case of Italian radio journalist, Antonio Russo, who was murdered on a road near Tbilisi, Georgia. Mr. Russo worked for *Radio Radicale* and had been reporting from the Georgian capital on the conflict in Chechnya.
- On 1 July 2000, Dmitri Zavadsky, a camera operator with the Russian television company *ORT*, went missing in Belarus. There are also reports in the media that he might have been killed.
- On 7 May 2000, journalist Jose Luis Lopez de la Calle of the Basque edition of *El Mundo* was shot dead. This attack is thought to have involved a terrorist, criminal group.
- The OSCE Representative on Freedom of the Media is closely following the trial of those who are implicated in the murder in 1994 of Dmitri Kholodov, a Russian investigative reporter.

The Organization for Security and Co-operation in Europe is the first regional organization to have a representative dealing with the issue of media freedom since 1998. The Office works to assist OSCE participating States in their continuing commitment to the furthering of free, independent and pluralistic media. Freimut Duve, a leading German politician and publisher, was appointed the first OSCE Representative on Freedom of the Media at the OSCE Ministerial Council in Copenhagen, December 1997.

International Press Institute Documentation of Incidents of Press Freedom Violations in OSCE Member States 1999-2000⁷

The International Press Institute counted the numbers of press freedom violations documented in the Member States of the Organization for Security and Co-operation in Europe (OSCE) during the years 1999-2000. The incidents are ordered according to the following categories, roughly along the guidelines of the categorization by the New York-based Committee to Protect Journalists.

Assaulted: Journalists and other media workers physically attacked because of coverage or commentary. Premises of news and other media organizations attacked, damaged, raided or searched.

Censored: Banned, confiscated or suppressed by official authorities. Media outlets closed.

Harassed: Political, corporate, internal and/or external pressure on journalists or media outlets. Confiscation of equipment and material. Detention for less than 48 hours. Access denied or limited, including the denial of entry and exit. Attacks or threats directed at relatives or individuals associated with journalists in retribution of, or as a result of, or aimed at limiting their reporting.

Imprisoned: Incarcerated or detained against one's will for 48 hours or more.

Killed: Journalists killed in retribution of, or in relation to, or when conducting their profession.

Suppression by law: Journalists sentenced to prison or excessive fines, including libel suits aimed at impeding the journalist's right to report freely. Introduction of restrictive legislation. Official denial or suspension of credentials, including denial or withdrawal of visas or other necessary travel documents.

Missing: Journalists disappear, and are feared dead, without any group claiming responsibility.

Threatened: Intimidation of journalists through threats of retribution related to their reporting, including threats of physical harm.

⁷ This documentation was distributed by the International Press Institute at the Meeting of the OSCE Ministerial Council, 27-28 November 2000.

**TOTAL NUMBERS OF PRESS FREEDOM
VIOLATIONS IN OSCE COUNTRIES 1999-2000:**

Assaulted:	160
Censored:	107
Harassed:	279
Imprisoned:	64
Killed:	27
Suppression by law:	84
Missing:	1
Threatened:	32
BREAKDOWN BY YEAR 2000	
Assaulted:	63
Censored:	91
Harassed:	212
Imprisoned:	25
Killed:	10
Suppression by law:	33
Missing:	1
Threatened:	18
BREAKDOWN BY YEAR 1999	
Assaulted:	97
Censored:	16
Harassed:	67
Imprisoned:	39
Killed:	17
Suppression by law:	51
Missing:	0
Threatened:	14

Assaulted *Censored* *Harassed* *Imprisoned* *Killed* *Suppression by law* *Missing* *Threatened*

Albania	2000	2		1					
	1999	6							
Andorra	2000			<i>No violations recorded</i>					
	1999			<i>No violations recorded</i>					
Armenia	2000	2		1	1				
	1999	2	1	2			1		
Austria	2000			10			2		
	1999			3			1		
Azerbaijan	2000	2	6	23	3		2		2
	1999	4	1			1	2		
Belarus	2000	2	1	45			2	1	1
	1999	4	1	9			5		
Belgium	2000			<i>No violations recorded</i>					
	1999			2					
Bosnia and Herzegovina	2000	2	2	1					2
	1999	40	1	1			3		
Bulgaria	2000			1					
	1999	2		1					
Canada	2000	1		30					
	1999	2							1
Croatia	2000	1			1				
	1999	4					1		
Cyprus*	2000				4		1		
	1999					1	1		
Czech Republic	2000			1			1		
	1999						1		

* These cases occurred in the so-called "Turkish Republic of Northern Cyprus", which has not been granted international recognition

Assaulted *Censored* *Harassed* *Imprisoned* *Killed* *Suppression by law* *Missing* *Threatened*

Denmark	2000			<i>No violations recorded</i>					
	1999			<i>No violations recorded</i>					
Estonia	2000						1		
	1999			1			1		
Finland	2000			<i>No violations recorded</i>					
	1999			1					
F.Y.R.O.M.*	2000		1						
	1999			1					
France	2000	1		2					
	1999	4							
Georgia	2000	2		1		1			2
	1999			1					
Germany	2000			3			1		
	1999								2
Greece	2000			6			2		
	1999	2		6			1		
Holy See	2000			<i>No violations recorded</i>					
	1999			<i>No violations recorded</i>					
Hungary	2000	1					1		
	1999	1		7			6		
Iceland	2000			<i>No violations recorded</i>					
	1999			<i>No violations recorded</i>					
Ireland	2000			<i>No violations recorded</i>					
	1999			1					
Italy	2000				1				
	1999			2	1				

* The Former Yugoslav Republic of Macedonia

Assaulted *Censored* *Harassed* *Imprisoned* *Killed* *Suppression by law* *Missing* *Threatened*

Kazakhstan	2000		2	5			4		
	1999		2	3			2		
Kyrgyzstan	2000	3		4	1		2		
	1999			2			2		
Latvia	2000			<i>No violations recorded</i>					
	1999			1					
Liechtenstein	2000			<i>No violations recorded</i>					
	1999			<i>No violations recorded</i>					
Lithuania	2000						1		
	1999						1		
Luxembourg	2000			1					
	1999			<i>No violations recorded</i>					
Malta	2000			<i>No violations recorded</i>					
	1999			<i>No violations recorded</i>					
Moldova	2000	2							2
	1999	1		2					
Monaco	2000			<i>No violations recorded</i>					
	1999			<i>No violations recorded</i>					
Netherlands	2000			7	1				
	1999			<i>No violations recorded</i>					
Norway	2000			<i>No violations recorded</i>					
	1999			<i>No violations recorded</i>					
Poland	2000	1		1					
	1999			<i>No violations recorded</i>					
Portugal	2000			<i>No violations recorded</i>					
	1999			<i>No violations recorded</i>					
Romania	2000	2							
	1999	4		1					

Assaulted *Censored* *Harassed* *Imprisoned* *Killed* *Suppression by law* *Missing* *Threatened*

Russian Federation	2000	17	19	32	3	5	3		5
	1999	7			2	12	3		2
San Marino	2000			<i>No violations recorded</i>					
	1999			<i>No violations recorded</i>					
Slovak Republic	2000						1		
	1999	1		1					
Slovenia	2000			<i>No violations recorded</i>					
	1999			<i>No violations recorded</i>					
Spain	2000	7				1			
	1999			<i>No violations recorded</i>					
Sweden	2000			<i>No violations recorded</i>					
	1999	2							
Switzerland	2000			<i>No violations recorded</i>					
	1999			<i>No violations recorded</i>					
Tajikistan	2000			1		2			
	1999			2					
Turkey	2000	11	57	27	8		5		2
	1999	7	5	12	29	2	17		8
Turkmenistan	2000						1		
	1999			1					
Ukraine	2000	2	2	2		1	2		2
	1999	2	2	1	1	1	1		1
United Kingdom	2000			2			1		
	1999		2				2		
United States of America	2000	1		6	1				
	1999			<i>No violations recorded</i>					
Uzbekistan	2000	1	1		2				
	1999	6	1		6				

3. Current Media Situation in Georgia

*Fifth Country Report*⁸

The Office of the OSCE Representative on Freedom of Media has been following with great interest the media situation in Georgia, where both independent newspapers and television channels are active despite severe economic conditions in the country. Focusing on the Caucasus in 2000, the Office published a book with the Representative of the Chairman-in-Office for the Caucasus, Ambassador Heidi Tagliavini, entitled *The Caucasus: In Defence of the Future*, a collection of essays and articles by twenty-six well-known Caucasian and Russian authors on the theme of the present-day situation in the Caucasus and the search for possible ways of resolving the conflicts. Freimut Duve and Ambassador Tagliavini presented the book in Tbilisi in January 2001, as well as in Moscow and St. Petersburg. While in the Georgian capital, Mr. Duve visited both independent and state media hearing firsthand about the difficulties under which both must operate.

The following report does not claim to give a complete picture of the media situation in Georgia because of the lack of thorough and reliable data. However, this Office, and other area specialists who read it, found its overall portrayal of Georgian media to be balanced and hopefully useful. Although the problems of the media in Georgia are not unique, we agree that the media situation in that country compares favourably to other newly independent States of the former Soviet Union. We can endorse certain of the report's recommendations, such as the need for improvement in Georgian media legislation and regulations and therefore welcome Georgia's new draft law on freedom of speech. This Office supports as well the recommendation that a wide range of international aid organizations afford the independent media substantial financial, technological and professional support at this delicate stage in the development of media freedom in Georgia.

1. Introduction

In the years since independence was achieved in 1991, Georgia appeared on the verge of collapse with an almost total breakdown in law and order. Industry ground to a standstill; hyperinflation and unemployment reduced much of

⁸ The Office of the Representative on Freedom of the Media has previously published country reports on the Federal Republic of Yugoslavia, Croatia, Kyrgyzstan and Ukraine, all written by outside experts. The principal author of this report is Marina Rennau, a Georgian journalist and doctoral candidate in Media Regulations and Laws at Tbilisi State University.

the population to dependence on international aid. Abkhazia and South Ossetia claimed their secession from Georgia following Georgia's declaration of sovereignty. In November 1992 Eduard Shevardnadze was elected parliamentary chairman with an overwhelming 96 per cent of the votes. A new Constitution, which introduced the institution of the presidency, was adopted on 24 August 1995, and in elections in November of that year, Shevardnadze was elected President with an overwhelming majority. It was only in 1995 that a gradual process of political and economic stabilization got underway. An IMF anti-inflation programme was adopted and the new currency (lari) preserved its value against the US dollar.

Even though the authorities managed to stop the civil war, disarm illegal units, and stabilize the economy, many problems remained. Fiscal woes confirmed that Georgia's economic transition was nowhere near the model of success it had been touted to be. Government control over the country's diverse regions showed no sign of strengthening. And parliamentary and presidential elections – though applauded by international organizations – revealed that democracy in Georgia faced many serious problems including sluggish economic growth, systemic corruption, weak and asymmetrical centre - region relations, and nascent diplomatic institutions.

2. Legal and Regulatory Framework

As a member of the United Nations, the OSCE, and the Council of Europe, Georgia is a signatory to the main international conventions and agreements. The country has accepted herewith international standards on human rights and implemented them in its domestic legislation. In particular as a member of the Council of Europe (admitted on 27 April 1999), Georgia is obliged to meet requirements set in the area of human rights by the Council's General Assembly within three years.

With regard to media legislation, Georgia has one of the strongest freedom of information statuses in the CIS. However many (non)governmental organizations point out that media legislation and regulations remain one of the weakest points in the overall media situation in the country, exceeded only by its critical financial situation. It is important to state that there is a large gap between the law as it is written and how it is understood, implemented and enforced.

The principle of freedom of the mass media is written into the Georgian Constitution adopted in August 1995. This states specifically that "the mass media are free; censorship is impermissible" and that "the State or separate individuals do not have the right to monopolize the mass media or the means of disseminating information...Citizens of the Republic of Georgia have the right to express, distribute and defend their opinions via any media, and to receive

information on questions of social and state life. Censorship of the press and other media is not permitted.” (Article 24.2)

In August 1991, the Georgian Parliament passed a *Law on the Press and Other Mass Media*, which took effect as of its publication on 10 September 1991. Although the law is acknowledged by journalists to be exemplary, there exists no functioning official independent watchdog body authorized to monitor its implementation and review alleged violations and charges of non-compliance. This duty still devolves on the relevant commission of the Georgian Parliament. Several articles of the media law are vague enough to allow the State to exert subtle pressure if it wants to do so. In autumn 1997, Parliament amended the 1991 law to bring it into conformity with the 1995 Constitution. However, the law was not adopted after journalists’ organizations criticized it for limiting press freedoms.

Even though the law forbids censorship, as well as the existence of any media or distribution monopoly, including by the State, it contains some limits on disclosing “state secrets”, “hate speech” and inflammatory language, and infringement on “the honour and dignity” of citizens, which can easily be misinterpreted and misused. Article 4 of the law stipulates that “the mass media are forbidden to disclose state secrets; to call for the overthrow or change of the existing State and social system; to propagate war, cruelty, racial, national or religious intolerance; to publish information that could contribute to the committing of crimes; to interfere in the private lives of citizens or to infringe on their honour and dignity.”

At the same time, the law made clear the subordination to, and responsibilities of, the state-controlled media vis-à-vis the Government and it also leaves no doubt that state-run media remain under strict government surveillance. Article 18 stipulates that government-controlled media outlets are obliged to print free-of-charge government communications. For example, television and radio news coverage of political developments has to follow “official guidelines”. Top management at the *State TV and Radio*, and at the official *Information and Publishing Corporation Sakinform*, is appointed and approved by the President and the Parliament respectively.

Other provisions of the law considered by journalists as restrictive are related to registration of media outlets and obtaining licences for broadcasters. Media outlets are required to register and to obtain a licence from the State (Article 7). If the registration body considers the goals of the applicant to be in contradiction with the law (Article 10), it may deny registration to the media outlet. On the same grounds, this article can be applied retroactively – a licensed outlet’s activity may be suspended for a year without any legal proceedings. At the same time the *Law on the Press and Other Mass Media* allows journalists and media outlets to file appeals in disputes with government agencies over licensing and accreditation, as in the case of *Rustavi-2* described in the next section of the report.

Regulation of the electronic media is especially inadequate. The existence of independent television certainly does not mean independence and freedom for Georgian broadcasting. The licensing process for television and radio is complicated, and is an important lever for potential pressure. The Ministry of Communications issues and is empowered to revoke the licences of broadcasters. It also specifies a broadcaster's transmitting capacity, manages the State printing house, the distribution of newspapers and the "subsidies" to the state-owned media. The result is that no single independent broadcaster is able to serve the whole nation.

The media, together with civil rights organizations, the public, and significantly, Georgian and especially foreign businesses, insist on the slackening of controls and the deregulation of the communications system. The most significant legislative improvement that occurred in 1999 for broadcasters was the passage of the *Law on the Post and Communications*. This law regulates the licensing process for telecommunications companies and specifically for television and radio broadcasters. It is a significant improvement on previous regulatory legislation as it removes direct control over the licensing process from the Ministry of Communications to an autonomous licensing commission. It has been established and its members have been appointed by the President; these cannot include representatives of ministries. The Commission consists of a chairman, who will sit for six years, and two other commissioners, each of whom will sit for 3 years. The Commission will be financed independently through licensing fees. This legislation provides for open hearings and public comment on licensing issues and is a step forward in removing politics from the licensing process.

There is a general lack of confidence among journalists that requests for information will be fulfilled. One key weakness in the freedom of information provision is that it excludes "state secrets". *The Law on State Secrets*, adopted by Parliament in September 1996, demands that the Council on National Security develop criteria on secret information to be approved by the President. But government officials, resistant to the new legislation, have been able to withhold information, claiming a broad definition of what constitutes a "state secret". In 1999 a new law on Freedom of Information was included in a new *Administrative Code* enacted in June. However, provisions meant to guarantee the right to freely receive and impart information are still brief and vague, a problem that allows government officials to define for themselves what material is and is not open to the public. Limiting access to information has become a widespread trick for punishing certain journalists. The sanctions include denial of requests for credentials, eviction from press conferences, refusals for interviews, and even destroying journalists' equipment.

Another long-time concern has been that court cases regarding defamation may be turned into another instrument of state control over the press. The

behaviour of Georgian courts (especially lower ones) leaves no ground to regard them as allies of freedom of the press. In 1999 libel was finally repealed from the country's Penal Code. The first draft of the amended Penal Code included criminal sanctions for insult and increased penalties for offending the President or other officials. Pressure from local and international press freedom advocates prompted Parliament to drop the worst anti-press provisions before approving the amended Penal Code in September 1999.

Another official change in the provision concerning civil libel requires government officials to prove malicious intent to demonstrate that they have been libelled by a false news report. And the burden of proof in civil libel cases – most of which are filed by government officials – was shifted from defendants to plaintiffs. At that time there were more than 20 libel suits pending in Georgia. Under the old libel standards, the plaintiff – almost always a government official – prevailed in about 70 per cent of the cases, according to Georgian journalists. The new law could open the door for more aggressive reporting, since journalists are far less likely to end up in court for what they publish. But when the changes were approved in September, Supreme Court Justice Nougzar Skhirtladze cautioned that the new standards would not work unless media developed “self-regulating agencies”.

3. Media Structures

Print Media. The founding in 1990 of *7 Dghe* (7 Days) - the first non-party newspaper - was a watershed in Georgia's development of an independent media and the democratic process in general. Published under the aegis of the Journalists' Association, the newspaper is regarded as the forerunner of today's independent media.

Since May 1991, having gone through a reorganization and a split within the editorial body, the newspaper was published under the name of *Droni* (the Times). It gained popularity rather fast, since that period was characterized by the scarcity of unofficial papers. However, being an opposition forum rather than a neutral storyteller, it still did not represent free media in a full sense.

The winter of 1992 and the Christmas coup overthrowing Gamsakhurdia sparked a boom in independent media. *7 Dghe* was revived, and *Iveria-Express* appeared in the autumn. *Rezonansi*, a former bulletin of the National Concordance Association, was issued as an independent publication. *Alia Sakartvelodan* ([Jewish] Immigration [to Israel] from Georgia) appeared on the eve of 1993, while an additional split of *7 Dghe* gave birth to *Mimomkhillveli* (the Observer). Many of the newspapers that appeared in the mid-90s disappeared after the first issue, others appeared irregularly, and only few proved capable of surviving.

There are now some 200 independent newspapers in circulation in Georgia. During recent years the press has served increasingly as a check on Government,

frequently criticizing the performance of high-level officials. Increasingly, independent newspapers have been replacing the government-controlled press as the population's source of information; the leading independent daily newspaper, *Alia* has a national circulation nearly 20 per cent higher than the government-controlled daily. However, observers report that this seems to be mostly a Tbilisi-based phenomenon and that independent newspapers continue to struggle in the regions. Several newspapers are serious and reputable sources of information. High printing costs and general poverty, especially in the countryside, limit the circulation of most newspapers to a few hundred or a few thousand.

The economic situation is one of the main impediments to the existence, the professionalism and the independence of the Georgian press. The professional level of journalists is not satisfactory; their salary level is not adequate. Furthermore, lack of normal equipment, such as computers, and poor quality of printing facilities, or even lack of these, in most cases worsen the overall situation.

Of course there are profitable and self-sustainable newspapers, but only 20 per cent of those registered are being effectively published. In Tbilisi, where the purchasing power of the population is higher and the advertisement market is wider, papers are more likely to be solvent and therefore can afford being independent. An average of 25-35,000 newspapers are sold every day in Georgia, with annual circulation at 500-600,000.

The circulation figures and newspaper rating tend to fluctuate, albeit it is obvious that the information market has stabilized, being dominated by the non-governmental press. Major dailies are *Alia* (approximately 12,000 copies), *Akhali Taoba* (9,000) and *Rezonansi* (6,000). *Kviris palitra* is the most popular weekly digest (35,000), followed by the weekly tabloid *Asaval Dasavali* (23,000). The main constraint the independent press is struggling with is its profitability. The existing underdevelopment of the advertising market results in a higher cost to the reader. The average price of a single issue varies from 0.3 to 0.5 lari (\$0.15 to \$0.25), but in provinces where the purchasing ability of the population is lower, prices are 0.1 to 0.15 lari higher.

Descendants of the major official newspapers *Sakartvelos Respublika* and *Svobodnaia Gruziya*, formally proclaimed as independent papers, also face financial problems, but they do receive subsidies from the State. This negatively affects the competitiveness of the non-recipients. Moreover, management of the official newspapers is afraid of losing the subsidies - vital for the survival of the paper, necessary to keep their job - in case of negative reporting about the authorities, central or local. Consequently, they do refrain from criticism and do not have editorial autonomy.

