

# Dangerous Assignments

covering the global press freedom struggle

Spring | Summer 2008



## Dateline Iraq

**Reflections on the war:**

Covering the world's biggest story

**Repression in Kurdistan:**

Assaults, arrests tarnish the "Other Iraq"

### Dangerous Assignments

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A friend, a Mexican reporter, recently joked that a person in her country is more likely to get away with killing a journalist than with running a red light. Traffic offenders, after all, sometimes get fined.

It's a sad fact, though, that in many parts of the world there is little chance of being convicted for killing a journalist. Just how bad is the problem? How does a country such as Mexico—a vibrant democracy—compare to a place like Iraq, which does not have functioning law enforcement?

To answer these questions, CPJ has compiled its first Impunity Index. The index, which appears on page 6, draws on CPJ's detailed reporting on journalist murders worldwide. Because we knew faltering governments would try to discredit our findings, we've ensured that our results are both objective and statistically sound. Working with Mary Gray, a noted professor of mathematics and statistics at American University, we've developed a formula that calculates the number of unsolved journalist murders per country. It will serve as a benchmark from year to year.

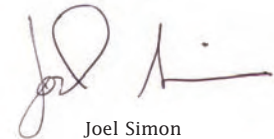
This is a list of ignominy. Only those nations with a pattern of impunity are included. For each country named, there is the implication of indifference, incompetence, or both.

The top three countries on the list are not surprising. They are Iraq, Sierra Leone, and Somalia—three countries where war, a breakdown in the social order, and the collapse of government authority have left journalists at the mercy of killers.

What is shocking, however, is the number of established democracies on this list—countries such as Mexico, the Philippines, and Russia. Our goal is to see the impunity rate drop in these countries in the coming years as more cases are solved.

The Impunity Index is part of CPJ's Global Campaign Against Impunity, an effort supported by the Knight Foundation. Initially, we are focusing on two countries—Russia and the Philippines—where unchecked violence against the press has fueled self-censorship.

Two stories in this issue offer encouragement. On page 42, CPJ's Karen Phillips recounts a new prosecution in the 2001 slaying of Colombian editor José Duviel Vázquez Arias. On page 46, I profile the unusual legal team that won convictions in the 2005 murder of Philippine columnist Marlene Garcia-Esperat. As these cases show, we can make a difference—one we hope will be reflected in the Impunity Index in the years to come.



Joel Simon

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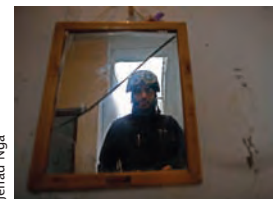
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Jihad Nga

### On the cover:

Photographer Jihad Nga took this self-portrait in Iraq's Diyala province in February 2008. On page 12, Nga and other veteran journalists recount their work in Iraq.

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Jehad Nga/Corbis

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More than 20 journalists remain in Cuban prisons five years after a massive crackdown on the independent press. Everyone has paid a price: The journalists suffer health problems, their families are blacklisted, and Cuba has encountered international isolation. Will Raúl Castro break with the past?



CPI/Shawn W. Crispin

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Burma's military junta struck back with a vengeance after widespread pro-democracy protests. Despite new government Internet restrictions, the exile-run media and their undercover reporters have found ways around the firewall. And the reporting is better than ever.

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AP/Farred Khan



AP/Anjum Naveed

The Pakistani government seemed to have the news media on the run on November 5, 2007, when Zubair Naseer (above, left), a reporter with Karachi's *Daily News*, was struck in the leg by a baton-wielding police officer. Naseer, who suffered minor injuries, told CPJ that police clamped down when he and fellow members of the Karachi Press Club took to the streets to protest sweeping new media restrictions.

President Pervez Musharraf, confronted by plummeting popularity, had declared a state of emergency on November 3, suspending the constitution, dissolving the Supreme Court, setting limits on news coverage—and closing down all of the country's 50 independent broadcasters. "Musharraf persuaded himself that if it hadn't been for the electronic media, his problems wouldn't have mounted," said Najam Sethi, editor of the weekly *Friday Times*, in Lahore. "He thinks they exaggerated his crisis and made it real."

Most broadcasters returned to the air within a month, but only after agreeing to a government-imposed "code of conduct" that made it a crime to criticize the presidency or the military.

Yet fortunes turned, for both the news media and Musharraf. When opposition party leader Benazir Bhutto was assassinated in late December, broadcasters defied the code of conduct, reviving tough political programs and resuming aggressive news coverage. By February, his party soundly beaten in parliamentary elections, Musharraf found his own power greatly weakened. Journalists took to the streets again, as they did in Islamabad on February 23 (above, right), to call for the repeal of Musharraf's restrictions. Opposition politicians joined in those appeals.