Independent media outside the capital have faced pressure from local government, a lack of advertising, and an impoverished population. The few attempts to establish independent papers in several regions and cities have

ended in failure. Exceptions are the region of Samtskhe-Javakheti and Kutaisi, which have a relatively independent press.

In the distribution market both state and private agencies are active. *PGS Ltd (Press Distribution Service)*, established by four independent newspapers *Alia*, *Akhali Taoba*, *Rezonansi* and *7 Dghe* in 1996, is the largest distributor in Tbilisi (some 50 per cent of the market), followed by the government-controlled *Matsne* and smaller private agencies. The state agency *Sakpressa* dominates distribution outside of Tbilisi, but the private *Pressinfo* has gained a foothold there as well.

So far the independent press is facing three main obstacles in Georgia: the willingness of the authorities to allow its freedom and diversity, especially in the regions; an independent judiciary to safeguard it; and, finally, the economic conditions for achieving it.

Broadcasting Media. There are several dozen TV broadcasters operating today in Georgia, however many have a localized frequency and therefore a limited audience. Figures provided by a recent market research study for the period including the presidential campaign show that *State TV 1* has the highest market share for the whole of the Republic with 29 per cent, followed by *Rustavi-2 Network* with 17 per cent and *State TV 2* with 13 per cent. In Tbilisi, however, *Rustavi-2* has the highest rating, followed by *State TV 1*. The most popular programmes on *State TV 1* and *Rustavi-2* are their evening news broadcasts, while *State TV 2* is most popular for its broadcasting of films.

These figures, as well as other objective analyses, indicate that State TV has the broadest reach in the country, serving regions of Georgia which are not reached by commercially-owned broadcasters. This places a special obligation on *State TV 1* as the most widely received provider of information in the country, a fact which is recognized in Georgian law and by international agreements to which Georgia is a party. However the company does not live up to these standards. First of all the structure of State TV, as well as the staff, is extremely bureaucratized with the number of its employees exceeding the total of all independent channels. The technical equipment is outdated too. Further, the quality of broadcasting is suffering under indirect control by the State. Despite the fact that the management of State TV channels states that the staff is independent in making current affairs programmes, there seems to be some control of the contents of the programmes by the authorities. Although censorship and direct interference do not exist, in reality official guidelines, such as a parliamentary decree enacted during the summer of 1995 which stipulated detailed guidelines for the coverage of internal political developments in State Television news broadcasts, create an atmosphere in which some journalists apparently feel compelled to modify their approach to coverage of political developments.

The first unsuccessful attempt at independent television came when a group of staff left the State Radio-TV Company in 1990 to start their own venture. After several months of pressure from the authorities, the private TV station *Mermisi* (Future) was closed. In addition, its equipment, stored in the Ministry of Communications, was destroyed in the 1991-92 civil war.

The next major event was the establishment of the (state-owned) *Channel 2* (*State TV 2*) in 1991. The predominantly young staff adopted a fast-paced, *MTV*-like style. The station was temporarily closed when some employees took part in the rallies against Gamsakhurdia. It started broadcasting again after Gamsakhurdia was overthrown in early 1992, but the new authorities soon curtailed its independence. The quality of the programming declined, and a number of creative teams left for other stations. The liberal image of *Channel 2* news coverage is now gone, and it does not greatly differ from *State TV 1*.

Ibervisia, which joined the scene in 1992, also played an important but short-lived role in the development of independent television. Unlike the entertainment-focused *Channel 2*, *Ibervisia* focused more on the news, and tried to be like *CNN* rather than *MTV*. The way it presented the news visibly differed from the outdated image of State Television, though the content was not safe from the influence of the political situation. Unofficially, it is believed that *Ibervisia* was a joint venture of the former Komsomol leaders and the so-called Borotebi (Evils), a branch of the paramilitary Mkhedrioni organization. The controversial images of the partners paralysed the work of the channel, which was finally closed after the weakening of the Mkhedrioni's political influence, and all attempts to revive it gave no results.

However, the setback did not halt the movement towards independent TV broadcasting. The Government's monopoly on broadcast news was broken when *Rustavi-2*, a member of the independent television network *TNG* (*Georgian Television Network*), emerged in 1998 as an important alternative to State Television after successfully resisting two years of government attempts to shut it down.

The story of *Rustavi-2* is an example of how the Government may shut a media outlet without legal grounds. The agency *Gamma Plus* (initial name of *Rustavi-2*) registered with the Ministry of Justice in 1994. The regulations of the agency envisaged the right of broadcasting and on these grounds a licence allowing exploitation of the TV channel was given by the Ministry of Communications. The TV channel adopted the name *Rustavi-2* and soon reached the competitive edge in a field formerly dominated by state-run channels.

However, only several months after it went on air, *Rustavi-2*'s transmission was stopped. The Rustavi municipality applied to the Ministry of Communications demanding to deprive *Rustavi-2* of its right to broadcast and to award the frequency the channel has used to an independent TV company *Kldekari* which was set up by the municipality itself.

The Ministry of Communications was “assisted” by the Ministry of Justice, which declared that an information agency has the right to broadcast, yet cannot possess a TV channel. On these grounds the licence N44 stipulating *Rustavi-2*'s right was cancelled.

In May 1997, after a legal battle that finally ended in the Supreme Court, *Rustavi-2* regained what it had lost and resumed its independent stance in news and programming.

One observer called the closure of *Rustavi-2* a disturbing aberration when the country's climate for broadcasters is considered as a whole but also pointed out that licences could be obtained for bribes and that the Georgian leadership could use this as the rationale for closing other independent television stations whose domestic coverage is considered too critical.

Georgy Akimidze, the co-founder and artistic director of *Rustavi-2*, said the decision to revive the *Rustavi-2* broadcasts “gave hope for an improvement in the situation between mass media and regulatory agencies and was a positive step for the development of the independent media in Georgia.” He also mentioned that the positive outcome of the case was made possible with considerable support from various press freedom advocacy groups.

According to the US NGO “Internews” there are up to 40 independent stations, including *Rustavi-2* and seven other TV stations in Tbilisi, broadcasting on the territory of Georgia. Most of them are facing financial problems. The equipment is generally of moderate capacity (cameras, transmitters, editing), advertising income remains low though it is reportedly increasing, the channels depend on sponsors and foreign donations and the programming is commonly focused on entertainment (films, shows, music) and is full of pirated production. The situation has slightly improved since independent broadcasters received financial and technical assistance from international donors. “Internews” has contributed considerably to increasing the professionalism of Georgian broadcasters by organizing various seminars and onsite training.

In general *Rustavi-2* remains a leader of Georgian independent broadcasting. It has a considerable budget, highly rated news programming and good broadcasting quality. Once a member of the *Georgian Television Network (TNG)*, it became so strong that in 1998 it took over functions previously carried out by the *TNG* and is now providing 12 independent local broadcasters with 2 hours programming on a daily basis in return for certain airtime for advertising. In 1998 *Rustavi-2* started re-transmitting its daily news programme *Courier* via satellite and a year later also of its night news programme *Night Courier*, and herewith gave local TV stations an opportunity to transmit these programmes in the regions. During the last two years *Rustavi-2* has been introducing new programmes, exploring new opportunities, and has also started broadcasting its news programme *Courier* via the Internet. This relatively rapid development

of the company makes local broadcasters fear that they would lose *Rustavi-2* as a partner. There is another serious threat to their survival. In 1999 the Parliament's decision to stop broadcasting of the Russian TV station *ORT* on the territory of Georgia made one of the most reliable relay lines available for an independent broadcaster that would win in the expected tender. Even though this offers a serious alternative to the State TV, on the other hand it would also create unfair conditions in the broadcasting market, with possible closure of many financially weak independent TV stations.

Radio. Georgian Radio owes its popularity to the frequent lack of electricity, leading to insufficiencies in TV reception. Nowadays in Tbilisi the FM waves are used by two state-owned channels and 10 private ones. Overall more than 50 per cent of the population of Georgia listens to the radio. In urban areas, and particularly in Tbilisi, the radio audience is even bigger and reaches approximately 70 per cent of the urban population. The most frequently listened to independent radio station is *Radio Fortuna*, a channel devoted mainly to entertainment that broadcasts round-the-clock like all other FM channels. Other popular radio broadcasters are *Radio 105* and *Radio "Audientsia"*. The latter broadcasts in Russian. All of them are broadcasting a mixture of local news, entertainment and advertising and are popular (as elsewhere in the world) due to the fact that they broadcast more music with little talk. Their short news bulletins are taken entirely from agency reports, with no additional analysis, as they find other ways to compete for the attention of a very young audience, the main listeners of private radio stations. There are other private stations that operate in Kutaisi, Zugdidi, Samtredia and Batumi (albeit the latter actually appears to be owned by the local ruling party).

The two state radio stations, operated by the TV and Radio Corporation, broadcast in Georgian 24 hours per day over the whole territory of Georgia. The *State 1st Channel* has several current affairs programmes, of which *The Rush Hour* is most popular. Also, *State 1st Channel* offers programmes in Russian, Armenian, Azerbaijani and Greek for those ethnic minorities within Georgia. It also reportedly has some programming in German and English. Opinion polls show that *State 1st* and *State 2nd Channels* are nearly as popular as *Radio Fortuna*.

4. Restrictions of Media Freedom

According to the 1999 US State Department Human Rights Report, the Government of Georgia constrains some press freedoms despite a Constitution and a 1991 press law which provide for freedom of the press. International organizations such as the European Media Institute, IFES, IREX and Internews appear to agree. In an evaluation by the US non-governmental organization, Freedom House, Georgia has the status of a "partly free" country, and belongs

to the group of 58 States that lack legislative guarantees of freedom of speech. In Freedom House's annual record – *Press Freedom in the World 2000* – Georgia had 47 penalty points. It has been noted though that there are fewer cases of violations against journalists than in previous years.

According to journalists, security and law enforcement authorities have attempted to intimidate the press through public comments and private admonitions. The new Administrative Code enacted in June 1999 contains a freedom of information section that provides for public access to government meetings and documents. Journalists lack effective legal protection, a circumstance that has hindered investigative journalism.

Because of a lack of effective press associations in the country, organized collective advocacy for press rights is rare. Instead, in Georgia individual stations undertake media advocacy when they find themselves in conflict with the local authorities. Usually, this kind of advocacy begins when a station owner does not comply with “suggestions” from local interests on how they would like to see themselves and the region covered on the news. Harassment can take the form of intrusive inspections of their accounting, fire and safety standards, or it can be as extreme as shutting off their signals or electricity. Additionally, there is a general lack of understanding among journalists and government officials, especially in the regions, of the press freedoms that exist in Georgia. If a journalist does not know his rights, then he will be unable to demand them. For many small non-governmental television stations or newspapers, taking a case to court is difficult. Very few have the resources to pay for an attorney to represent them and a long, drawn out court battle could financially destroy them. However, increasingly, journalists are turning to the courts to resist infringements against them, such as the cases against the television station *Rustavi-2*.

Although Article 24 of the Constitution clearly prohibits prior restraint, arbitrary actions of the governing bodies occur regularly. As soon as journalists trespass certain limits, they find themselves under some kind of pressure. Outside the capital, the situation is even worse. Since the courts are not independent of political influence, they cannot be considered a guardian of the free press as in some other countries. Even if the legislative state of affairs was to be taken care of, problems would still exist if the fundamental principle of division of powers as outlined in the Constitution were not put into practice. On the positive side, it should be added that if the courts of the first instance neglect the principle of freedom of speech, the Supreme Court, as a rule, sides with the media. The Supreme Court is comparatively free from political pressure, and any influence from the Government is in some way balanced by the media as well as by Georgian and foreign public opinion as in the case which is described next.

In June 1997, the Parliamentary Investigation Commission presented evidence that the Security Ministry illegally eavesdropped on the telephone conversations of *Sakartvelo* editor Nodar Grigalashvili and the editors of other newspapers. Following the scandal, Security Chief Shota Kviriaia, who had ordered the tapping of opposition journalists' telephones, resigned. It is widely believed that the main cause of his departure was due to other political considerations, but the fact itself that the chief of this agency had to resign over an eavesdropping scandal still should be considered a positive step toward the creation of a democratic State.

Unfortunately it is not only the Government or its particular representatives that puts constraints on the independent media. The public itself and the church condemn anything considered to be a violation of their beliefs of Christianity and patriotism.

Due to all the constraints described above there is one particular problem as deeply rooted in Georgia as in any other State of the CIS, and that is self-censorship. Journalists withhold questions, prefer not to write about certain topics and refrain from critical commentary. In particular, police interventions and the conflict between Tbilisi and Abkhazia are still dangerous, and indeed taboo, subjects. Self-censorship is also evident when issues concern Georgian history, cultural heritage, religion, or the commercial activities of the Shevardnadze family. However it should be noted that self-censorship is more characteristic for the state-run media.

The cases described below illustrate the outlined problems.

Pressure and Obstruction. At a press conference, held in the House of Journalists (a kind of journalists' club), the chairman of the Abkhazian government-in-exile's Cabinet, Zurab Erkvania, said that all materials about Abkhazia must undergo a censorship check. This innovation was to be introduced in the interest of state defence, he said. During a January 1996 interview, Zaza Shengelia, then vice-mayor of Tbilisi and now the chairman of State TV and Radio, decided he did not like the reporter's questions, and demanded the videotape from the director of *Chor-News* (a tabloid show of *Channel 1*). After he was rebuffed, the vice-mayor proceeded to physically assault the director.

In January 1997, *Rezonansi* published an interview with a businessman, sporting a quotation in the title: "Our ministers are idiots." The same issue contained a picture of Nanuli Shevardnadze looking at her husband with admiration, with the caption saying: "Oh, what a boy!" Subsequently, finding themselves under political pressure from the supreme authorities, the publishers of *Rezonansi* chose to fire Giorgi Gakhelidze, the journalist responsible for the issue.

In 1997, *Rustavi-2* reporter Nino Khoshtaria took an ironic tone when covering the official reception at the State Office dedicated to the 26 May Independence Day. A week later, State Office press secretary Soso Tkebuchava threatened Khoshtaria, saying he was going to have her fired.

In an incident of harassment involving the military, Ministry of Defence officials called Amiran Meskheli, a correspondent for the newspaper *Orioni*, for military service on 11 June 1998, following the publication in May of an article that included Meskheli's interview with several soldiers. The trial of the journalist, who in April 1998 reported allegations of homosexuality and sexual harassment in the armed forces, was postponed indefinitely in 1998. At that time, government and military officials reportedly responded by threatening the reporters with arrest, demanding the names of sources, and filing a civil lawsuit that charged defamation. Amiran Meskheli was detained for allegedly having evaded military service. He subsequently was conscripted and assigned to the unit on which he had reported. Human rights monitors considered this action a transparent attempt at intimidation and filed a lawsuit to overturn his conscription. On 20 August, a court ordered his temporary release, ruling that Meskheli had been "called up in violation of the law". Meskheli remained out on bail at the year's end.

In May 1998, the independent newspaper *Kavkasioni* published allegations of graft and misconduct by the Abkhaz government-in-exile, a quasi-official body that claims to be the genuine government of Abkhazia and to speak for refugees from Abkhazia. In June 1998, two members of the Abkhaz government-in-exile filed a civil libel suit against the Tbilisi-based weekly independent newspaper *Kavkasioni* and against its editor, Sozar Subeliani. One case, filed by the exiled Minister of State Security, came in response to an article by Subeliani alleging the minister's misconduct during the Abkhaz-Georgian war. The minister apparently decided not to pursue the charges. In the other case, which was based on the same article, a Tbilisi court ordered *Kavkasioni* to publish an apology for "damaging the reputation" of the Ministry of Internal Affairs of the government-in-exile. The newspaper's appeal against an adverse 1998 decision by the court had not been heard by the year's end. A decision in favour of the plaintiffs could set a dangerous precedent, especially since other independent newspapers, such as *Rezonansi*, are also facing libel suits filed by government officials.

The trial of Eliso Chapidze, editorial writer of the daily *Rezonansi*, and editor Lasha Tughushi resumed on 2 February 2000 before the Didube district court in Tbilisi. The case was brought by Interior Minister Vakhtang Kutateladze after *Rezonansi* published an article about the involvement of the minister's son in a road accident in which a young man was seriously injured.

Mid-February 2000 the Interior Minister of the "Autonomous Republic of Abkhazia", Mamuka Nachkepia, said he planned to prosecute freelance journalist Klara Abramia for libel. She had published a report accusing the minis-

ter of corruption and of being to blame for the failure of a military operation in Gali district in May 1998, forcing 40,000 people into exile. When the story first appeared, the journalist's car was stolen and was later found burnt out.

Journalists Attacked. In 1998 a number of politically destabilizing events rocked Georgia, including assassination attempts on President Shevardnadze, abduction of four UN observers in Abkhazia, renewed hostilities in Abkhazia's Gali region, and an attempt to oust Shevardnadze by supporters of Georgia's late President Zviad Gamsakhurdia. As the Government struggled to maintain political control and rein in the opposition, official harassment of journalists increased.

Lasha Nadareishvili and David Okropiridze, editor-in-chief and a reporter for the independent weekly *Asaval-Dasavali*, became targets of violent attacks on independent journalists when they were beaten by armed assailants in September 1998.

Aka Suliava, a freelance journalist who writes for various independent newspapers, was set upon and beaten by four strangers outside his home on 1 February 2000. He had received several threats after making a series of investigations into arbitrary arrests and police violence. In particular, Aka Suliava and his colleague Givi Targamadze had been warned that they would be "punished" if they did not stop criticizing the Tbilisi police chief, Soso Alavidze.

Zaza Maisuradze, a cameraman with the television channel *Rustavi-2*, was assaulted and his tapes seized as he was filming a fire at two houses in Tbilisi on 1 March. According to the journalist, the houses belonged to people close to former Interior Minister Djemal Gakhokidze. Maisuradze also said he recognized his attackers as the ex-Minister's bodyguards. *Rustavi-2* filed a complaint about the assault.

Another example of harassment of journalists was documented by the EIM. Akaki Gogichishvili, the host of the programme *60 Minutes* of the *Rustavi-2* TV company, strongly criticized Georgian oligarchs and their patrons in the country's leadership in his programmes. In one of the programmes in May 2000 he unmasked corruption in the Union of Writers of Georgia using information from the National Audit Chamber. After that he was summoned to the prosecutor's office where the Deputy General Prosecutor of Georgia suggested to him what might be a result of his conduct, and advised him to talk with his parents about whether it was worth continuing programmes. On the next day, 17 May, a relative passed him a warning that he could be murdered. The journalist organized a press conference in which he reported about the threats of the deputy prosecutor and also about the warning passed to him via his relative. After a three-day demonstration of support at the presidential residence, Shevardnadze announced, via his press secretary, that he had ordered the heads of the law-enforcing bodies to ensure Akaki Gogichishvili's safety.

At least three other journalists were victims of assault in the course of their work in 1999: two had condemned police “blunders”, while the third had the temerity to film the house of a former Interior Minister. Similar cases of harassment by police were also registered in 2000, especially during the presidential elections in April 2000.

5. Media Situation in the Ajarian Autonomous Republic

The situation in the Ajarian Autonomous Republic in south-west Georgia deserves special mention. Here, privately-owned media barely exist. The Ajarian authoritarian leader Aslan Abashidze eliminated both political opposition and independent media. In contrast, the state and party media is widely represented (only a single party is allowed to have its own publications in Ajaria). The Supreme Council (which is in charge of the region’s government) owns the Ajarian and Russian-language *Ajara newspapers*, and the *Ajara TV* channel is owned by the State.

The views of Ajarian media outlets are identical. Even a hint of diverse opinion is inconceivable, as well as any variance in portraying the monolithic power structure. The semi-official media praise the personal qualities of local leader Aslan Abashidze, while at the same time demonizing the opposition. The national press is not limited in its access to Ajara, but publications containing unfavourable material are confiscated by police at the distribution centre. *Channel 1* covers Ajara but the local channel replaces offensive material before the signal is broadcast.

One case illustrating the attitude of Ajarian authorities towards the independent press was recorded in May and June 1997, when Giorgi Sanaia published a series of articles in *Rezonansi* about ecological problems in Ajara. The mayor of Batumi, the largest city in the region, promised “to hang Sanaia on the pier”. Then a suit was brought in Batumi court against the reporter for slander. The articles were held responsible for affecting the summer’s tourism on the region’s Black Sea beaches. Since Sanaia was beyond the reach of the local court, *Rezonansi’s* Batumi bureau chief was held responsible.

The most recent case of a serious violation of media freedom was registered in early 2000, when various NGOs appealed to President Eduard Shevardnadze to order an investigation into the apparently illegal takeover of the independent TV station *Channel 25* in the Ajarian capital, Batumi.

On 19 February 2000 Aslan Smirba, former Batumi mayor and current Georgian parliamentarian and close associate of Ajarian President Aslan Abashidze, forced three of *Channel 25’s* owners to sign over 75 per cent of the station’s shares to Mikhail Gagoshidze, who was believed to have been chosen by Aslan Smirba to be the station’s nominal owner. According to various sources in the region, Smirba told the station owners that he would “put a bullet through someone’s head” if they refused to transfer their shares to Gagoshidze. In an attempt to legitimize the transaction, Smirba then forced the owner to accept a payment of USD 50,000.

Channel 25 is the only independent station in the region and the sole alternative to the state-owned channel, *Ajara TV*. Smirba, who has often criticized *Channel 25's* coverage, has made several previous attempts to coerce the station's owners into selling their shares. He also claimed that *Channel 25* owed him approximately USD 56,000 for a 1996 payment that he had made to Ajarian official Leonid Zhgenti in return for granting the State permission to broadcast.

Smirba provided no evidence to back up this allegation, despite having promised that he would take no further steps to acquire *Channel 25* until the legitimacy of his claim could be proven. All of the station's journalists and most of its technicians have since resigned in protest.

6. Media and the Presidential Elections in Georgia in April 2000

Political Background of Election. The elections for the presidency in April 2000 were held on the anniversary of the 9 April 1989 events in Tbilisi when Soviet forces attacked a peaceful demonstration for independence. Two of the candidates during the election campaign were intimately involved with this important event in the history of Georgian politics, Eduard Shevardnadze (then Soviet Foreign Minister) and Jumber Patiashvili (then First Secretary of the Georgian Communist Party). This crucial event provided a backdrop for the campaign.

The expected contest between the leaders of Georgia's two largest parties, President Eduard Shevardnadze and Aslan Abashidze, failed to materialize. Abashidze decided not to wage a nationwide campaign, remaining confined to the territory of the Autonomous Republic of Ajara. Abashidze's conduct during the campaign period was limited to feeding speculation over the withdrawal of his candidature in favour of Jumber Patiashvili. As a result, the election was effectively contested only between Shevardnadze and Patiashvili. No other candidate waged a serious election campaign.

The presidential election of 9 April 2000 was preceded and largely shaped by the parliamentary elections of October 1999 that represented an overwhelming victory for the Citizen's Union of Georgia (CUG) and thus an endorsement of its leader, President Shevardnadze.

Regulatory Framework. According to Article 17 of the *Presidential Election Law of Georgia* "the presidential candidates from the moment of their registration by the Central Election Commission shall participate in the election campaign on the basis of equality. They have equal rights to use the media and other means of mass communication on the whole territory of Georgia." Article 7 of the same law obliges the media to "cover the preparation and holding of the election thoroughly". State television was obliged to provide one hour of broadcast time per day free of charge. Article 47 of the *Parliamentary Election Law*

obliges State TV to distribute free time equally between the parties. This article also forbids the selling of airtime to candidates on State TV and Radio.

The recommendation of the Council of Europe's Council of Ministers "Concerning Media Coverage of Election Campaigns", adopted on 9 September 1999 applies to Georgia. The recommendation states: "no privileged treatment should be given to public authorities during (news) programmes... Special care should be taken with programmes other than news or current affairs which are not directly linked with the campaign but which may also have influence on the attitude of voters." It also recommends that the relevant authorities monitoring coverage of the elections should be given the power to intervene in order to remedy possible shortcomings.

In fact, monitoring of State TV (particularly *State 1*) showed a clear bias in terms of time allocated, tone and range of programming devoted to Shevardnadze. This contradicts the agreement Georgia reached with the Council of Ministers in September 1999. State TV representatives explained the advertising of Shevardnadze, illegal according to the *Presidential Election Law of Georgia*, as being the result of having sold time previously to advertising companies which had in turn resold the airtime to Shevardnadze's campaign team. Other candidates did not complain specifically about this, nor did the Central Election Commission react in any way to the legal dilemma.

Party representatives themselves had different views over the legality of purchasing time for political advertising from state media. In the 1999 parliamentary elections this was declared by resolution to be illegal by the CEC, although the sale of time to candidates via intermediary purchasers appears to have been deemed legal. After the parliamentary elections the law does not seem to have been clarified.

Candidates with complaints about their coverage in the media did not see lodging complaints with the CEC as an appropriate means of addressing these. Opposition candidates and other local observers alike met the impartiality of the CEC with cynicism. Neither did the CEC take an active role in monitoring violations of the presidential election law by media outlets.

Complaints of Media Coverage. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) sent a team of experts to Georgia to observe the entire presidential electoral process before, during and after the presidential elections, including an assessment of the media environment.⁹ The result was the following:

⁹ According to the mandate of the OSCE Representative on Freedom of the Media, the Representative's main task is to address serious problems caused by, *inter alia*, obstruction of media activities and unfavourable working conditions for journalists. The Freedom of the Media Office co-operates closely with ODIHR, the OSCE Office for Democratic Institutions and Human Rights, and supports ODIHR in assessing conditions for the functioning of free, independent and pluralistic media relating to elections.

“Outside the free airtime allocated to registered candidates, the State media failed to provide balanced reporting on candidates and gave the incumbent a clear advantage. The coverage in the private media was more balanced, although the incumbent again received the highest amount of coverage, in terms of time, space and quality.” (ODIHR 9 June 2000 final report on Republic of Georgia Presidential Elections)

All candidates, apart from the incumbent, complained of biased media coverage on national media, of an informational blockade of their campaigns. However, given the lack of campaigning activity from all but two of the candidates, this is difficult to justify.

According to the Press Secretary for the CUG, Shevardnadze’s campaign made use of all media channels, but with a strong focus on television as the only effective nationwide medium. As Head of State, Shevardnadze naturally enjoyed the advantage of being extensively covered in news programming, however “to observe objectivity” Shevardnadze cancelled the weekly press briefings for the duration of the campaign. In addition to the free allocated time given to all candidates, candidates made use of additional paid advertising on State TV, independent channels and on radio.

Jumber Patiashvili was fielded by the Revival Bloc and, given the absence of an active campaign by Aslan Abashidze, was effectively the only serious opponent to Shevardnadze. According to Patiashvili, his campaign strategy was focused more on direct campaigning across the country than use of media, and he campaigned in most of Georgia’s regions. However, Patiashvili had a number of complaints regarding both his access to the media and the coverage of his campaign. Firstly, he said that his allocated slots on *Channel 1* were timed so as to coincide with Georgia’s frequent and predictable power shortages. His second major complaint was the biased nature of his coverage on *Channel 1*. Patiashvili preferred direct protest rather than applying to the appropriate electoral institution to voice his complaint because he doubted the ability of independent media to remain objective and referred to journalists as “fulfilling state orders”.

Another presidential candidate, Avtandil Joglidze, lodged an open protest with the CEC, in which he complained that he had not been given the “necessary permission” to begin using his free time on State TV until 20 March, 10 days after the campaign officially began. He also complained about having no access to free broadcasting time on radio (candidates were not entitled to free time on radio during the presidential campaign).

Coverage of Elections by Broadcast Media. TELEVISION. The figures of various surveys, as well as other objective analyses, indicate that *State TV 1* has the broadest reach in the country, serving regions which are not reached by

commercially owned broadcasters. This places a special responsibility on State TV to provide impartial and balanced coverage to the electorate, without favouring one candidate over others. In actuality, the company failed to live up to this obligation.

The station's coverage was notable for its lengthy news coverage of Shevardnadze's campaign, with the addition of special programmes on his life, such as an interview with his wife and a programme focusing on his grandson. There was only limited coverage of other candidates' campaigns.

An additional serious blemish on State TV's coverage lay in its acceptance of campaign advertisements only supporting the incumbent and their appearance in ordinary commercial slots rather than separate blocks as political advertising.

Of the independent TV channels, *Rustavi-2* is the most successful. The channel maintains that it has an "ordinary" relationship with the authorities, although harassment of investigative reporters continues, in Tbilisi as elsewhere. The news director stated that the candidates were offered the chance to debate on *Rustavi-2* but each declined. He also reported a serious incident in Gori on 5 April, when local police harassed a *Rustavi-2* reporter who was reporting on difficulties encountered by Patiashvili campaign staff with local authorities. This was reported on the station's news programmes.

The privately-owned *Iberia TV* had a very reduced role during elections due to the financial difficulties it has been facing for years. During the initial period of the campaign, its election coverage was mostly neutral, but two days before elections it began to broadcast election adverts for Shevardnadze in large quantities.

In comparison with all other TV stations that devoted their coverage to Shevardnadze, *TV Ajara* was the exception because up to 70 per cent of its news coverage was dominated by Aslan Abashidze.

RADIO. Despite the fact that it was assumed that radio would have played a more important role in election coverage, none of the candidates paid much attention to it, and the privately-owned stations wrote their news bulletins taken entirely from information agencies reports with no political analysis.

Election coverage at State Radio was almost as one sided as State TV's, although it did broadcast daily transmissions of foreign broadcasters which to a certain extent provided a broader platform to opposition candidates.

Coverage of Elections by the Print Media. In the case of state-owned outlets that still remain partly funded by the State, newspapers were obliged to print government statements, at their loss, as they admit. *Svobodnaya Gruzia* published Shevardnadze's electoral programme but not those of any other candidate.

The non-state funded press, on the other hand, showed an encouraging range in the nature of their coverage, showing a true pluralism and taking their responsibility towards the campaign very seriously. The case of *Droni's* leaning towards the incumbent candidate was explained by the paper's ownership links with the governing party, CUG.

It also should be noted that there was no case cited where newspaper journalists were harassed or seriously impeded in their coverage of this election campaign.

Advertising. The question of advertising impinges in this campaign in a number of ways. Such political advertising as there was (including posters in the streets) was nearly all in favour of Shevardnadze. However, independent media of all sorts reported that there was very little demand for adverts from any of the candidates. Hidden advertising (the practice of paying for articles to appear in your favour or to another's detriment) was also present to a certain degree, but in much lower quantities than during the parliamentary election of 1999. This probably corresponds to the lack of an active political advertising campaign of any sort. Indeed, the newspapers carry very little commercial advertising in general – an important aspect of their financial difficulties. In comparison to other media, newspapers apparently had high prices for official advertising. One page in *Rezonansi*, for example, which states a print-run of 7,000, costs \$460, while 30 seconds on its two radio stations cost 12 lari (\$6).

Election Coverage in Ajara. Election coverage by state-controlled media in Ajara, *Ajara TV* and the newspaper of the same name, was devoted to Aslan Abashidze. *Ajara TV* praised Abashidze and dedicated 75 per cent of its coverage to him out of the candidates, although the entire coverage for the whole period was just eight hours, owing to the limited broadcast time afforded to the channel.

Independent newspapers in Ajara were not approached by any of the candidates. In the case described above, an independent TV station in Ajara, *Channel 25*, was forced to withdraw its news programme for the duration of the election campaign. This fact constitutes a violation of the freedoms of expression guaranteed by the Georgian Constitution.

7. The Internet in Georgia

Even though progress has been made with the help of non-governmental organizations, development of the Internet in Georgia has been severely limited due to a number of deeply-embedded factors ranging from the archaic state of the country's telecommunications infrastructure, to the high-cost of connectivity and of basic computer equipment in relation to average salaries, the lack of system administrators and qualified engineers, and the susceptibility of the nation's electricity supply to erratic interruptions. In summary,

Georgia, like Central Asia, Azerbaijan, Armenia, Moldova and Belarus, so far has little Internet infrastructure in comparison with Russia and Ukraine, who are the front runners in the CIS.

It is impossible to determinate the exact size of the Internet, where hosts are and how many users there are. Nonetheless, one recent survey calculates the number of hosts in Georgia at 979 in December 1999, in comparison to 53 hosts in November 1995, when Georgia established its first permanent Internet link. The number of users is even more difficult to estimate. Firstly, only a minority has an IP connection which permits surfing the World Wide Web (www). Most users only have access to e-mail. Secondly, there are no means to check it, since the number of subscribers at providers only gives an indication of the number of connections, not the number of people that can use this connection. The current number of users in Georgia, according to the 1998 *World Telecommunications Development Report: Universal Access*, is estimated at 37 users per 10,000. The numbers are said to double every year. Internet is a growing phenomenon.

Nonetheless, there are several obstructions to the swift expansion of the Internet, the main one being the poor telecommunications infrastructure. Until the nation's overall telecommunications infrastructure is improved, fast and reliable connectivity in Georgia will not become a widespread reality. Most people, particularly residential users and NGOs, currently are dependent on telephone dial-up connections to the Internet at the speed of up to 33.6 kb/sec, a speed considered acceptable for a single-home computer.

Another major barrier is the cost. But even if the cost remains high, prices have been falling due to competition. For a long time, *SANET* was the only reliable commercial Internet provider and was able to charge \$150 per month for just two hours a day of Internet access. But after the appearance of new commercial providers in 1997, *SANET* reduced its fees to be in line with the rates of the new providers. Currently there are four major Internet service providers in Georgia, including *SANET*, *Caucasus.Net*, *Global One Georgia*, and *Geonet*. *Caucasus.Net* is providing the most affordable service, including unlimited Internet access for \$40 per month.

Despite the fact that so far, Internet is not a very visible medium in the CIS, it is apparent that the number of subscribers is increasing. Overall the Georgian Government is supporting the Internet development in the region, and international organizations and international NGOs are investing considerable sums in infrastructure development.

The Open Society Institute (OSI) has provided significant technical and financial support toward improving Internet connectivity in Georgia. Other organizations, such as USAID and OSGF, have undertaken programmes in Georgia to help improve connectivity and train people how to use the Internet.

In early 1997, the OSGF opened the Internet Centre for Wide Open World, whose main purpose is to provide Internet grants to organizations across Georgia. Its projects have included grants to organizations working to create and popularize a Georgian character coding standard for the alphabet – a main requirement for making Georgian information available through the Internet. Currently there are several on-line newspapers in Georgia, including on-line versions of Georgian print media, which allows a domestic and international spread of information that goes far beyond the control of governments.

8. Conclusions and Recommendations

Georgian media legislation and the Constitution provide for freedom of the press. However, even as the independent press grows increasingly active, the Government continues to constrain some press freedoms. There is no law providing public access to information and government officials are sometimes unwilling to answer press inquiries. Journalists lack effective legal protection. Nevertheless, dozens of independent outlets operate freely, frequently criticizing high-ranking officials. Self-censorship is common, however, especially in state-run media. No independent newspaper as yet has a large national audience, although several have emerged as serious and reputable sources of information. During the last two years, the government monopoly on radio and television programmes was broken and the Internet became a vital source of information for an increasing number of Georgians.

Media legislation and regulations should be improved in several areas. This concerns in particular the present libel laws, which can be broadly interpreted and often misused. The regulation of the division of frequencies and of obtaining licences should become more clear-cut and non-discriminatory. There is also a clear need for an independent media regulatory agency, that is entrusted with the management of state-run media – that needs to be distanced from politics – as well as with monitoring the implementation of regulations concerning independent broadcasters.

Further, considering the negative side effects of selective subsidies - encouraging dependency of recipients and affecting competitiveness of non-recipients - it is important that general subsidies are distributed for a meaningful period of time and that their implementation is decided upon by a body which is separate from the authorities.

Even though the overall standard of Georgian media is by no means exemplary, it should be stated that it compares favourably with the media situation in many other CIS countries. Still, in order to improve the situation further, it is vital for the Georgian media that international organizations continue to observe the situation, press for the implementation of international standards, and support independent media financially, technologically and by means of training.

Implementation of international aid programmes in Georgia at the stage when media is still facing many constraints is a must for achieving media freedom, pluralism, and professionalism. Considerable support of such organizations as USAID, Soros Foundation, Internews, EIM, CPJ, IFES, BBC, Eurasia, Freedom Forum and many others makes such development more feasible.

The OSCE Representative on Freedom of the Media will continue to follow the media situation in the Republic of Georgia. While remaining concerned about the conditions under which Georgian journalists must labour, including difficult access to public information, harassment, pressure, obstruction and even violent attacks, and about the special problems of the regional media, the Representative is encouraged by the new draft law on freedom of speech which Georgia has recently introduced to comply with its obligations as a member of the Council of Europe, since it appears to conform to international law and to contain positive provisions on defamation which could serve as a model for other CIS countries. The Freedom of Media Office is well aware that for the active independent media to survive, considerable technological, financial and professional support is needed and therefore encourages continued aid to this sector at a critical time in the history of democratic Georgia.

4. Joint Statements by OSCE, UN and OAS

Joint Declaration on Current Challenges to Media Freedom by the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media and the OAS Special Rapporteur on Freedom of Expression

London, 30 November 2000

Having met with representatives of NGOs, UNESCO, journalists' associations and human rights experts in London on 29-30 November 2000, under the auspices of ARTICLE 19, Global Campaign for Free Expression, assisted by Canadian Journalists for Free Expression;

Recalling and reaffirming their Joint Declaration in London of 26 November 1999;

Noting the importance of regional mechanisms in promoting the right to freedom of expression and the need to promote such mechanisms in every region of the world;

Welcoming the recommendation of the African Commission on Human and Peoples' Rights Seminar on Freedom of Expression and the African Charter that a Special Rapporteur or other mechanism on freedom of expression be established for Africa;

Encouraging moves in the ASEAN and Asia-Pacific to develop regional mechanisms for the promotion and protection of human rights;

Supporting the Inter-American Declaration of Principles on Freedom of Expression of the Inter-American Commission on Human Rights;

Endorsing the ARTICLE 19 document, Defining Defamation: Principles on Freedom of Expression and Protection of Reputation;

Stating our intention to adopt a joint statement on racism and the media as part of the process of preparation for the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

Adopt the following Declaration:

- Two threats to freedom of expression and the free flow of information and ideas have now reached crisis proportions in many parts of the world.
 - attacks on journalists and others exercising their right to freedom of expression (censorship by killing).
 - the abuse of restrictive defamation and libel laws.

Censorship by Killing

- Attacks such as the murder, kidnapping, harassment of and/or threats to journalists and others exercising their right to freedom of expression, as well as the material destruction of communications facilities, pose a very significant threat to independent and investigative journalism, to freedom of expression and to the free flow of information to the public.
- States are under an obligation to take adequate measures to end the climate of impunity and such measures should include devoting sufficient resources and attention to preventing attacks on journalists and others exercising their right to freedom of expression, investigating such attacks when they do occur, bringing those responsible to justice and compensating victims.

Defamation

All Member States should review their defamation laws in order to ensure that they do not restrict the right to freedom of expression and to bring them into line with their international obligations.

At a minimum, defamation laws should comply with the following standards:

- the repeal of criminal defamation laws in favour of civil laws should be considered, in accordance with relevant international standards;
- the State, objects such as flags or symbols, government bodies, and public authorities of all kinds should be prevented from bringing defamation actions;
- defamation laws should reflect the importance of open debate about matters of public concern and the principle that public figures are required to accept a greater degree of criticism than private citizens; in particular, laws which provide special protection for public figures, such as *desacato* laws, should be repealed;
- the plaintiff should bear the burden of proving the falsity of any statements of fact on matters of public concern;
- no one should be liable under defamation law for the expression of an opinion;
- in relation to a statement on a matter of public concern, it should be a defence to show that publication was reasonable in the given circumstances; and
- civil sanctions for defamation should not be so large as to exert a chilling effect on freedom of expression and should be designed to restore the reputation harmed, not to compensate the plaintiff or to punish the defendant; in particular, pecuniary awards should be strictly proportionate to the actual harm caused and the law should prioritize the use of a range of non-pecuniary remedies.

At the same time the three special mechanisms recognize that new communications technologies are of enormous value in promoting the right to freedom of expression and the free flow of information and ideas, and express an intention to include this as a topic of discussion at their next joint meeting.

Abid Hussain, UN Special Rapporteur on Freedom of Opinion and Expression

Freimut Duve, OSCE Representative on Freedom of the Media

Santiago Canton, OAS Special Rapporteur on Freedom of Expression

Joint Statement on Racism and the Media by the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media and the OAS Special Rapporteur on Freedom of Expression

London, 27 February 2001

In support of the objectives and with the desire to make a contribution to the preparations for the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, we:

Reaffirm that the promotion of equality, and freedom from racism, discrimination, xenophobia and intolerance, are essential to the realization of human rights and freedoms.

Stress the fundamental importance of the right to freedom of expression, including of the media, for the personal development, dignity and fulfilment of every individual, for the promotion and protection of equality and democracy, for the enjoyment of other human rights and freedoms, and for the progress and welfare of society.