Pakistan's famously activist press appeared to be back in stride. Said Sethi: "I don't think anybody will be able to suppress this media." ■

—Lauren Wolfe

# Hassan Kafi Hared

*A routine assignment claims the life of a Somali reporter who had withstood assault and imprisonment.*

**By Nasteh Dahir Farah**



Nasteh Dahir Farah

**Kamil Sheikh Ahmed struggles to care for her children after her husband, reporter Hassan Kafi Hared, was killed.**

## KISMAYO, Somalia

Over the years, Hassan Kafi Hared had been harassed, assaulted, and arrested because of his reporting. He died carrying out what would have been a routine assignment in most places, and that makes the loss so much harder to take. Even among my Somali colleagues, so used to violence and risk, Hassan's death delivered a shocking jolt.

Hassan was walking to a noontime press conference in this southern port town on January 28, when he was struck by the sort of ill fortune inevitably born of our country's chaos and political crisis. A remotely detonated landmine destroyed a car carrying a Medecins sans Frontières-Holland team, killing two aid workers and the driver. Guards with the aid organization opened fire following the explosion.

I came upon Hassan in the aftermath. He was lying beside the street, bleeding and unconscious. So stunned

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*Nasteh Dahir Farah is vice president of the National Union of Somali Journalists, a radio journalist, and a contributor to The Associated Press.*

that I couldn't take photos of the attack, I stuffed my camera in my pocket and shouted for help. Hassan was rushed to Kismayo General Hospital, but he died within a few minutes of arrival. It was not even clear whether he died as a result of the explosion or from gunshot wounds; both bullet and mine shrapnel wounds were found on his body. He was 38, the father of five.

A reporter for the Somali National News Agency and the U.S.-based news Web site *Gedonet*, Hassan was the first Somali journalist killed in 2008, but his death continued a tragic pattern. Somalia has had no effective central government since 1991, and the past two years have been especially bloody as a transitional government backed by Ethiopian troops clashed with Islamic insurgents. In 2007, nearly 600,000 people fled Somalia and at least seven journalists died in the line of duty—making it the second-deadliest place in the world for the press that year. Only Iraq was more dangerous.

Hassan had been a prominent figure in the regional journalists association. During his days spent reporting here in Kismayo, one of the country's

most anarchic towns, Hassan endured difficulties as great as those of any other local journalist. He spent four days in jail in 2005 after a local warlord, Barre Hirale, ordered his arrest. Hassan had highlighted ties between the warlord and the Islamic Courts Union, a coalition of fundamentalist law courts that would hold power for six months in late 2006. In May 2007, Hassan was harassed and physically abused by clan militia after he reported on looting and kidnappings in the agricultural town of Jilib, about 250 miles (400 kilometers) south of Mogadishu.

His widow, Kamil Sheikh Ahmed, said the family is struggling. She and other relatives go to the Kismayo police station regularly to check on the progress of the investigation, but even now, no one knows who was behind the explosion. Although answers about his death are sadly elusive, this one thing is certain: Every day, his colleagues and family remember Hassan and what he made of his life. ■

*To help families of journalists killed or jailed for their work, go to [www.cpj.org](http://www.cpj.org) and click on Journalist Assistance.*

# Getting Away With Murder

*CPJ's new Impunity Index highlights nations that fail to solve journalist slayings.*

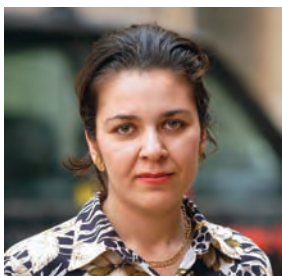
**Compiled by Frank Smyth**

**H**ere are the 13 countries where journalists are murdered on a recurring basis and governments are unable or unwilling to prosecute the killers. CPJ's Impunity Index, compiled for the first time this year, calculates the number of unsolved journalist murders in every country from 1998 to 2007 as a percentage of the population. Only those nations with five or more unsolved cases are included on this list. Cases are considered unsolved when no convictions have been obtained.

## 1 IRAQ

Iraq became the world's most dangerous country for the press after the 2003 U.S. invasion led to armed conflict and sectarian strife. Journalists have generally not died in combat, however. Most are targeted for their professional affiliation and murdered. Most of the victims, such as Al-Arabiya correspondent Atwar Bahjat (below), are Iraqis. Seventy-nine cases are unsolved.

**Impunity Index Rating:** 2.821 unsolved journalist murders per one million inhabitants.



Al-Arabiya

## 2 SIERRA LEONE

The 11-year civil war, which ended in 2002, took a great human toll across Sierra Leonean society. Nine journalist murders remain unsolved. Many of these cases stem from a particularly brutal period in Janu-

ary 1999, when rebels took the capital, Freetown.