Note with concern the prevalence of racism and discrimination, as well as the existence in many countries and regions of the world of a climate of intolerance, and the threat these pose to equality and full enjoyment of human rights and freedoms.

Recognize the positive contribution the exercise of the right to freedom of expression, particularly by the media, and full respect for the right to freedom of information can make to the fight against racism, discrimination, xenophobia and intolerance.

Recognize as harmful all forms of expression which incite or otherwise promote racial hatred, discrimination, violence and intolerance and note that crimes against humanity are often accompanied or preceded by these forms of expression.

Are cognisant of the need to ensure a balance between efforts to combat racism, discrimination, xenophobia and intolerance, and protection of the right to freedom of expression.

Reiterate the need to respect the editorial independence and autonomy of the media.

Desire to make a contribution to the preparations for the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

Adopt the following Joint Statement:

- Promoting an optimal role for the media in the fight against racism, discrimination, xenophobia and intolerance requires a comprehensive approach which includes an appropriate civil, criminal and administrative law framework, and which promotes tolerance, including through education, self-regulation and other positive measures.
- These efforts must be taken with the realization that respect for freedom of expression and information ensures that all citizens have access to information which helps them form their opinions and challenges their views, and which they need to make decisions.

Civil, Criminal and Administrative Law Measures.

Any civil, criminal or administrative law measures that constitute an interference with freedom of expression must be provided by law, serve a legitimate aim as set out in international law and be necessary to achieve that aim. This implies that any such measures are clearly and narrowly defined, are applied by a body which is independent of political, commercial or other unwarranted influences and in a manner which is neither arbitrary nor discriminatory, and are subject to adequate safeguards against abuse, including the right of access to an independent court or tribunal. If these safeguards are not in effect, there is a very real possibility of such measures being abused, particularly where respect for human rights and democracy is weak, and “hate speech” laws have in the past been used against those they should be protecting.

In accordance with international and regional law, “hate speech” laws should, at a minimum, conform to the following:

- no one should be penalized for statements which are true;
- no one should be penalized for the dissemination of “hate speech” unless it

has been shown that they did so with the intention of inciting discrimination, hostility or violence;

- the right of journalists to decide how best to communicate information and ideas to the public should be respected, particularly when they are reporting on racism and intolerance;
- no one should be subject to prior censorship; and
- any imposition of sanctions by courts should be in strict conformity with the principle of proportionality.

These standards should also apply to new communications technologies such as the Internet, which are of enormous value in promoting the right to freedom of expression and the free flow of information and ideas, particularly across frontiers and at the global level. Any restrictions on these new communications technologies should not:

- limit or restrict the free flow of information and ideas protected by the right to freedom of expression; or
- enable the authorities to interfere with the work of, or intimidate, human rights defenders.

Defamation laws have in some cases been used to limit the right to freely identify and openly combat racism, discrimination, xenophobia and intolerance. To prevent this from happening, defamation laws should be brought into line with international standards on freedom of expression, in particular as outlined in our Joint Declaration of 30 November 2000.

Freedom of Information.

The free flow of information and ideas is one of the most powerful ways of combating racism, discrimination, xenophobia and intolerance. There should be free access to information which exposes or otherwise helps to combat these problems, whether that information is held by public or private bodies, unless denial of access can be justified as being necessary to protect an overriding public interest. In addition, States should ensure that the public has adequate access to reliable information relating to racism, discrimination, xenophobia and intolerance including, where necessary, through the collection and dissemination of such information by public authorities.

Promoting Tolerance.

Media organizations, media enterprises and media workers – particularly public service broadcasters – have a moral and social obligation to make a positive contribution to the fight against racism, discrimination, xenophobia and intolerance.

There are many ways in which these bodies and individuals can make such a contribution, including by:

- designing and delivering media training programmes which promote a better understanding of issues relating to racism and discrimination, and which foster a sense of the moral and social obligations of the media to promote tolerance and knowledge of the practical means by which this may be done;
- ensuring that effective ethical and self-regulatory codes of conduct prohibit the use of racist terms and prejudicial or derogatory stereotypes, and unnecessary references to race, religion and related attributes;
- taking measures to ensure that their workforce is diverse and reasonably representative of society as a whole;
- taking care to report factually and in a sensitive manner on acts of racism or discrimination, while at the same time ensuring that they are brought to the attention of the public;
- ensuring that reporting in relation to specific communities promotes a better understanding of difference and at the same time reflects the perspectives of those communities and gives members of those communities a chance to be heard; and
- promoting a culture of tolerance and a better understanding of the evils of racism and discrimination.

5. Projects 2000/2001

Protection of Journalists in Conflict Zones

Round Table, Berlin, 6 November 2000, Berlin

Declaration on Protection of Journalists

On 6 November 2000, leading media professionals and officials from OSCE participating States, from the United Nations and the Council of Europe met in Berlin at a Round Table organized by the OSCE Representative on Freedom of the Media and the Ministry of Foreign Affairs to discuss protection of journalists in conflict areas:

The discussion of the Berlin Round Table underlined that the reality of conflict has changed considerably over the past years. During the last two decades, most journalists killed became casualties of internal conflicts. This type of “terror warfare” has considerably changed the conditions on the ground not only for military personnel but also for civilians, including journalists. Many participants stressed that the global media market puts “pressure of presence” on journalists by the demand of the media market to produce news in real time. This increasingly placed journalists in harm’s way.

In 1991, the OSCE participating States committed themselves in Moscow to protect journalists particularly in cases of armed conflict. The United Nations, on several occasions, also expressed its strong support for measures to protect journalists.

The Round Table in Berlin is the second step taken by the OSCE Representative on Freedom of the Media. He held a meeting with journalists and non-governmental organizations (NGOs) in London in September 1999.

However, more can still be done to provide support to journalists covering conflict areas. Already training sessions are organized by media companies and NGOs. Protection gear is available as well as insurance. A number of international organizations in post-conflict areas offer a hotline for journalists in trouble. Although deliberately killing a journalist in time of war, as with any other civilian, can be classified as a war crime, little had been done to bring perpetrators to justice. This issue may be discussed as part of the ongoing debate on the International Criminal Court. Nevertheless, governments could enhance their efforts to investigate the murders of journalists and to co-operate to this end. Governments should make it also clear within international organizations that the killing of journalists is not acceptable for the international community.

The participants commended leading media companies, among them *Reuters*, *AP*, *CNN*, *BBC*, as well as NGOs for developing universal guidelines related to the safety and protection of journalists. However, these guidelines could not become excuses for governments to exclude journalists or restrict coverage. The participants underlined that OSCE participating States should consider the idea that all journalists, including freelancers and local journalists, have access to safety standards and financial assistance in times of need. But most critical is that news organizations must assume responsibility for the safety of those who work for them, be it staff or freelancers.

Regarding distinctive signs for journalists, it was stressed that this was an issue for journalists themselves to decide but that an open discussion of physical threats against journalists was needed.

The participants agreed that the discussion on journalists in conflict areas should continue in the framework of the OSCE, the United Nations, the Council of Europe and other relevant international organizations and NGOs.

Mass Media in Central Asia: Present and Future *Conference, Dushanbe, 14-15 November 2000*¹⁰

On 14-15 November 2000 more than 90 journalists from Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan, along with OSCE media officers and media specialists, met in Dushanbe, Tajikistan for an international conference organized under the auspices of the OSCE Representative on Freedom of the Media, Freimut Duve. The list of participants included the Chairman of the National Association of Independent Mass Media in Tajikistan, Mr. Nuriddin Karshyboev, the Head of the Department of Mass Media in the Presidential Cabinet, Mr. Abdulrajab Abdumanonov, representatives of non-governmental media organizations, as well as experts and foreign guests. The Conference, opened by Mr. Duve, provided a unique opportunity for interaction and exchange of views among the representatives of the mass media of the Central Asian countries on the basic problems and potential for regional co-operation. The Head of the OSCE Mission to Tajikistan, Ambassador Marc Gilbert, invited the participants to observe a minute of silence in memory of Maksudjon Huseinov, a Tajik journalist who died in the days preceding the conference.

The conference focused on libel legislation, media law, new technologies and the role of the media in the development of civil society. The quality of the presentations showed deep understanding of the issues as well as the professional commitment of the participants.

The lively discussion of the issues led to the conclusion that efforts should be re-doubled to continue searching for ways for Central Asian journalists to share information and experience on a regular basis.

Dushanbe Declaration on Freedom of the Media

The debates during the Conference in Dushanbe on Media stressed these conclusions:

1. All transition processes during the 20th century show that there is no real chance for democracy and the independent rule of law without free and professional media. As participating States of the OSCE, the Central Asian States have committed themselves to upholding freedom of the media;
2. The tragic human, cultural, economic and ecological errors of the totalitarian period prove: Free journalistic media are needed to play their critical role in the major political and economic decision making processes. The ecolog-

¹⁰ See Chapter II pp. 85-88

ical problems in many of the regions (e.g. Lake Aral and Lake Sarez) might have been avoided if a public debate would have had a chance;

3. Conditions should be created, where those who want should be offered the capacity to learn the rules and tradition of independent journalism;
4. *Censorship* and the terrible *censorship by killing critical journalists* must have no chance in Central Asia. Recognizing the difficult and often dangerous working environment under which most Central Asian journalists' work, the conference concluded that more must be done to guarantee supportive measures to ensure their security.
5. Libel laws should not be misused to stop journalistic criticism of decisions at all levels of power.

Corruption and Journalists – Sometimes Discoverers, Sometimes Victims, or Sometimes Silent Contributors

Round Table, Prague, 4 December 2000

Investigative journalists from Western and Eastern European countries and academics met at the Centre for Media Studies, Charles University, Prague on 4 December 2000 to discuss the challenges for journalists combating corruption.

The Round Table was divided into two sessions. The first session “Journalists as Hunters”, chaired by the OSCE Representative on Freedom of the Media Freimut Duve, was introduced by Hans Leyendecker from the *Süddeutsche Zeitung* and Larisa Kislinskaja from the monthly *Soverenno Sekretno*¹¹. The second session “Is safety an issue?”, chaired by co-director of the Centre for the Study and Prevention of Transnational Crime and Corruption and Associate Professor at the American University Keith Henderson, was opened by deputy news editor of the *Irish Independent* Liam Collins and media trainer of the OSCE Mission to Kosovo Werner Herics.

The participants agreed that corruption is a dangerous phenomenon, permanently present in the political culture of all countries they came from. However, disclosing of corruption in media is more effective in democracies where the rule of law, efficient law enforcement and free flow of information assure a socially protective climate. They underlined that free and independent press ranks alongside an independent judiciary as one of the joint forces that can serve as an effective counter-force to corruption.

The forms of pressure aiming to hinder the professional journalists from disclosing corruption, experienced by the participants, are: legislative, political, economic, moral and physical pressures.

Legislative pressure includes misuse of libel, slander and insult laws to stop investigation on corruption and civil-libel processes when the burden of proof lies with the accused investigative journalists. Interference into editorial operations of the media is often connected with a lack of its political and financial independence on one side or with cross ownership of media and central industry on the other. By moral pressure the participants meant the situations when reporting on corruption has no response, neither from politicians nor from the public, and no judiciary follow up, as well as the situations when the journalists are subjects of corruption. Physical intimidation of investigative journalists usually occurs in cases where the corruption is closely linked to organized crime.

11 See Chapter II: pp 89-96

The participants concluded:

1. There is a need for investigative journalism to develop as a global profession and to have global standards of conduct. Therefore, **conferences** gathering investigative journalists from democracies at different levels of development should continue. **Training programmes** focused on reporting on corruption should be established and expanded in the OSCE area.
2. **Central corruption network**, a submission place for reports on corruption, should be established. This network would release topical news on corruption for news agencies and mass media on a regular basis. Reports of endangered investigative journalists should remain in principal anonymous and exposed without revealing the sources.
3. Safety of the journalists (including those combating corruption) must be addressed in multiple ways from both governmental and non-governmental sources and guaranteed by local, country, regional and international groups and organizations.
4. In countries or regions where rule of law and/or law enforcement is still ineffective international organizations (e.g. OSCE) should establish **hot lines** for endangered journalists. Hot lines should enable the journalists to obtain international support, information and assistance.

Central Asian Media Fund

One of the problems of independent media in Central Asia, identified by the OSCE Representative on Freedom of the Media, is the difficult economic situation. Small project assistance grants have a large impact on preserving and enhancing the financially endangered independent media. Assistance can be used for e.g. purchasing printing ink, paper stock, computers etc. The Media Fund is financed through voluntary contributions from the OSCE participating States.

In the last year, the Media Fund has been involved in projects in three of the Central Asian States: Kyrgyzstan, Kazakhstan and Tajikistan.

In Kyrgyzstan, the Media Fund has two projects co-ordinated through the OSCE Centre in Bishkek. One of the projects involves assistance to the independent newspaper Service Plus publishing information on legal matters, the other is focusing on regional training for journalists through seminars in the provinces of Kyrgyzstan, Tajikistan and Uzbekistan.

In Kazakhstan the OSCE Centre in Almaty has assisted the Media Representative in two projects. Independent regional media has been supported by a project promoting and advocating democracy and human rights. The project entails purchasing space in local Kazakh language newspapers as well as air-time on local radio and publishing material about the importance of democratization, human rights, free elections, legal reform etc. Independent regional media is also supported through subscriptions to international news agencies.

In Tajikistan the Media Fund will provide training for journalists at the first independent radio and TV station in the Khatlon province. The project is co-ordinated through the OSCE Mission in Tajikistan, who has already earlier been involved in assisting the station in the licensing process. The training will include an introduction to Tajik law and international standards, as well as gender awareness and management skills.

mobile.culture.container: Library, School, Theatre *Defence of our Future*

Regional media and cultural project for the young generation in the post-conflict region of South-Eastern Europe initiated by the OSCE Representative on Freedom of the Media Freimut Duve within the framework of the Stability Pact.

The basic philosophy of this project is that regional co-operation (Pact) only has a chance of attaining peace in the future (Stability), if the younger generation is involved in discussions about their future and if the repetitive orchestration of suffering and hate is interrupted by forms of open debate.

Features. The project consists of constructing a mobile space, which will tour the region for two to three years starting in spring 2001. Raising the awareness of the younger generation in towns affected by conflicts is one of the ambitious aims of the project. Schoolchildren and students will be invited to take part in discussions about the cultural, the economic, the social and democratic conditions required to create a future determined by modern cultural and economic factors instead of a future determined by conflict. Well-known artists, authors, actors, journalists will appear in this mobile space and take part in discussions. The containers will also carry a library with reference books on the subjects mentioned.

Programme of the mobile.culture.container.

Discussion: The *mobile.culture.container* will be open daily for visitors. In the morning, school classes will be invited to discuss the future. Discussion groups will be organized on relevant historical questions, such as the results of European economic and cultural history since 1945. This includes practical examples such as the overcoming of hatred between the former enemies France and Germany: How come that already by the 1950s the Germans could buy goods in France and the French in Germany? How did the European cultural space develop in the fifties? How was the challenge of resettling millions of refugees taken up or not taken up?

School newspapers: The *mobile.culture.container* will set up workshops to show the students how to produce a newspaper. School newspaper will serve them as a platform for the free expression of their own thoughts and opinions.

Technology: The *mobile.culture.container* will introduce visitors to the new technical possibilities for independent communication: Internet, e-mail and video. An Internet café and video lab will be part of the *mobile.culture.container*.

Peace Library: The visitors will have access to documents and reference literature related to the cultural history of the Balkans, the standard works and international lexicons, the literary works of the younger generation.

Evenings: In the evenings, the container should be a forum for cultural events (stage plays, concerts, films, lectures, and debates).

Venues. This project is meant as an initiative of co-operation with towns of the region. The mobile space should spend five to six weeks in towns of the region, so that events can be planned and prepared with the local schools and high schools. The list of towns in 2001 includes Tuzla, Ossijek, Novi Sad, Cacak and Gorazde. In 2002 more cities are going to be visited.

Network. After the mobile space moves from a venue, an effort will be made to remain in communication with contact persons, making use of the Internet. Therefore, the Internet facilities can be left in the towns to be run independently, in the form of local Internet cafés. These contact persons or contact points at the different venues should form a network to accompany the *mobile.culture.container* and, later, to exist independently of it.

Structure. The *mobile.culture.container* will consist of 15 containers assembled in a circle and covered with an awning 20 metres wide and 7 metres high. Underneath the awning there will be an area for events and a stage. Within the containers there will be an Internet café with a video centre, an exhibition and discussion room, library, office, dressing room for the stage, kitchen, toilets, washrooms and storerooms. The *mobile.culture.container* requires a space of 30 square metres.

Foundation. A legal body according to Austrian Law, foundation "Defence of our Future", has been set up in Vienna to represent the project in legal matters and to control the budget. The chairman of the foundation board is the OSCE Representative on Freedom of the Media Freimut Duve and Wolfgang Petritsch, High Representative for BiH, and Hans Koschnick are among its members.

Costs*. The current cost estimate for 3 years is about 3,5 million DM (1.7 million USD). This amount includes the preparatory work in 2000 (planning, visits to the region, legal set-up) and the costs for touring in 2001 and 2002 (purchase of material and staff costs).

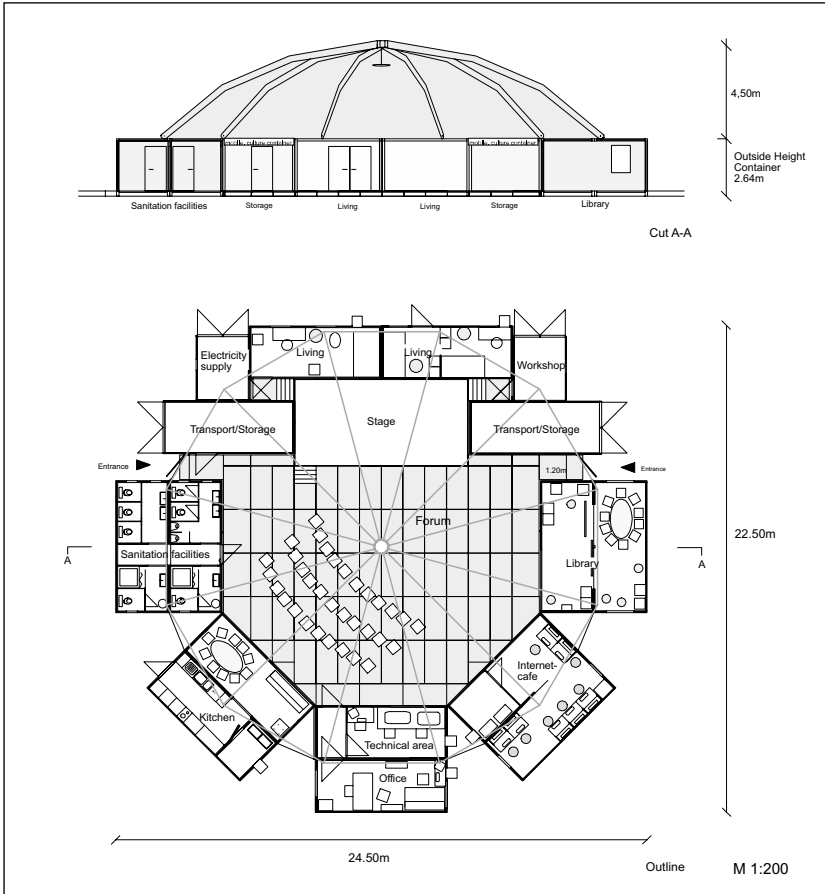
* Data as of 15 February 2001

Sponsors*. Germany; Austria; the Czech Republic; Switzerland; Liechtenstein; KulturKontakt, Vienna. Other Governments as well as private companies have announced sincere interest in supporting the *mobile.culture.container*.

Contacts. The *mobile.culture.container* will be run by a team of 12 members, the majority of whom come from South-Eastern Europe. Achim Koch, director and technical supervisor, comes from Germany.

Web address: www.mobile-culture.org

E-mail: office@mobile-culture.org



* Data as of 15 February 2001

Newsletters

Serbia: Journalism and Elections

On 6 September 2000, on the initiative of the OSCE Representative on Freedom of the Media, his Office started issuing a daily bulletin titled *Serbia: Journalism and Elections*. This bulletin, targeted at the delegations of the OSCE participating States and at non-governmental organizations, provided daily information on the media situation in Serbia focusing on documented cases of harassment of the media and opposition supporters and on the discontent among the public and many politicians with the coverage of the election campaign in state-controlled media.

The Bulletin also followed the plight of Miroslav Filipovic, a Serbian journalist, who was arrested in Nis on 22 May 2000 and on 27 July sentenced to 7 years of prison for espionage. His only crime: writing the truth about the war in Kosovo.

All the information was collected by the Office staff members from open sources and through direct contacts with journalists. Among those who provided the bulk of news for the daily bulletin were reporters from *Beta* news agency, *B2-92* and the *Institute for War and Peace Reporting*.

A special issue of the Bulletin featured an exclusive interview with Veran Matic, one of Serbia's best known journalists, Chairman of the Serbian Association of Independent Electronic Media and editor-in-chief of *B-92*. Matic stressed that "during the election campaign in Serbia the independent media helped the civil sector and, to a certain degree, the democratic opposition to persuade as many citizens as possible to vote. The number of reports and live broadcasts from the rallies of the democratic opposition is more than impressive. I believe that without the support of the independent media it would not have been possible to mobilize and motivate so many of our citizens to vote for change."

Kyrgyzstan: Media and Elections

Having first brought out daily bulletins on the media situation during the Serbian election, the OSCE Representative on Freedom of the Media, decided to repeat the "pre-election media situation newsletter" experiment and started issuing *Kyrgyzstan: Media and Elections* on the eve of the presidential election in Kyrgyzstan.

Until recent times Kyrgyzstan had enjoyed a certain degree of media freedom by comparison with the other OSCE Central Asian participating States. But prior to the upcoming election on 29 October 2000 independent outlets in

the country have faced growing pressure from the Government. The newsletter was intended to provide information about the media situation in the current Kyrgyz political environment.

There were two issues of the newsletter: one presenting a “snapshot” of the media situation prior to the election, released on 25 October, and the other one, issued on 2 November, showing the results of insufficient media participation in the opposition election presentations, due to the Government’s pressure. The pressure against independent media did nothing but “further undermined, – according to the OSCE/ODIHR Election Observation Mission in Kyrgyz Republic, – the conditions for a free and fair election campaign.”

Expressing her disappointment with the presidential election in that country OSCE Chairperson-in-Office, Austrian Minister for Foreign Affairs, Mrs. Benita Ferrero-Waldner said: “Unfortunately, the elections did not reverse the negative trends identified during the parliamentary elections at the beginning of this year and can therefore not be qualified as being equal, free and fair.”

The information for both issues was collected by the Office staff members from different open sources including OSCE/ODIHR Election Observation Mission in Kyrgyz Republic reports, *Radio Free Europe/Radio Liberty*, *Independent Weekly “The Times of Central Asia”*, *Vecherniy Bishkek*, *Asaba*.

6. Visits and Interventions in 2000/2001

*February 2000 – February 2001*¹²

The Office of the Representative on Freedom of the Media visited or corresponded with the following Governments of the OSCE participating States:

Albania

Visits

- 18-20 July 2000, visit to Tirana by Freimut Duve, accompanied by adviser Alexander Ivanko, to meet with members of the Government, parliamentarians and journalists.

Interventions

- 8 March 2000 to Foreign Minister Prof. Paskal Milo urging consideration of the transition from State Television to Public Television and the licensing of private television stations.

Azerbaijan

Interventions

- 25 August 2000 to Foreign Minister Vilayat Gouliyev on the case of Rauf Arifoglu, editor-in-chief of the newspaper *Yeni Musavat*, who was arrested in Baku.
- 11 October 2000 to Foreign Minister Vilayat Gouliyev on the case of *ICBS-SARA Broadcasting Agency*.
- 7 February 2001 to Foreign Minister Vilayat Gouliyev on alleged violation against journalists and independent news organizations: Haji Zamin, Etibar Mansaroglu, *DMR TV* and *Mingecevir TV*.

Belarus

Interventions

- 2 March 2000 to Foreign Minister Ural Latypov on increases of distribution rates for independent media.
- 28 March 2000 to Foreign Minister Ural Latypov about the arrest of more than 30 journalists, both Belarusian and international, during the opposition-staged demonstration in Minsk on 25 March.
- 15 May 2000 to Foreign Minister Ural Latypov on the case of Yahor Mayorchyk, stringer for *Radio Free Europe/Radio Liberty*, who was threatened.

¹² This is a selected list of our activities during the year.

- 16 June 2000 to Foreign Minister Ural Latypov regarding warnings to the independent newspapers *Belorusskaya Delovaya Gazeta*, *Nasha Niva* and *Narodnaya Volya*.
- 15 September 2000 to Foreign Minister Ural Latypov about the confiscation of 100,000 copies of a special edition of the Belarusian Free Trade Union's newspaper *Rabochy*, the arrest of the editor-in-chief, Viktor Ivashkevich, the detention of the director of the *Magic* publishing house and of *Rabochy's* legal consultant.
- 10 January 2001 to Foreign Minister Mikhail Khvostov on the case of *Magic* publishing house, whose printing equipment was sealed up by the tax authorities in conjunction with the Belarus Soros Foundation's alleged tax violations.

Bulgaria

Interventions

- 16 January 2001 to Foreign Minister Nadezhda Mihailova on the structure and functioning of the public radio and the election of the Director General of the *Bulgarian National Radio*.

Canada

Visits

- 14-17 August 2000, visit to Clementsport of adviser Alexander Ivanko to lecture on *Media and Peacekeeping* at the Pearson Peacekeeping Centre.

Croatia

Interventions

- 8 December 2000 to Foreign Minister Tonino Picula on the death of Vlado Gotovac.

Czech Republic

Visits

- 4 December 2000, visit of Freimut Duve and adviser Halka Kaiserová, to Prague for the Roundtable *Journalists and Corruption*.

Interventions

- 28 December 2000 to Foreign Minister Jan Kavan on the situation related to Czech Television after the change in the management structure and the resulting unrest.

Federal Republic of Yugoslavia

Visits

- 11-15 March 2000, visit of adviser Alexander Ivanko to Pristina to work on the distribution of children's books.

- 11-12 October 2000, visit of Freimut Duve to Belgrade to meet with government officials and journalists on *Challenges of the Media After the Fall of Milosevic's Regime*.
- 3-5 December 2000, visit of adviser Alexander Ivanko to the OSCE Rapporteur Mission to Federal Republic of Yugoslavia, Belgrade.
- 18-20 January 2001, visit of adviser Alexander Ivanko to Belgrade, where he met with government officials and journalists.

Interventions

- 7 March 2000 to Foreign Minister Zivadin Jovanovic asking for prompt investigation of the circumstances of the attack against *Studio B* Television and Radio *B2-92*, in which their equipment was stolen and security guards were assaulted.
- 17 March 2000 to Foreign Minister Zivadin Jovanovic on the taking over of *Studio B* and Radio *B2-92* by the Government and the latest cases of harassment of media.
- 12 April 2000 to Ambassador Prof. Dr. Rados Smiljkovic on current media issues.
- 17 May 2000 to Foreign Minister Zivadin Jovanovic on the takeover in Belgrade of television station *Studio B* and independent radio station *B2-92*.
- 22 May 2000 to Foreign Minister Zivadin Jovanovic on the letter from Federal Minister Goran Matic to Freimut Duve and Aidan White, Secretary-General of the International Federation of Journalists.

Georgia

Visits

- 21-22 January 2001, visit of Freimut Duve, accompanied by senior adviser Diana Moxhay, to Tbilisi to present new Office publication *The Caucasus – Defence of the Future*.

Germany

Visits

- 14 March 2000, visit of Freimut Duve accompanied by personal adviser Dr. Beate Maeder-Metcalf to address the Foreign Affairs Committee of the German Parliament, Berlin.
- 6 November 2000, visit of Freimut Duve, personal adviser Dr. Beate Maeder-Metcalf and adviser Alexander Ivanko to Berlin for the Round Table *Protection of Journalists in Conflict Zones – How We Can Help* at the German Ministry of Foreign Affairs.

Italy

Interventions

- 31 October 2000 to Foreign Minister Lamberto Dini on the murder of Antonio Russo.

Kazakhstan

Interventions

- 12 May 2000 to President of the Republic of Kazakhstan Nursultan Nazarbaev about firing the news director of the independent television station *Channel 31* Tatiana Deltsova, the seizure of the 13th issue of the newspaper *XXI Vek* and recent statements of the President concerning media.
- 31 May 2000 to President of the Republic of Kazakhstan Nursultan Nazarbaev about an action against the newspaper *Nachnyom s Ponedelnika* through libel lawsuits and libel lawsuits filed against other media, including the newspaper *XXI Vek* and the television station *Channel 31*.
- 20 July 2000 to Foreign Minister Erlan Idrisov on the situation of the newspapers *SolDat* and *Vremja Po*.
- 21 September 2000 to Minister of Foreign Affairs Erlan Idrisov about the attack on the editor-in-chief of the independent newspaper *Respublika 2000*, Lira Baisetova.

Kyrgyzstan

Interventions

- 27 March 2000 to President Askar Akaev about the arrest of Aziza Abdralulova, journalist with *Res Publika*, and the harassment of *Res Publika* as well as other independent newspapers.
- 23 June 2000 to President Askar Akaev on the case of the independent journalist Ibrainov Moldosali sentenced to two years imprisonment for criminal defamation for an article in the newspaper *Akyikat*.
- 28 August 2000 to President Askar Akaev on the case of newspaper *Delo No* which was served with a criminal case for publishing an article describing the trial of Felix Kulov.

Romania

Visits

- 7 - 9 May 2000, visit to Romania of Freimut Duve, accompanied by personal adviser Dr. Beate Maeder-Metcalf, to meet with the Foreign Minister, members of parliament, officials from the office of the President and with journalists.

Russia

Visits

- 23-25 January 2001, visit of Freimut Duve, accompanied by senior adviser Diana Moxhay, to Moscow and St. Petersburg to present a new publication *The Caucasus – Defence of the Future*.

Interventions

- 13 March 2000 to Foreign Minister Igor Ivanov on the death of Artem Borovik, editor of the newspaper *Soversheno Sekretno*.
- 11 May 2000 to Foreign Minister Igor Ivanov regarding the raid on the premises of the Russian Media holding *Media-Most* by the Office of the State Prosecutor and the Tax Police.
- 15 May 2000 to Ambassador Oleg Belous on protecting journalists in conflict zones and other issues.
- 17 May 2000 to Foreign Minister Igor Ivanov on the taking over in Belgrade of the television station *Studio B* and the independent radio station *B2-92*.
- 14 June 2000 to Foreign Minister Igor Ivanov on the arrest of Vladimir Gusinsky.
- 21 June 2000 to Foreign Minister Igor Ivanov on Andrei Babitsky concerning the OSCE Prize for Journalism and Democracy 2000.
- 21 June 2000 to Dmitry Rogozin, Chairman of the International Affairs Committee of the State Duma on Andrei Babitsky concerning the OSCE Prize for Journalism and Democracy 2000
- 21 June 2000 to Foreign Minister Igor Ivanov on the arrest of the Serbian journalist Miroslav Filipovic.
- 31 July 2000 to Foreign Minister Igor Ivanov on the death of Sergei Novikov, the owner of the independent radio station *Vesna* in Smolensk, who allegedly was shot dead.
- 1 December 2000 to the Foreign Minister Igor Ivanov on Adam Tepsurgaev, a *Reuters* cameraman, killed in Chechnya.
- 21 February 2001 to the Foreign Minister Igor Ivanov on Anna Politkovskaya, a reporter of *Novaya Gazeta* in Chechnya.

Spain

Interventions

- 10 May 2000 to Foreign Minister Josep Pique on the murder of Jose Luis Lopez de Lacalle of *El Mundo*.

Tajikistan

Visits

- 14-15 November 2000, visit of Freimut Duve to Dushanbe, where he met with government officials and journalists, prior to the 2nd Central Asia Media Conference.

Interventions

- 24 May 2000 to Foreign Minister Talbak Nazarov about the shooting of Mr. Saifullo Rakhimov, the Chairman of the State Radio and Television Company.

Turkmenistan

Interventions

- 30 May 2000 to Foreign Minister Boris Shikhmuradov on the revoking of the private licences of all private Internet and e-mail service providers.
- 2 August 2000 to Foreign Minister Batyr Berdyev regarding freedom of expression in Turkmenistan and announcing the Second Central Asia Media Conference.

Turkey

Interventions

- 28 December 2000 to Foreign Minister Ismail Cem on restrictions on both broadcasting and print media, attempting to cover serious developments concerning incidents in Turkish prisons.

Ukraine

Visits

- 11-13 October 2000, visit of adviser Alexander Ivanko to Kiev, where he met with journalists and took part in a TV programme on European standards regarding freedom of media (OSCE project).
- 31 January-2 February 2001, visit of adviser Alexander Ivanko to Kiev to assess the disappearance of journalist Georgiy Gongadze.

Interventions

- 27 March 2000 to Foreign Minister Boris Tarasyuk on government action against the newspaper *Silski Visti*.
- 18 April 2000 to Foreign Minister Boris Tarasyuk with some suggestions on projects proposals to implement the recommendations from the round table on libel held in Kiev in December 1999.
- 20 June 2000 to First Deputy Foreign Minister Evgeniy Bersheda on the implementation of the recommendations from the round table on libel held in Kiev in December 1999.

- 19 September 2000 to Foreign Minister Boris Tarasyuk about the disappearance of journalist Georgiy Gongadze, journalist with *Ukrainska Pravda*.
- 1 December 2000 to Foreign Minister Anatoliy Zlenko on the newspaper *Tovarish* the publication of which was stopped. - 17 January 2001 to Foreign Minister Anatoliy Zlenko on Georgiy Gongadze urging for provision of an update on the situation.

United States of America

Visits

- 4 April 2000, visit of Freimut Duve accompanied by adviser Hanna Vuokko to address the Commission on Security and Co-operation in Europe, US Congress, Washington DC.

Uzbekistan

Interventions

- 22 June 2000 to the Foreign Minister Abdulaziz Kamilov urging for the release of Uzbek poet Mamadali Makhmud and five journalists, who were imprisoned in August 1999.

The Office participated in the following OSCE and other international meetings and conferences:

OSCE meetings:

- OSCE Ministerial Troika, Vienna, 21 January 2000
- Tripartite High-Level Meeting UN-OSCE-Council of Europe, Geneva, 24-25 February 2000
- OSCE Ministerial Troika, Vienna, 31 March 2000
- OSCE Economic Forum, Prague, 12-13 April 2000
- OSCE Heads of Missions' Meeting, Vienna, 26-27 June 2000
- OSCE Parliamentary Assembly, Bucharest, 6-8 July 2000
- OSCE Heads of Delegations' visit to the five Central Asian States, 8-14 July 2000
- OSCE/ODIHR Human Dimension Implementation Meeting, Warsaw, 16-18 October 2000
- OSCE Ministerial Council, Vienna, 27-28 November 2000
- OSCE-Council of Europe Meeting on mutual co-operation in the Federal Republic of Yugoslavia, Strasbourg, 18-19 December 2000
- OSCE Ministerial Troika, Bucharest, 23 January 2001
- OSCE Parliamentary Assembly, Vienna, 22 February 2001

Other international meetings and conferences:

- Stability Pact, Working Table 1, Budapest, 24 January 2000
- Conference *Truth, Responsibility and Reconciliation*, Ulcinj, Montenegro, 17-18 March 2000
- Stability Pact Meeting, Szeged, 23-24 March 2000
- Hearing on Freedom of the Media at the US Commission on Security and Cooperation in Europe, US Congress, Washington DC, 4 April 2000
- Taormina Conference organized by British Council, Italy, 13-16 April 2000
- *Strategies to Promote Stability in the Caucasus*, Henry Dunant Centre for Humanitarian Dialogue, Geneva, 27-28 April 2000
- Round Table *Media in Conflict and Post-conflict Areas: How to Combat War Propaganda and Hatred without Detriment to Press Freedom and Editorial Independence of Local Media. The Role and Duties of Intergovernmental Organizations*, Geneva, 3-4 May 2000

- Stability Pact Media Task Force, Brussels, 19 May 2000
- Council of Europe Ministerial Conference on Mass Media Policy, Cracow, 15-16 June 2000
- Club of Three Meeting *The Three and the Balkans*, Brussels, 29 June 2000
- World Information Conference, Brussels, 12-16 July 2000
- Conference on the European Charter of Fundamental Rights, Vienna, 28 September 2000
- Seminar *Audio-visual Policies and Cultural Diversity in an Enlarged Europe*, Prague, 5-6 October 2000
- Round Table of Human Rights Ombudspersons from the Commonwealth of Independent States and the Baltic States, St. Petersburg, 10-13 October 2000
- Council of Europe Steering Committee on Mass Media, Strasbourg, 19-20 October 2000
- Stability Pact Media Task Force Meeting, Bucharest, 25 October 2000
- Stability Pact Special Meeting of Regional Table and Working Table 1 for Democratization and Human Rights, Bucharest, 26-27 October 2000
- *International Mechanisms for Promoting Freedom of Expression*, Article 19, London, 29-30 November 2000
- Workshop *Media and Culture of Peace*, Friedrich Ebert Foundation and UNESCO, Berlin, 7-8 December 2000
- ANEM Conference on Telecommunications, Belgrade, 11-12 December 2000
- Meeting on Protection of Journalists, organized by *The Freedom Forum*, London, 15 February 2001
- Conference *Media Between War and Peace*, organized by the Evangelical Academy Iserlohn and German Association for Peace and Conflict Research, Iserlohn, Germany, 24-25 February 2001

V. Media NGOs in the OSCE Region - Where to Find Those Who Help

Note: This is a list of NGOs with which we have established contact or whose materials have proven useful to our work during the past years. It also includes information about NGOs which was provided to our Office by OSCE delegations in response to our note verbale of 16 May 2000. Nevertheless, this list cannot be considered to be an exhaustive one of all those NGOs which are doing valuable work on freedom of media issues in the OSCE region. Web-sites of the NGOs from the list can be visited directly from the web-site of the OSCE Representative on Freedom of the Media: <http://www.osce.org/fom>

Accuracy in Media

<i>Contact:</i>	John Wessale
<i>Address:</i>	4455 Connecticut Avenue, NW, Suite #330, Washington, D.C. 20008, USA
<i>Country:</i>	USA
<i>Language:</i>	English
<i>Tel.:</i>	+1 202 364 4401
<i>Fax:</i>	+1 202 364 4098
<i>E-mail:</i>	info@aim.org, ar@aim.org
<i>Website:</i>	www.aim.org
<i>Topical focus:</i>	Mass media

Self description: Accuracy in Media is a non-profit, grassroots citizens' watchdog of the news media that critiques botched and bungled news stories and sets the record straight on important issues that have received slanted coverage.

We encourage members of the media to report the news fairly and objectively - without resorting to bias or partisanship. By advising them of their responsibility to the public, whom they claim to serve, AIM helps to nudge the members of the news media into greater accountability for their actions.

AIM publishes a twice-monthly newsletter, broadcasts a daily radio commentary, promotes a speaker's bureau and syndicates a weekly newspaper column - all geared to setting the record straight on important stories that the media have botched, bungled or ignored. We also attend the annual shareholders' meetings of large media organizations and encourage our members to bombard newsrooms with postcards and letters about biased and inaccurate news coverage.

Alternativna Informativna Mreza

<i>Address:</i>	AIM, 17 rue Rebeval, F-75019 Paris
<i>Country:</i>	Former Yugoslavia
<i>Language:</i>	Serbian, Croatian, Bosnian, English, Albanian
<i>E-mail:</i>	admin@aimpress.org
<i>Website:</i>	www.aimpress.org
<i>Topical focus:</i>	Mass media

Self description: AIM (Alternativna informativna mreza) is a project of independent journalists from former Yugoslavia and the European Civic Forum. AIM was established in 1992 and its network of journalists nowadays covers all the States of former Yugoslavia and Albania. The main objective of AIM is penetration through the information blockade and offering unbiased high-quality professional information. AIM engages independent journalists enabling them to remain in the profession and

to inform readers of independent media about developments in their environment. AIM helps independent media by offering them objective information from the entire region free of charge. AIM encourages foundation of new independent media providing them with a reliable source of information.

AIM is not a classical news agency since its production is oriented towards analytical articles, reportage, commentaries and interviews aimed at preventing manipulation with information, offering a comprehensive picture and background of an event. AIM supports all initiatives leading to strengthening of democratic processes in the region. In its editorial policy, apart from current political and economic topics, AIM devotes most of its attention to topics connected with civil society, human and minority rights, position of refugees, etc.

AIM operates on the principle of a mailbox system. Information is exchanged via a central computer located in Paris. AIM now has editorial offices in Bosnia & Herzegovina (Sarajevo and Banja Luka), Croatia (Zagreb), Yugoslavia (Belgrade, Podgorica, Pristina), Macedonia (Skopje), Slovenia (Ljubljana) and Albania (Tirana). Apart from the main project, AIM also has two special services which it offers to its users: BALKAN PRESS, a weekly press review which refers to the issue of Kosovo, and IZBORBIH, a service which offers short information, news, commentaries, analytical texts, interviews and reportage from the entire space of Bosnia and Herzegovina.

American Society of Newspaper Editors (ASNE)

<i>Contact:</i>	Lee Stinnett, Executive Director
<i>Address:</i>	11690B Sunrise Valley Drive, Reston, VA 20191-1409, USA
<i>Country:</i>	USA
<i>Language:</i>	English
<i>Tel.:</i>	+1 703 453 1122
<i>Fax:</i>	+1 703 453 1133
<i>E-mail:</i>	stinnett@asne.org
<i>Website:</i>	www.asne.org
<i>Topical focus:</i>	Mass media

Self description: The American Society of Newspaper Editors is dedicated to the leadership of American journalism. It is committed to fostering the public discourse essential to democracy; helping editors maintain the highest standards of quality, improve their craft and better serve their communities; and preserving and promoting core journalistic values, while embracing and exploring change.

ASNE's priorities are: To protect First Amendment rights and enhance the free flow of information; To drive the quest for diversity and inclusion in the workplace and newspaper content; To promote the newspaper's role in providing information necessary to the informed practice of citizenship; To encourage innovation and celebrate creativity in newspapers; To respect and encourage the involvement of all its members.

Amnesty International

<i>Contact:</i>	International Secretariat
<i>Address:</i>	1 Easton Street, London WC1X 0DJ, UK
<i>Country:</i>	UK
<i>Language:</i>	English
<i>Tel.:</i>	+44 171 413 5500
<i>Fax:</i>	+44 171 956 1157
<i>E-mail:</i>	username@amnesty.org
<i>Website:</i>	www.amnesty.org
<i>Topical focus:</i>	Human rights

Self description: Amnesty International was founded in 1961 in London and is a worldwide voluntary human rights movement that works impartially for the release of prisoners of conscience and an end to torture, “disappearances”, political killings and executions. Amnesty International campaigns to stop anyone being returned to a country where they would be in danger of these abuses. The organization is financed by its million-plus members and supporters around the world and accepts no money from governments.

Andrei Sakharov Foundation (ASF)

<i>Contact:</i>	Ed Kline, President Alexey Semyonov, Vice President
<i>Address:</i>	65 Park Ave, 5D, New York, NY 10128, USA 57 Zemlyanoi Val Street, bld 6 Moscow 107120, Russia
<i>Country:</i>	Russia, USA
<i>Language:</i>	English, Russian
<i>Tel.:</i>	+1 212 369 1226 (NY, USA) +1 703 569 2943 (Wash., USA) +7 095 923 4401 (20) (Moscow, Russia)
<i>Fax:</i>	+1 212 722 0557 (NY, USA) +7 095 917 2653 (Moscow, Russia)
<i>E-mail:</i>	anls@mail.wdn.com (Alexey Semyonov)
<i>Website:</i>	www.wdn.com/asf www.sakharov-senter.ru

Topical focus: Work with archives of Andrei Sakharov and other historic documents related to Soviet Union, building democratic society, general human rights, humanitarian assistance.

Self description: The Andrei Sakharov Foundation (USA) is closely related to several organizations in the United States and Russia, all of them dedicated to the preservation of the memory of Andrei Sakharov, the promotion of his ideas and the defence of human rights.

The Sakharov Foundation(Russia)/Public Commission was organized shortly after his death on December 14, 1989. The Andrei Sakharov Foundation (USA) was organized in 1990 in order to support the Russian Commission. Elena Bonner, Sakharov's widow is chair of the Andrei Sakharov Foundation. The Andrei Sakharov Foundations have sponsored missions to Nagorno-Karabakh and to Ingushetia to facilitate peaceful settlement of ethnic conflicts. The Sakharov Foundations have also assisted the resettlement of refugees in the successor States of the former Soviet Union, sponsored the first visit of Kyrgyzstan's President Askar Akaev to the United States, and defended the rights of scientists persecuted for their political opinions.

ARTICLE 19

<i>Contact:</i>	Ilana Cravitz, press officer
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<i>E-mail:</i>	info@article19.org, press@article19.org, europe@article19.org
<i>Website:</i>	www.article19.org
<i>Topical focus:</i>	Freedom of expression issues

Self description: ARTICLE 19 (The International Centre Against Censorship) takes its name and purpose from the nineteenth article of the United Nations' Universal Declaration of Human Rights, which states "Everyone has the right to freedom of opinion and expression; this right includes the freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers." ARTICLE 19 defends the human right when it is threatened, opposes government practices which violate it and works to identify and expose censorship in all countries. ARTICLE 19's mandate is to promote and defend freedom of expression, to combat censorship and to encourage action and awareness at national and international levels. The organization's programme addresses censorship in its many forms and involves research, campaigning, education and outreach. In particular, ARTICLE 19 has active regional programmes in Africa, Asia, Middle East and North Africa, and Central and Eastern Europe. Wherever possible, these programmes are implemented in close collaboration with local partner orga-

nizations. Its law programme is engaged in international litigation in favour of freedom of expression, and the organization also focuses on key policy issues affecting freedom of expression, such as “hate speech”, the right to privacy; restrictions based on grounds of national security, and the role of public service broadcasting during election campaigns.

Association of Independent Electronic Media (ANEM)

<i>Contact:</i>	Veran Matic, ANEM Chairman, Editor in Chief Radio B92
<i>Address:</i>	Masarikova 5/VII, 11000 Belgrade, Federal Republic of Yugoslavia
<i>Country:</i>	Yugoslavia
<i>Tel:</i>	+381 11 322 9109/324 8577/322 9922
<i>Fax:</i>	+381 11 322 4378/324 8075
<i>E-mail:</i>	matic@b92.opennet.org, marija@b92.opennet.org, anem@opennet.org
<i>Website:</i>	www.b92.net/; www.anem.opennet.org
<i>Topical focus:</i>	Mass media

Self description: In 1993 a group of local independent broadcast media in Serbia and Montenegro – Radio B92, Radio Bum 93, Radio Antena M, Radio Bajina Basta, Radio Smederovo, and NTV Studio B – founded the Association of Independent Electronic Media (ANEM). Today that network collectively reaches 80 per cent of Yugoslavia’s population and the membership has increased to 32 radio and 17 TV stations. ANEM’s membership criteria is that any station that expresses interest in joining it and proves that its editorial policy is independent may join as an affiliate member. ANEM also belongs to the Committee to Protect Independent Media in FR Yugoslavia – Free 2000.

From the outset, ANEM’s overarching aim has been to build a network of professional broadcast media across Yugoslavia which is equipped to provide citizens with timely, accurate and balanced news, political analysis and public information. This has been achieved through providing local stations with in-country and international networking options to enhance the quality of programming, by co-ordinating the efforts of member stations to acquire, produce, and distribute programmes to establish higher journalistic standards. In addition, a key goal of the Network is to build solid commercial management structures for self-sustainability. ANEM also provides regular journalism skills training, a production facility for in-house training, equipment aid, free legal support and political defence for all affiliate members. The member stations are all united by a shared commitment to the fundamental principles of professional journalistic ethics and standards, democracy, respect for human rights and tolerance.

Association of Journalists (Gazeteciler Cemiyeti)

<i>Contact:</i>	Nazmi Bilgin, Chairman
<i>Address:</i>	Çevre St. 35 Çankaya / Ankara, Turkey
<i>Country:</i>	Turkey
<i>Tel:</i>	+90 312 468 1209; +90 312 427 2712
<i>Fax:</i>	+90 312 468 2384
<i>E-mail:</i>	ucuncugoz@ttnet.net.tr
<i>Website:</i>	http://www.gazetecilercemiyeti.org.tr

Topical focus: The main aim of the Association of Journalists is to bring together those persons who are employed by the Press and Public Information organizations in professional journalist positions; and also to protect and improve their professional and social rights along with assisting in the development of such rights.

Balkanmedia Association

<i>Contact:</i>	Rossen Milev
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<i>Country:</i>	Bulgaria
<i>Tel:</i>	+359 2 9835191 +359 2 9831970
<i>Fax:</i>	+359 2 9831970
<i>E-mail:</i>	balkanmedia@internet-bg.net
<i>Website:</i>	http://www.balkanmediaacademy.bg
<i>Topical focus:</i>	Mass media/Communication

Self description: Balkanmedia Association is an international, independent, non-governmental, non-profit organization (established 1990 in Sofia), which now has 10 years' experience in the development of cross-border, multicultural co-operation in South East Europe. Balkanmedia Association has members and infrastructure in all 12 Balkan countries (Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Greece, Federal Republic of Yugoslavia, Moldova, Republic of Macedonia, Romania, Slovenia, Turkey) as well as associate members in Austria, Germany, France, Switzerland, United Kingdom and the USA. Balkanmedia Association members are media researchers, media scientists, journalists, editors, publishers, media managers and media experts.

Balkanmedia Association is a member of the International Press Institute, Vienna; European Cultural Centre, Geneva; European Centre for Technoculture, Paris; International Association of Word and Image Studies, Amsterdam; International Association for Mass Communication Research, Amsterdam; Mediaceut, Vienna; Bulgarian European Movement, Sofia; East-West Co-operation Committee of the European Institute for the Media, Düsseldorf

Since 1996 Balkanmedia Association represents the Bulgarian National Committee of European Cultural Foundation, Amsterdam.

Balkanmedia Association works on different scientific and research projects together with different international institutions, such as UNESCO (Paris), EC Commission (Brussels), Council of Europe (Strasbourg), European Cultural Foundation (Amsterdam), Association Kulturkontakt (Vienna), Hans-Bredow-Institute (Hamburg), European Audio-visual Observatory (Strasbourg). Balkanmedia Association publishes a quarterly magazine *Balkanmedia* which is distributed not only in the Balkan region but also to institutions and private subscribers in Western Europe, America, Asia, Africa and Australia.

Since 1996 Balkanmedia Association has published the encyclopaedic series *Bulgarian Media Studies*, marked in the Guinness Book of Records as the scientific publication with the greatest number of authors.

Since 1999 the preparation of the *Balkan Media Academy* has started in the framework of the Stability Pact for South Eastern Europe.

Belarusian Association of Journalists (BAJ)

<i>Contact:</i>	Zhanna Litvina
<i>Address:</i>	Pl. Svobody 17-304 220030 Minsk
	Republic of Belarus
<i>Country:</i>	Republic of Belarus
<i>Language:</i>	Belarusian, Russian, English
<i>Tel.:</i>	+375 17 223 6366
<i>Fax:</i>	+375 17 223 6366
<i>E-mail:</i>	baj@user.unibel.by
<i>Website:</i>	http://www.baj.unibel.by
<i>Topical focus:</i>	Freedom of the media

Self description: Belarusian Association of Journalists (BAJ) is a non-political, non-governmental organization that unites journalists and professionals closely-connected with journalism. BAJ was founded in 1995 and now has more than 700 members who work for both private and state-owned media. BAJ is the organization that:

- successively promotes freedom to receive and distribute information;
 - daily deals with journalists' problems;
 - protects journalists' rights;
 - seeks to consolidate all its members in standing up for their professional rights;
 - fights for equal economic, legal and social conditions for both state-owned and private media;
 - carries out educational programmes for journalists;
 - conducts conferences, round tables, seminars, workshops for journalists;
- Since 1997 BAJ has published its bulletin *The Fourth Power*. BAJ is a member of the International Federation of Journalists.

Canadian Civil Liberties Association (CCLA)

<i>Contact:</i>	D. S. McLaughlin
<i>Address:</i>	229 Yonge Street, Suite 403, Toronto, M5B 1N9, Canada
<i>Country:</i>	Canada
<i>Language:</i>	English
<i>Tel.:</i>	+1 416 363 0321
<i>Fax:</i>	+1 416 861 1291
<i>E-mail:</i>	ccla@ilap.com
<i>Website:</i>	www.ccla.org
<i>Topical focus:</i>	Fundamental human rights and civil liberties

Self description: The CCLA was constituted to promote respect for and observance of fundamental human rights and civil liberties and to defend, extend, and foster the recognition of those rights and liberties. The major objectives of the CCLA include the promotion of legal protections for individual freedom and dignity against unreasonable invasion by public authority and the protection of fundamental rights and liberties. CCLA performs a wide range of law and polity reform work, including court interventions, submissions before legislative committees and other public bodies, public speaking and education, and media work. CCLA is not a service agency however, and, as a general matter, does not provide members of the public with legal advice.

Canadian Journalists for Free Expression

<i>Contact:</i>	Sharmini Peries, Executive Director
<i>Address:</i>	489 College St. 403, Toronto, Ontario, M6G 1A5, Canada
<i>Country:</i>	Canada
<i>Language:</i>	English, French.
<i>Tel.:</i>	+1 416 515 9622
<i>Fax:</i>	+1 416 515 7879
<i>E-mail:</i>	cjfe@cjfe.org
<i>Website:</i>	www.cjfe.org
<i>Topical focus:</i>	Freedom of expression and press freedom, media ownership concentration, journalists' training, access to information.

Self description: The Canadian Journalists for Free Expression works to promote freedom of expression worldwide and circulates information to its members and the media in Canada about violations that take place in Canada and the rest of the world. It runs training programmes for journalists worldwide and lobbies Canadian and foreign governments to take action against freedom of expression violations in Canada

and internationally. The CJFE manages the International Freedom of Expression exchange (IFEX) Clearing House on behalf of more than 30 IFEX members, which circulates freedom of expression news worldwide. CJFE also provides journalism training worldwide and operates a Journalists in Distress Fund. In addition, CJFE offers an International Press Freedom Award annually.

Center for Journalism in Extreme Situations (CJES) Russian Union of Journalists

<i>Contact:</i>	Oleg Panfilov, Director
<i>Country:</i>	Russia
<i>Language:</i>	Russian, English
<i>Tel.:</i>	+7 095 201 7626
	+7 095 201 3550
<i>Fax:</i>	+7 095 201 7626
<i>E-mail:</i>	center@monitoring.ru, panfilov@monitoring.ru
<i>Website:</i>	http://www.cjes.ru
<i>Topical focus:</i>	monitoring journalists' and media rights abuse in Russia and the CIS

Self description: The Center for Journalism in Extreme Situations (CJES) was established in February 2000 as a subdivision of the Russian Union of Journalists. The main dimensions of CJES activities are:

- monitoring journalists' and media rights abuse in Russia and the CIS;
- investigating the most grave cases of abuse: murder, beatings, murder attempts, threats, etc.; creating journalists' investigation groups;
- researching into the legislation and actual conditions under which journalists work in "trouble spots" and self-proclaimed States: Chechnya, Karabakh, Abkhazia, Transdnistria;
- writing and publishing handbooks, legal consulting;
- studying the legislation on media in CIS states, offering recommendations;
- holding training workshops for journalists working in extreme situations;
- writing and publishing books.

The Center collects and circulates data on conflicts and journalists' rights abuse in CIS states. CJES issues on a regular basis a free subscription newsletter with different versions providing information from the entire CIS.

Committee to Protect Journalists

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<i>Topical focus:</i>	Mass media

Self description: The Committee to Protect Journalists is a non-partisan, non-profit organization founded by a group of U.S. journalists in 1981 to monitor abuses against the press and promote press freedom around the world. CPJ depends on private donations from journalists, news organizations, and independent foundations.

By publicly revealing abuses against the press and by acting on behalf of imprisoned and threatened journalists, CPJ effectively warns journalists and news organizations where attacks on press freedom are likely to occur. CPJ organizes vigorous protest at all levels, ranging from local governments to the United Nations, and, when necessary, works behind the scenes through other diplomatic channels to effect change. CPJ also publishes articles and news releases, special reports, a quarterly newsletter and the most comprehensive annual report on attacks against the press around the world.

Through its own reporting, CPJ has full-time programme co-ordinators monitoring the press in the Americas, Asia, the Middle East, Africa, and Europe. They track developments through their own independent research, fact-finding missions and firsthand contacts in the field, including reports from other journalists. CPJ shares information on breaking cases with other press freedom organizations worldwide through the International Freedom of Expression Exchange (IFEX), a global e-mail network.

Using local contacts, CPJ can intervene whenever foreign correspondents are in trouble. CPJ is also prepared to immediately notify news organizations, government officials, and human rights organizations of press freedom violations.

Commonwealth Press Union (CPU)

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Czech Helsinki Committee

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<i>Topical focus:</i>	Human rights in general

Self description: Czech Helsinki Committee is an NGO running the following centres and programmes: Counselling Centre for Refugees: asylum seekers coming to CR; Citizenship Counselling Centre: the stateless, former citizens of CSFR; Human Rights Documentation and Information Centre: human rights library/international focus; Monitoring of legislation and human rights situation/CR; Educational programmes: publishing activities, organization of seminars and conferences; International programmes of co-operation.

Derechos Human Rights

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<i>Website:</i>	www.derechos.org
<i>Topical focus:</i>	Human rights in general

Self description: Derechos Human Rights is an Internet-based human rights organization that works for the protection and promotion of human rights worldwide. The main function is the publication of information on human rights and human rights violation on the Internet, and the support of local human rights groups on all of their endeavours.

European Alliance of Press Agencies

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<i>Topical focus:</i>	Mass media

European Ethnic Broadcasting Association (EEBA)

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Self description: Radio and Television have a crucial role to play in reflecting the true reality of multiethnic Europe. To enable this to happen they have to break down myths, barriers of ignorance, stereotyped images and to begin to reflect the positive contribution that the minorities are making to the social, economic, political and, equally importantly, to the cultural life of Europe. Therefore cultural and existential links between media experts are important and necessary. The integration of these lesser-used languages and cultures into major communication networks has finally been made possible with the foundation of EEBA, the European Broadcasting Association of Smaller Nations and Nationalities 1995. Its first President is Mirko Bogataj, Editor-in-Chief, Slovenian Programmes, ORF. There are 750 million Europeans between the Atlantic and the Urals representing more than 200 nationalities and including more than 100 million members of ethnic minorities and more than 400 broadcasting programmes. The EEBA is a European initiative which aims to promote the role of public broadcasting in the development of Europe and to increase the participation of ethnic and linguistic minorities in broadcasting to preserve their cultural heritage. It strives for the good training of young ethnic journalists, responds to technical developments and encourages the exchange of programmes. One goal to which EEBA aspires is a national partnership between minorities and majorities in multinational States in lieu of national confrontation in national States.

Partnership thrives in relationships built on equal rights, mutual respect and trust. This is the key to both the substance and methods of integration.

Electronic Frontier Canada

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<i>Topical focus:</i>	Free speech

Self description: Electronic Frontier Canada is a small, all-volunteer non-profit organization devoted to the preservation of "Charter" rights and freedoms in cyberspace. It conducts education and research regarding application of Canada's "Charter of Rights and Freedoms" to the Internet and other computer and communications technologies.

European Institute for the Media

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<i>Topical focus:</i>	Mass media

Self description: The European Institute for the Media (EIM) was established in Manchester in 1983 in co-operation with the European Cultural Foundation in Amsterdam. In June 1992, the EIM moved to Düsseldorf at the invitation of the government of North Rhine-Westphalia and the city of Düsseldorf, and is now located in the Düsseldorf media-area.

The European Institute for the Media was created to give expression to the growing interdependence of European countries in the field of communication. The EIM's main activities are: the documentation and comparative analysis of developments in the European media, the provision of a forum for exchange of information and opinions on media issues.

Fairness & Accuracy in Reporting

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<i>Topical focus:</i>	Media bias, censorship, corporate ownership and domination of mainstream news outlets, conservative bias in the news.

Self description: FAIR is the national media watch group offering well-documented criticism in an effort to correct bias and imbalance. FAIR focuses public awareness on the narrow corporate ownership of the press, the media's allegiance to official agendas and their insensitivity to women, labour, minorities and other public interest constituencies. FAIR seeks to invigorate the First Amendment by advocating for greater media pluralism and the inclusion of public interest voices in national debates. FAIR's major activities include media analysis & research, outreach, lectures, magazine (EXTRA!) and radio programme (CounterSpin).

Feminists for Free Expression (FFE)

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<i>Topical focus:</i>	Freedom of expression issues, stressing the dangers censorship holds for women

Self description: Feminists for Free Expression is a group of diverse feminist men and women working to preserve the individual's right to read, hear, view and produce materials of her choice without the intervention of the State "for her own good". FFE believes freedom of expression is especially important for women's rights. While messages reflecting sexism pervade our culture in many forms, sexual and non-sexual, suppression of such material will neither reduce harm to women nor further

women's goals. Censorship traditionally has been used to silence women and stifle feminist social change. It never has reduced violence; it led to the imprisonment of birth control advocates Margaret Sanger and the suppression of feminist writings. There is no feminist code about which words and images are dangerous or sexist. Genuine feminism encourages individuals to choose for themselves.

Freedom Forum

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<i>Topical focus:</i>	Mass media

Self description: The Freedom Forum, based in Arlington, VA., is a non-partisan, international foundation dedicated to free press, free speech and free spirit for all people. The foundation focuses on four main priorities: the Newseum, First Amendment issues, newsroom diversity and world press freedom.

The Freedom Forum funds two independent affiliates – the Newseum, the interactive museum of news in Arlington; and the First Amendment Centre, with offices at Vanderbilt University in Nashville, Tenn., and in New York City and Arlington. Other operating offices are in Buenos Aires, Hong Kong, Johannesburg, London and Cocoa Beach, Fla.

The Freedom Forum was established in 1991 under the direction of Founder Allen H. Neuharth as successor to a foundation started in 1935 by newspaper publisher Frank E. Gannett. The Freedom Forum is not affiliated with Gannett Co., does not solicit or accept financial contributions, and does not accept unsolicited funding requests. Its work is supported by income from an endowment now worth about \$1 billion in diversified assets.

First Amendment Centre. The First Amendment Centre works to preserve and protect First Amendment freedoms through information and education. The Centre serves as a forum for the study and exploration of free-expression issues, including freedom of speech, of the press and of religion, the right to assemble and to petition the government.

The First Amendment Centre, with offices at Vanderbilt University in Nashville, Tenn., and in New York City and Arlington, Va., is an independent affiliate of The Freedom Forum and the Newseum, the interactive museum of news. The Freedom Forum is a non-partisan, international foundation dedicated to free press, free speech and free spirit for all people.

Newseum. The Newseum, the only interactive museum of news, takes visitors behind the scenes to see and experience how and why news is made. Visitors can be reporters or television newscasters; relive the great news stories of all time through multimedia exhibits, artifacts and news memorabilia; and see today's news as it happens on a block-long video news wall.

The Newseum is funded by The Freedom Forum, a non-partisan, international foundation dedicated to free press, free speech and free spirit for all people. The Newseum is open Tuesday through Sunday from 10 a.m. to 5 p.m. and is closed Thanksgiving, Christmas and New Year's days. Admission is free.

Newseum/NY. Newseum/NY, the New York City gallery that is a branch of the Newseum, is located in the heart of midtown Manhattan at 57th and Madison. The gallery features photo exhibits, lectures, films and other activities to improve the public's understanding of journalism and First Amendment issues. Newseum/NY is open Monday through Saturday from 10 a.m. to 5:30 p.m. Admission is free.

Newseum/NY and the Newseum are funded by The Freedom Forum, a non-partisan, international foundation dedicated to free press, free speech and free spirit for all people.

Freedom House

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<i>Website:</i>	www.freedomhouse.org
<i>Topical focus:</i>	Political rights, civil liberties, human rights, press freedom, democratization

Self description: Freedom House is a clear voice for democracy and freedom around the world. Founded nearly sixty years ago by Eleanor Roosevelt, Wendell Willkie, and other Americans concerned with mounting threats to peace and democracy, Freedom House has been a vigorous voice for democratic values and a steadfast opponent of dictatorship of the far left and far right. Non-partisan and broad-based, Freedom House is led by a Board of Trustees composed of leading Democrats, Republicans, and Independents; business and labour leaders; former senior government officials, scholars, writers and journalists. All are united in the view that American leadership in international affairs is essential to the cause of human rights and freedom. Over the years, Freedom House has been at the Centre of key issues

in the struggle for freedom. We were outspoken advocates of the Marshall Plan and NATO in the 1940s, of the US civil rights movement in the 1950s and 1960s, of the Vietnamese boat people in the 1970s, of Poland's Solidarity movement and the Filipino democratic opposition in the 1980s, and of many democracies that have emerged around the world in the 1990s. Freedom House has vigorously opposed dictatorships in Central America and Chile, apartheid in South Africa, the suppression of the Prague Spring, the Soviet invasion of Afghanistan, genocide in Bosnia and Rwanda, and the brutal violation of human rights in Cuba, Burma, China and Iraq. We have championed the rights of religious believers, trade unionists, journalists, and free-market entrepreneurs. Today, we are a leading advocate of the world's young democracies that are coping with the debilitating legacy of statism, dictatorship and political repression. We work through an array of U.S. and overseas research, advocacy, education, and training initiatives that promote human rights, democracy, free market economics, the rule of law, independent media, and US engagement in international affairs. Through our work at home and abroad, with support foundations, labour unions, corporations, private donors, and the US government, Freedom House gives impetus to the remarkable expansion of political and economic freedom that is transforming the world at the dawn of a new millennium.

Glasnost Defence Foundation

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<i>Website:</i>	www.gdf.ru, www.internews.ras.ru/GDF
<i>Topical focus:</i>	Legal protection and training for journalists

Self description: The Glasnost Defence Foundation (GDF) is one of the oldest and best organized non-profit media watchdogs in the former USSR. Its roots go back to 1991 when a decision by the USSR Confederation of Cinematographers Union gave birth to GDF. At that time it was a source to which any journalist could turn to find solace and support.

The activities of GDF follow several fundamental paths. We provide legal assistance to journalists and media involved in any kind of conflict in which the power structure or any other influence-wielding body meddles with the legitimate work of the press. GDF monitors violations of the Russian Constitution and press law,

providing legal consultations and staying up to date on all legislation concerning the mass media. We provide humanitarian aid to those who need it. We try to assist families of journalists killed on the job, our colleagues who find themselves out of work because of political motives and even newspapers struggling to stay afloat. GDF, with the help of other human rights organizations, leads campaigns in defence of our colleagues in need. We organize press conferences, issue press releases, take part in pickets and make appeals to the Government. GDF leads seminars and conferences designed to make journalists more familiar with the law. In co-operation with the Russian Prosecutor's Office we started a series of seminars to provide participants with specialized knowledge of how the law and mass media interact in society.

We have a team of qualified experts trained in media law, ready to travel to any region of Russia and the CIS. It's a sort of "Rescue Squad" for journalists in trouble. These consultants work to inform persecuted journalists of their legal rights and help mediate conflicts. GDF has a regional network in 10 regions of the Russian Federation which help to monitor press law violations in the territory of the Russian Federation. Our experts have produced a number of useful publications that we distribute free of charge to journalists or anyone who needs them.

With the assistance of our colleagues we started publishing *Dosje na Censuru*, the Russian version of the British publication Index on Censorship. The Russian version contains several articles concerning censorship in the USSR and in Russia, pressure on journalists and the media, memoirs of writers and journalists and human rights activists.

We are now conducting scientific and practical research into Mass Media and Judicial Power designed to show the main tendencies in court, its reflection in mass media, journalists and public opinions about the courts, to determine some possible steps to improve the legal system of the Russian Federation and the understanding between two professional groups - journalists and judges.

Global Internet Liberty Campaign

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<i>Topical focus:</i>	Internet policy, encryption policy, freedom of expression on the Internet

Self description: The Global Internet Liberty Campaign was formed at the annual meeting of the Internet Society in Montreal. Members of the coalition include the American Civil Liberties Union, the Electronic Privacy Information Centre, Human Rights Watch, the Internet Society, Privacy International, the Association des Utilisateurs d'Internet, and other civil liberties and human rights organizations.

The Global Internet Liberty Campaign advocates: Prohibiting prior censorship of on-line communication; Requiring that laws restricting the content of on-line speech distinguish between the liability of content providers and the liability of data carriers; Insisting that on-line free expression is not restricted by indirect means such as excessively restrictive governmental or private controls over computer hardware or software, telecommunications infrastructure, or other essential components of the Internet; Including citizens in the Global Information Infrastructure (GII) development process from countries that are currently unstable economically, have insufficient infrastructure, or lack sophisticated technology; Prohibiting discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status; Ensuring that personal information generated on the GI for one purpose is not used for an unrelated purpose or disclosed without the person's informed consent and enabling individuals to review personal information on the Internet and to correct inaccurate information; Allowing on-line users to encrypt their communications and information without restriction.

Greek Helsinki Monitor (GHM)

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<i>Topical focus:</i>	Religious, linguistic, ethnic or national minorities' rights in the Balkans

Self description: Greek Helsinki Monitor (GHM) was founded in 1993 by members of Minority Rights Group - Greece, affiliated to Minority Rights Group - International since 1992. In 1993, GHM became the Greek member of the International Helsinki Federation. In 1998, GHM became a member of the International Freedom of Expression Exchange (IFEX) and in 2000 of the Euro-Mediterranean Human Rights Network (EMHRN) and the Southeast Europe Media Organization (SEEMO). GHM monitors, publishes and lobbies on human rights issues in Greece and, occasionally, in the Balkans. It has participated in and often co-ordinated the monitoring of Greek and Balkan media for stereotypes and “hate speech”. It has prepared detailed reports on ethnonational, ethnolinguistic, religious and immigrant communities, in Greece; and on the Greek minorities in Albania and Turkey. It has co-published “Hate Speech” in the Balkans (ETEPE, 1998) and *Greece Against its Macedonian Minority: the Rainbow Trial* (ETEPE, 1998). Since 1997, in co-operation with the European Rome Rights Centre, it runs a Rome Office for Greece. Since 1997, it also operates the Athens editorial office of the Alternative Information Network (AIM), while in 2000 it launched the electronic monthly “Dikaiomatika!” (Rightly!) in Greek. In 1998, GHM was a co-founder of the Centre of Documentation and Information on Minorities in Europe - Southeast Europe (CEDIME-SE) which operates a website (<http://www.greekhelsinki.gr>) and two web lists covering human rights issues and comprehensive and comparable presentations of all minorities in the region. In 2000, CEDIME-SE was one of the co-founders of the Consortium of Minority Resources (COMIR).

Human Rights Centre of Azerbaijan

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<i>Topical focus:</i>	Political prisoners, freedom of expression, refugees

Self description: The Human Rights Centre of Azerbaijan is a non-governmental, non-political, non-registered, non-profit organization created on 29 April 1993 by freelance journalist and human rights activist Eldar Zeynalov. The main motives behind this were the disagreement with the restored political censorship in Azerbaijan, which blocked the publications about the human rights violations in the country, and the necessity of providing permanent information for local and global organizations on the human rights situation in the country. The main form of HRCA's work is mon-

itoring the human rights situation with the publication of the information bulletin, thematic reports, lists of prisoners etc. Another direction of its work is re-printing the human rights reports of other organizations with translations into the local languages. HRCAs propagate also electronic mail in the information exchange in the human rights field. It provides some local NGOs with an e-mail link with Western colleagues.

The following programmes are carried out by HRCAs: Monitoring the human rights situation in Azerbaijan; Monitoring the forced migration in Azerbaijan; Monitoring of prison conditions; Monitoring of women's rights; Free translation office for local e-mail network of NGOs.

The weekly bulletin of HRCAs covers the current human rights situation in Azerbaijan. Since December 1996, it has been divided into two parts: Part 1 contains the information on struggle for power; problems of press and telecommunications; arrests and trials; meetings; strikes; social problems. Part 2 includes ethnic problems; religion; war and peace issues; refugees and humanitarian aid; environmental problems.

Human Rights Watch

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<i>Topical focus:</i>	Human rights

Self description: Human Rights Watch is dedicated to protecting the human rights of people around the world. We stand with victims and activists to prevent discrimination, to uphold political freedom, to protect people from inhumane conduct in wartime, and to bring offenders to justice. We investigate and expose human rights violations and hold abusers accountable. We challenge governments and those who hold power to end abusive practices and respect international human rights law. We enlist the public and the international community to support the cause of human rights for all.

Independent Journalism Centre, Moldova (IJC)

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<i>Topical focus:</i>	Training of journalists, informational databases

Self description: The mission of the Independent Journalism Centre (IJC), a NGO, is to facilitate the development of news media in Moldova through the support and promotion of professionalism among journalists as well as through the development of independent media organizations in the country. IJC helps them to improve the quality of their work and achieve sustainability. Founded in 1994, IJC began as a project of the Open World House. An independent NGO since 1998, the centre has received generous support from Soros Foundation Moldova, Eurasia Foundation (USAID), Public Affairs Section (PAS) of the US Embassy in Chisinau, Regional Media Program of OSI-Budapest, Know How Fund (United Kingdom), Press Now (the Netherlands), Dynamic Network Technologies (DNT), and the Internet Access and Training Program (IATP/IREX). In February 2000 IJC became a member of the South East European Network for Professionalization of the Media (SEENPM). IJC co-operates with International Centre for Journalists (USA), American Bar Association (USA), Internet Access and Training Program (IATP/IREX), Moldovan Press Freedom Committee, Independent Press Association, Moldovan Journalists' Union, the Journalism and Communication Sciences Department of Moldova State University, Moldovan Human Rights Centre, Dynamic Network Technologies (DNT), and Judicial Training Centre. IJC offers Moldovan journalists a possibility to establish contacts with and learn from the Western media by providing access to periodicals, books, newspapers and computerized information, as well as through theoretical instruction and practical training. Training activities include short-term seminars and courses on different topics for print and broadcast journalists: journalism basics for beginners, special reporting, media legislation, media management, professional ethics, etc.

The IJC hosts a Press Club, which has been organized in co-operation with the Moldovan Press Freedom Committee and meets twice a month. Other IJC activities include publication of a fortnightly informational bulletin *Media Courier* in Romanian, and of the biannual research magazine *Media in Moldova* in Romanian and English. Twice a month the centre distributes an electronic English-language news alert *Moldova Media News* among its foreign partners.

The centre has a resource centre with an extensive database that has been created to meet the demands of journalists and media organizations. The database includes information on all Moldovan media organizations (print, radio, TV and news agencies), journalists, NGOs, political parties, local, regional and national government bodies, professional associations, unions and printing facilities. International data include information on foreign experts working in Moldova, embassies and international media organizations. The resource centre subscribes to more than fifty Moldovan newspapers, several international newspapers and magazines and provides Internet access.

Index on Censorship

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<i>Topical focus:</i>	Mass media

Self description: Index on Censorship, the bi-monthly magazine for free speech, widens the debates on freedom of expression with some of the world's best writers. Through interviews, reportage, banned literature and polemic, Index shows how free speech affects the political issues of the moment.

International Centre for Journalists

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<i>Topical focus:</i>	Mass media

Self description: The International Centre for Journalists (ICFJ) was established in 1984 to improve the quality of journalism in nations where there is little or no tradition of independent journalism. ICFJ believes that a vigorous, independent press is one of the most powerful weapons available in the struggle for freedom and civil rights. ICFJ believes that working with our colleagues overseas - providing journalistic, media management and technical expertise as well as information and support services - is critical to the development of an effective, independent press that is ethically grounded and financially stable.

The ICFJ provides professional development programmes that promote excellence in news coverage of critical community and global issues. The Centre offers many fellowships and exchanges, conducts a variety of training seminars, workshops and conferences, and provides a range of consulting services.

International Consortium of Investigative Journalists (ICIJ) (a project of the Centre for Public Integrity)

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<i>Topical focus:</i>	Mass media

Self description: Founded in September 1997 and headquartered in Washington, D.C., at the Centre for Public Integrity, its parent organization. It is a working network of the world's leading investigative reporters. Its mission is to conduct investigative reporting projects across nation-state borders on the premise that an enlightened populace is an empowered one. It identifies international investigative reporters and links them via the Internet, conferences and through an institutional support structure.

International Federation for Information and Documentation (FID)

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<i>Topical focus:</i>	Information

Self description: Since 1895, FID Members, representing organizations and individuals in over 90 nations, have promoted best management practice of information as the critical resource for all society. FID aims to: advance the frontiers of science and technology; improve competitiveness of business, industry and national economies; strengthen possibilities for development and enhance the quality of life wherever possible; improve the ability of decision-makers to make appropriate decisions; stimulate educational strategies and life-long learning; make expression possible in all sectors of the Information Society including the arts and humanities and will strive and continue to be at the leading edge of the development of the management of information.

The International Federation of Journalists

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<i>Topical focus:</i>	Mass media

Self description: The International Federation of Journalists is the world's largest organization of journalists. First established in 1926, it was re-launched in 1946 and again, in its present form, in 1952. Today the Federation represents more than 400,000 members in over 90 countries.

The IFJ promotes co-ordinated international action to defend press freedom and social justice through the development of strong, free and independent trade unions of journalists. The IFJ does not subscribe to any given political viewpoint, but promotes human rights, democracy and pluralism.

The IFJ is opposed to discrimination of all kinds - whether on grounds of sex, creed, colour or race - and condemns the use of media as propaganda to promote intolerance and social conflict. The IFJ believes in freedom of political and cultural expression and defends trade union and other basic human rights. The IFJ is recognized as the organization which speaks for journalists at international level, notably within the United Nations system and within the international trade union movement. The IFJ supports journalists and their unions wherever they are subject to oppression and whenever they are fighting for their industrial and professional rights. It has established an International Safety Fund to provide humanitarian aid for journalists who are the victims of violence. The IFJ supports trade union solidarity internationally and works particularly closely with other international federations of unions representing trades related to journalism and the media industry. Its basic policy is decided by the Congress which meets every three years and work is carried out by the Secretariat based in Brussels under the direction of a ruling 20-member Executive Committee.

International Federation of the Periodical Press

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	Helen Bland, general manager;
	Greg Stevenson, marketing and editorial manager
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<i>Topical focus:</i>	Mass media

The International Freedom of Expression eXchange (IFEX) Clearing House

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<i>Topical focus:</i>	Mass media

Self description: IFEX was born in 1992 when many of the world's leading freedom of expression organizations came together in Montreal to discuss how best to further their collective goals. At its core, IFEX is made up of organizations whose members refuse to turn away when those who have the courage to insist upon their fundamental human right to free expression are censored, brutalized or killed. It is comprised of nearly 40 different freedom of expression groups - located everywhere from the Pacific Islands to Europe to West Africa.

The nerve-centre of IFEX is the Clearing House, located in Toronto, Canada and managed by Canadian Journalists for Free Expression.

One of the central components of IFEX is the Action Alert Network (AAN). Member organizations report free expression abuses in their geographic region or area of expertise to the Clearing House which, in turn, circulates this information to other members and interested organizations all over the world. The AAN also provides updates on recent developments in ongoing cases and circulates important freedom of expression press releases.

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International League for Human Rights (ILHR)

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<i>Website:</i>	http://ilhr.org
<i>Topical focus:</i>	Human rights

Self description: Since its founding in 1942, the International League for Human Rights has worked to keep human rights at the forefront of international affairs and to give meaning and effect to the human rights values enshrined in international human rights treaties and conventions. The League's special mission for more than 50 years has been defending individual human rights advocates who have risked their lives to promote the ideals of a just and civil society in their homelands.

Based in New York, with representation in Geneva and dozens of affiliates and partners around the world, the League is a non-governmental, non-profit organization now in its 58th year. The League has special consultative status at the United Nations, the Council of Europe, and the International Labor Organization, and also contributes to the Africa Commission and the Organization for Security and Cooperation in Europe (OSCE). With the UN Universal Declaration of Human Rights as its platform, the League raises human rights issues and cases before the UN and other intergovernmental regional organizations in partnership with our colleagues abroad, helping to amplify their voices and co-ordinate strategies for effective human rights protection.

The International Press Institute

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<i>Topical focus:</i>	Mass media

Self description: The International Press Institute is a global network of editors, media executives and leading journalists from newspapers, magazines, radio, TV and news agencies in over 100 nations. IPI was founded in New York in 1950 by an international group of editors from 15 countries. Today, the IPI is the world's leading organization for the defence of press freedom. Today's training activities are focused on the countries of the former Soviet Union and Eastern Europe. IPI has brought journalists together and allowed them to learn from one another.

IPI's main office is in Vienna. National committees in several countries and Committees of Experts (e.g. for public broadcasting, private broadcasting, news agencies, etc.) support its work. As an international non-governmental organization, it enjoys consultative status with the UN, UNESCO, the Council of Europe and the OSCE.

Its main objectives are: to defend and promote press freedom; to organize media campaigns against press freedom violations; to publish studies of governmental pres-

sure on the media; to carry out on-the-spot investigations in areas where press freedom appears to be endangered; to promote the free exchange of news and the free flow of information regardless of national boundaries; to ensure the safety of journalists and to allow them to work without interference; to promote co-operation and an exchange of professional experience among its members to improve the practice of journalism.

IPI's activities include: formal protests to governments and organizations restricting the free flow of information; confidential interventions with government leaders against infringements on press freedom; on-the-spot investigation by IPI observers in areas where press freedom appears to be endangered; publication of studies of governmental pressure on the media; regular documentation of any attack on press freedom; conferences, seminars and round-table meetings on human rights as well as a broad range of political, social and professional issues; publication of the quarterly *IPI Report*, the annual *World Press Freedom Review* and the *Congress Report*; IPI holds a World Congress in a different country each year, thus underlining its global perspective

Internews International

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<i>Topical focus:</i>	Freedom of expression; journalists' and media's rights

Self description: Internews International is an international organization that supports open media worldwide. Internews International is based in Paris, France and is made up of 15 non-governmental, non-profit media freedom organizations working together to support freedom of expression.

Internews International fights for journalists' and media's rights through a network of media lawyers, enhances tolerance and understanding through support to independent media in emerging democracies, produces and distributes innovative televi-

sion programming, and uses the media to reduce conflict within and between countries. Internews International programmes are based on the conviction that vigorous and diverse mass media form an essential cornerstone of a free and open society.

Internews projects currently span the former Soviet Union, Eastern and Western Europe, the Middle East, South-East Asia, Africa and the United States.

Established in Paris in 1996, Internews International currently consists of fifteen member organizations that have signed the Articles of Association, which states in part: "The Association has the purpose of contributing by all tangible or intangible means to the creation and development of a worldwide network of members in order to facilitate production, dissemination and circulation of, and access to independent information."

Internews International Members: Internews Armenia; Internews Azerbaijan; Internews Belarus; Internews Europe; Internews Georgia; Internews Kazakhstan; Internews Kyrgyz Republic; Internews Middle East; Internews Network (USA); Internews Russia; Internews Sarajevo; Internews Tajikistan; Internews Ukraine; Internews Uzbekistan; Internews Yugoslavia.

IREX/ProMedia

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<i>Topical focus:</i>	Independent media, democracy and governance

Self description: The Professional Media Program (ProMedia) exists to support the business and professional development of independent media in Eastern Europe and Eurasia. Funded by USAID and implemented by the International Research & Exchanges Board (IREX), ProMedia has four main aims in each country where it operates:

1. Improve the business performance of independent media partners.
 2. Promote constructive change in legal and regulatory regimes impacting free speech.
 3. Raise the professional (journalism) standards of independent media.
 4. Strengthen institutional support for free speech through association building among media, the legal community, human rights NGOs, and other activists
- ProMedia project staff includes a Director and Deputy Director based in IREX/Washington, along with Programme Officers assigned to each ProMedia country portfolio (Albania, Armenia, Belarus, Bosnia, Bulgaria, Croatia, Romania, Serbia, Ukraine). A Resident Adviser having journalism and/or media management credentials is placed

in each country to be the lead designer and manager of assistance to the independent media sector. In this way IREX keeps the programme flexible and demand-driven, tailoring activities in each country under each main aim to meet specific needs.

ProMedia also takes a “bottom up” versus “top down” approach in delivering training and technical assistance. Change is not imposed by Washington; rather, initiative from our host media community determines much of how reform of the sector is accomplished. Close collaboration with media partners is also a major factor in the sustainability of ProMedia’s accomplishments.

IREX believes that while there is still a role for workshops and seminars, Eastern Europe and Eurasia are now in a phase of media development that calls for long-term, sustainable partnerships underpinned by a combination of grants (chiefly for equipment), on-site consulting, and institutional support, such as for media defence lawyers’ bars and independent television networks. Above all, IREX wishes to instil trust between East and West in order to transform their mutual commitment to free speech principles into beneficial action.

Other divisions at IREX supporting democratic reform in Eastern Europe and Eurasia are the Partnerships and Training Division, specializing in civil society institution-building; and the Academic Exchanges and Research Division, specializing in promoting civil society through higher education. These divisions can be reached at irex@irex.org.

Journalist Safety Service

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<i>Topical focus:</i>	Mass media

Media Centre Belgrade

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<i>Topical focus:</i>	Mass media

Self description: Media Centre is a unique institution in Belgrade, founded on 1 July 1994 upon the initiative of a group of independent journalists and their associations to soon become a true meeting place for independent journalists and media in Yugoslavia. Media Centre facilitates jour-

nalists' unobstructed work, including the use of the Centre's technical facilities. Foreign journalists are, in addition, offered other professional services – briefings, interviews, meetings with competent personalities, travels in the country, etc. The premises of Media Centre also house the seat of the Independent Journalists Association of Serbia (IJAS). IJAS has been a member of the International Federation of Journalists since October 1994.

Activities of Media Centre include publishing, research and education. Media Centre has a complete database on all electronic and printed media in Serbia. Researchers of Media Centre are about to complete a comprehensive project called "Hate Speech" which will try to give the answer to the key question of the role and importance of the media in initiating the war in former Yugoslavia.

Educational activities of Media Centre in 1996 developed through three journalist schools: a school for journalists of printed media, organized with Press Now Amsterdam (June 1996) and two schools for reporters of Yugoslav radio stations, organized with BBC World Training Service, London (June and October 1996).

In co-operation with Article 19 from London Media Centre, it organized two seminars on media in the Balkans. Parallel to this, Media Centre continues to fulfil its main purpose: it remains the centre of communication, information and solidarity of independent journalists, their media and associations.

Medienhilfe Ex-Jugoslawien

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<i>Topical focus:</i>	Mass media

Self description: Medienhilfe Ex-Jugoslawien was founded in the end of 1992 as a Swiss non-governmental and non-profit organization, with the aim to support the independent media and freedom of press in the area of former Yugoslavia. Since then Medienhilfe Ex-Jugoslawien has established permanent contacts and co-operation with dozens of media in Bosnia and Herzegovina, Croatia, Serbia, Montenegro, Kosovo and Macedonia. Medienhilfe Ex-Jugoslawien not only offers financial and material support to its partners but also provides them with advice and know-how. Each project that receives a grant is closely followed up and evaluated. Medienhilfe Ex-Jugoslawien permanently follows and analyses broader media issues in the

region, as well as the social and political context within which the media operate. This is a basis for elaboration of short-, medium-, and long-term strategies, priorities and specific criteria for support.

Our criteria for choosing local partners are as follows:

1. Media which are not state-owned or controlled;
2. Media whose editorial policy is not controlled or influenced by any political party;
3. Media whose coverage complies with professional criteria and journalist ethics;
4. Media which have engaged against nationalism and have promoted dialogue, understanding and peaceful cohabitation of people with different ethnic and religious backgrounds;
5. Media which have been promoting civil society and democratization processes;
6. Special attention is given to cross-border and network media projects.

Medienhilfe Ex-Jugoslawien has been informing politicians, media and the general public in Switzerland on the issues regarding independent media in former Yugoslavia by organizing public events, special meetings, publishing articles in the Swiss press and through interviews in Swiss broadcast media. Medienhilfe Ex-Jugoslawien supports the establishing of partnerships among Swiss media and the independent media in former Yugoslavia.

Medienhilfe Ex-Jugoslawien co-operates with other Swiss non-governmental organizations. We have especially close contacts with the organizations which have projects in former Yugoslavia and which are gathered around the informal network Infokreis Ex-Jugoslawien, of which we were one of the founders. Medienhilfe Ex-Jugoslawien has numerous contacts to various kinds of civil society groups in the entire area (women, youth and students, development, human rights and other groups) and is often approached by various Swiss organizations to provide them with useful information and contacts to potential project-partners.

National Freedom of Information Coalition

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<i>Topical focus:</i>	First Amendment/Freedom of Information

Self description: A loose coalition of State groups who come together to share what's happening in their State and attempt to learn from each other. We would perhaps welcome an international component to our organization in the future.

New Generation Union of Journalists of Azerbaijan

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<i>Topical focus::</i>	Support to democratic and independent mass media. Work with organizations advocating freedom of speech and press and reports on these issues. Activity aimed at increase of professional qualification of journalists. Creation of legislation on mass media.

Norwegian Forum for Freedom of Expression

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<i>Topical focus:</i>	Mass media

Self description: Norwegian Forum for Freedom of Expression (NFFE) was established in the spring of 1995 by 15 major media organizations as an independent, non-governmental organization, committed to defending freedom of expression in accordance with ARTICLE 19 of the UN Universal Declaration of Human Rights.

Open Society Institute Network Media Program, Soros Foundation

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<i>Topical focus:</i>	Mass media

Self description: The Network Media Program acts as a consultant, resource, liaison and partner for the media programmes of national foundations as well as for other network entities working on media-related projects, and for various organizations working in the media field in Central and Eastern Europe and the former Soviet Union. NMP seeks to bridge information gaps in the media field, boost co-operation among national foundations, as well as between national foundations and other media institutions and donor/partner organizations, works to minimize duplication, foster cost-effectiveness and maximize recourses within the network.

NMP activities include assistance to the national foundations in shaping the strategies of their media programmes, finding international partners/donors for their projects. The Programme also initiates, facilitates and supports cross-country media-related projects implemented both by the national foundations and/or other organizations. Through its activities NMP offers a possibility of support (by networking independent democratic media in the region) to the media which are working on positioning themselves in the emerging markets.

Primary concern of the Programme is assistance in establishing an environment favourable to the viability and further development of free, independent and responsible media in the region. Working towards this goal, NMP is concentrating on the projects addressing the issues of democratic media legislation, monitoring violations of media freedom, protection of journalists, establishment of media self-regulation systems and strong independent professional organizations, raising professionalism of journalists and media managers.

Press Council (Basin Konseyi)

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<i>Topical focus::</i>	Mass media

Press Now

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<i>Topical focus:</i>	Mass media

Self Description: Press Now was established in 1993 to support independent media during the war in former Yugoslavia. In recent years Press Now has expanded its activities to other countries and is at present working in Albania, Bosnia and Herzegovina, Croatia, Macedonia, FR Yugoslavia (Serbia, Montenegro, Vojvodina) Kosovo/Kosova, Bulgaria and Moldova. Press Now's main goal is to contribute to a diverse and independent media-landscape of good journalistic standards in the Balkans. Part of the funding goes to specific media for purchasing paper and equipment and for covering other costs to help them to survive. In addition, Press Now supports ongoing media institution building and improvement of journalistic quality and organizational skills of a managerial nature. In that respect, training courses play an important role. Press Now provides, together with local organizations, instruction in journalistic skills, reporting on minorities and media management. Finally, Press Now works closely with other international donors to achieve necessary improvements in the general context in which independent media operate. This field comprises broadcasting facilities and distribution, the struggle against censorship and improvement of media legislation. Press Now informs politicians, the press and the general public in the Netherlands on the subject of the media in the Balkans by means of public programmes, campaigns and advice.

Progressive Journalists Association (Cagdas Gazeteciler Dernegi)

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<i>Website:</i>	http://www.cgd.org.tr
<i>Topical focus:</i>	Protection of journalists' rights

Self description: Progressive Journalists Association (CGD) was founded on February 2 1978 by prominent media figures in Ankara. The CGD is the only Association in Turkey that is a representative of the International Federation of Journalists (IFJ). The CGD has six branches in Turkey, in Istanbul, Izmir, Ankara, Bursa, Eskisehir and Antalya, with a total of more than 2000 members. The CGD's main aim is to help promote press freedom in Turkey and to allow people to consume news that is not the result of oppression or censorship. In order to realize this aim the CGD's work can be described as follows:

- to protect the rights and freedoms of the profession and to represent its members against the State and private institutions in order to develop those rights and freedoms;
- to protect the rights recognized by domestic and the international laws in regard to the working conditions of the journalists and journalism;
- to carry out research into the problems faced by journalists and to find solutions to these problems;
- to strengthen the collaboration between journalists, to improve the working conditions of members and to liaise with the other institutions in developing these conditions;
- to provide social and cultural assistance for its members;
- to engage in relations with international journalist institutions;
- to encourage journalists to be successful in their profession and to award the successful journalists.

The Reporters Committee for Freedom of the Press

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<i>Website:</i>	www.rcfp.org
<i>Topical focus:</i>	We deal exclusively with legal issues (as distinguished from journalism ethics) affecting the ability of journalists to gather and disseminate news. We do not deal with labour relations or employer/employee disputes. We do not lobby.

Self description: The Reporters Committee for Freedom of the Press was created in 1970 at a time when the nation's news media faced a wave of government subpoenas asking reporters to name confidential sources. A group of prominent American journalists formed a committee intervening in court cases. In the last two decades the Committee has played a role in virtually every significant press freedom case that has come before the Supreme Court as well as in hundreds of cases in federal and state courts. The Committee has also emerged as a major national – and international – resource in free speech issues, disseminating information in a variety of forms, including a quarterly legal review, a bi-weekly newsletter, a 24-hour hotline, and various handbooks on media law issues. Academicians, state and federal agencies, and Congress regularly call on the Committee for advice and expertise, and it has become the leading advocate for reporters' interest in cyberspace. Important as these activities are, the Committee's primary mission remains serving working journalists – 2000 of them every year.

Reporters Sans Frontières

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<i>Fax:</i>	+33 1 4523 1151
<i>E-mail:</i>	rsf@rsf.fr
<i>Website:</i>	www.rsf.fr
<i>Topical focus:</i>	Mass media

Self description: RSF was founded in June 1985 by Robert Ménard, a journalist with Radio France Hérault to report on disasters that the established media too often ignored. So for four years, from 1985 to 1989, it paid for coverage of wars and countries that had been “forgotten” by the media. The money came from public funds (the Hérault departmental council and the Languedoc-Roussillon regional authority) and from private contributions (sponsorship by companies).

Meanwhile, throughout those years a problem underlying the initiative taken by RSF became steadily more apparent: the difficulties faced by journalists trying to do their work in freedom. The small group supported by local charity gradually grew, broadening its contacts with similar organizations working for freedom of expression. It now has 15 permanent staff, 1,200 members in about 20 countries, 110 correspondents worldwide, six national branches (France, Germany, Spain, Belgium, Sweden and Switzerland) and desks in Istanbul and Washington. It holds consultative status with the Council of Europe, the United Nations Commission on Human Rights and UNESCO.

Its goals are: to help imprisoned journalists; to publicize violations of press freedom; to help media that are victims of repression; to encourage debate on problems connected with press freedom.

RUH Azerbaijani Committee for Protection of Journalists

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<i>Topical focus:</i>	Professional development of those working in local mass media. Creation of effective system of protection of journalists.

STATEWATCH

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<i>Website:</i>	www.statewatch.org
<i>Topical focus:</i>	The State and civil liberties in the EU

Self description: Statewatch was founded in 1991. It is a non-profit making voluntary group with a network of 34 contributors drawn from 12 European countries. It is now one of the leading sources of information on justice and home affairs in the European Union, the Council of Justice and Home Affairs, The Schengen Agreement, surveillance and civil liberties. In October 1997 the Statewatch European

Monitoring & Documentation Centre (SEMDOC) was launched at the UK offices of the European Parliament. Seventy individuals and organizations signed up as supporters - lawyers, MPs, MEPs, researchers, journalists, academics, national and community groups from across the EU. In November 1996 Statewatch lodged six complaints with the European Ombudsman concerning access to documents on justice and home affairs against the Council of Ministers. To date the first three complaints have been won. As a result of our complaints the right to put complaints concerning justice and home affairs was written into the Amsterdam Treaty. On 28 April Statewatch's editor Tony Bunyan was presented with a Freedom Of Information Award 1998 for our work on tackling secrecy in the EU. The prize was presented by the Lord Chancellor, Lord Irvine, a member of the UK Cabinet.

Women Journalists Association of Azerbaijan

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World Association of Community Radio Broadcasters (AMARC)

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<i>Topical focus:</i>	Mass media

Self description: AMARC is an international non-governmental organization serving the community radio movement. Its goal is to support and contribute to the development of community and participatory radio along the principals of solidarity and international co-operation. AMARC's international secretariat is located in Montreal, Canada. AMARC's regional offices play an essential role providing training and other services and co-ordinating exchange projects. The Latin America office located in Quito (Ecuador) offers on-site courses and evaluation for community radio projects and maintains regular contact with the region's 300 members. A European office has been set up in co-operation with the Community Radio Association in Sheffield, England. One of the office's current projects is Open Channels, an exchange programme between broadcasters of western, central and eastern regions of Europe. A regional office for Africa was opened in 1996 in Johannesburg, reflecting the growing presence of community radio on the continent.

- *InteRadio* is a magazine dedicated to community radio. Published bi-annually in French, English and Spanish, it features news and analysis on issues of concern to those interested in community radio and the democratization of communications. It is distributed to AMARC members and to a total of four thousand individuals and organizations around the globe.
- *AMARC-Link* is a newsletter about AMARC's projects and activities. It includes news from the international secretariat, regional offices, the Women's Network, the Solidarity Network and more. *AMARC-Link* is published every two months in French, English and Spanish and is distributed free to AMARC members.
- AMARC has published a number of studies, conference reports, amides as well as a book featuring the stories of 21 community stations from around the world. Many of AMARC's publications are available in French, English and Spanish.
- Lobbying: AMARC represents the community radio sector at certain international forums dealing with issues ranging from the right to communicate to digital audio broadcasting (DAB).
- AMARC's Solidarity Network exists to mobilize the worldwide community radio movement in solidarity with community radio broadcasters whose right to freedom of speech is threatened. The Solidarity Network's Regional and National Co-ordinators, distribute Radio Action Alerts and overall co-ordination of the Network is provided by AMARC's secretariat.
- The Women's Network: AMARC's Declaration of Principles makes specific recognition of the "Role of Women in establishing new communication practices". Its objective is to promote exchange and solidarity among women working in alternative radio projects. The Network has published a directory of women working in community radio. The Women's Network has made a project "Starting point", which is a series of radio programmes produced by women on multiple social themes.
- AMARC has established a network of skilled professionals who can provide training and consultation in all aspects of community radio.
- AMARC organizes regional and global conferences and seminars on community radio and the democratization of communication.

World Association of Newspapers (WAN)

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<i>Topical focus:</i>	Mass media

Self description: Founded in 1948, the World Association of Newspapers (ex-FIEJ) groups 57 newspaper publishers associations in 53 countries, individual newspaper executives in 90 nations, 17 national and international news agencies, a media foundation and 7 affiliated regional press organizations. In all, the Association represents more than 15,000 publications on the five continents.

The World Association of Newspapers has three major objectives: defending and promoting press freedom and the economic independence of newspapers as an essential condition for that freedom; contributing to the development of newspaper publishing by fostering communications and contacts between newspaper executives from different regions and cultures; promoting co-operation between its member organizations, whether national, regional or worldwide.

In pursuit of these objectives, the World Association of Newspapers notably: represents the newspaper industry in all international discussions on media issues, to defend both press freedom and the professional and business interests of the press; promotes a world-wide exchange of information and ideas on producing better and more profitable newspapers; opposes restrictions of all kinds on the free flow of information, on the circulation of newspapers and on advertising; campaigns vigorously against press freedom violations and obstacles; helps newspapers in developing countries, through training and other co-operation projects; channels legal, material and humanitarian aid to victimized publishers and journalists.

World Press Freedom Committee (WPFC)

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<i>Topical focus:</i>	Mass media

Self description: The WPFC, with 40 affiliated journalistic organizations on six continents, is in the forefront of the struggle for a free press everywhere. It emphasizes monitoring and co-ordination, vigorous advocacy of free-press principles and practical assistance programmes. It is a watchdog for free news media at UNESCO, the UN, OSCE, Council of Europe, European Union, and at human rights and other international meetings considering free-press issues. Its Charter for a Free Press provides guideposts for press freedom wherever these are needed. It has been widely endorsed and is available in seven languages including Russian, Chinese and Arabic. The Fund against Censorship, which WPFC administers in co-operation with other free press groups, extends self-help legal grants to help news media to fight back when governments move in. More than 150 WPFC training and related projects to date include publication of journalism manuals in Africa and in 10 Central and Eastern European languages. The WPFC implements joint activities for a Coordinating Committee of major world free-press organizations.

The Authors

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Heidi Tagliavini – Personal Representative in 2000 to the OSCE Chairperson-in-Office for the Caucasus. Mrs. Tagliavini was born in Basel and studied Philosophy at the University of Geneva (Russian, French, Italian). Since 1982, when she joined the Swiss Diplomatic Corps, she has served in Peru, the Netherlands, and Moscow to name just a few. In 1995 she was a member of the first OSCE Assistance Group in Chechnya and from 1998-1999 deputy head of the UNO Observation Mission in Georgia, situated in Sukhum (Abkhazia). She is author and photographer of *Symbols of Destruction – the other view. Reminiscences from Chechnya 1998*.

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