**Impunity Index Rating:** 1.636

## 3 SOMALIA

Run largely by competing warlords since 1991, Somalia remains fragmented even after Ethiopian troops helped install a central government in late 2006. Five journalist murders are unsolved. They include the slayings of radio journalists Mahad Ahmed Elmi and Ali Sharmarke (below), who were killed within hours of each other on August 11, 2007.

**Impunity Index Rating:** 0.610



Toronto Star

## 4 COLOMBIA

The conflict among right-wing paramilitaries, leftist guerrillas, and government forces has led to dozens of journalist deaths. In the vast majority of cases, journalists were targeted for their coverage and murdered. At least 20 cases are unsolved, including the 2003 slaying of the nationally known investigative reporter Guillermo Bravo Vega.

**Impunity Index Rating:** 0.439

## 5 SRI LANKA

Fighting between government and separatist forces has long bled the nation. But journalists are more likely to be assassinated than to die in crossfire, with many of the victims ethnic Tamils. Eight murders remain unsolved.

**Impunity Index Rating:** 0.408

*Frank Smyth is CPJ's journalist security coordinator.*

**6 PHILIPPINES** While the country has a free and vibrant press, journalists covering corruption, crime, and politics have repeatedly been targeted with violence. Broadcast commentators and reporters in provincial regions are especially vulnerable. At least 24 cases are unsolved.

**Impunity Index Rating:** 0.289

**7 AFGHANISTAN** Despite the prolonged armed conflict in Afghanistan, journalists are more likely to be targeted for murder than to be killed in a combat situation. Seven cases are unsolved, including the 2007 slaying of Ajmal Naqshbandi (below). Running counter to the international trend, most victims have been foreign rather than local reporters.

**Impunity Index Rating:** 0.279



Teru Kuwayama

**8 NEPAL** Political instability and conflict between the government and Maoist insurgents have challenged Nepal, where five journalist murders remain unsolved. Four of the victims were abducted and executed while in captivity. All were local journalists.

**Impunity Index Rating:** 0.185

**9 RUSSIA** Business, official corruption, and human rights abuses are among Russia's most dangerous beats. Fourteen journalists have been murdered with impunity since 1998. They include the well-known investigative reporter Anna Politkovskaya and the American editor Paul Klebnikov (below).

**Impunity Index Rating:** 0.098



AP/Misha Japaridze

**10 MEXICO** Drug trafficking, organized crime, and official corruption are Mexico's deadliest beats. Seven journalist murders are unsolved. Most of the victims were local reporters, such as Francisco Ortiz Franco, a top editor for the muckraking Tijuana weekly *Zeta* who was shot in the middle of the day on a downtown street in 2004.

**Impunity Index Rating:** 0.068

**11 BANGLADESH** Political instability and entrenched corruption are the toughest stories to cover in Bangladesh. Eight journalist murders are unsolved. The victims were all local reporters, including the veteran correspondent Manik Saha, killed when leftists threw a bomb into his rickshaw in 2004.

**Impunity Index Rating:** 0.056

**12 PAKISTAN** Political unrest, sectarian strife, and tribal warfare confront Pakistan. Eight Pakistani journalists have been murdered with impunity since 1998. The victims include reporter Hayatullah Khan (below), who was kidnapped in the tribal region of North Waziristan in 2005.

**Impunity Index Rating:** 0.051



©

**13 INDIA** The world's largest democracy also has one of the world's freest presses, but in India, as elsewhere, politics and organized crime are dangerous stories to cover. Five murder cases are unsolved. All of the victims were local reporters.

**Impunity Index Rating:** 0.005 ■

*Read the full report at [www.cpj.org/impunityindex](http://www.cpj.org/impunityindex). Watch interviews with journalists from these nations at [www.cpj.org/impunityindex/video](http://www.cpj.org/impunityindex/video). Learn about CPJ's Global Campaign Against Impunity at [www.cpj.org/impunity](http://www.cpj.org/impunity).*



# Baptism by Fire

*Kenya's news media were tested as never before when a presidential election was marred by vote rigging and violence. By editor David Makali's account, the press emerged scarred but still robust.*

## Interview by Tom Rhodes

**A**s editor of *Expression Today* magazine, which critiques the news media, and as director of the Media Institute of Kenya, which defends the press, you're in a unique position to analyze coverage of the election crisis. Evidence of ballot rigging surrounded President Mwai Kibaki's re-election, and that sparked outrage among supporters of challenger Raila Odinga. How did the press perform?

Kenyan journalism underwent a baptism by fire. There is general recognition that the media fell short of glory and played into the ethnic divisions that characterized the campaign between President Kibaki, a Kikuyu, and challenger Odinga, a Luo. Within newsrooms, some journalists were affiliated with or took sides in the political contest. Some were compromised.

The political crisis presented a rare situation. Many journalists had no experience covering conflicts or disputes of that extent, and their response was a mixture of naïveté, excitement, and paranoia that may have exacerbated the conflict. It was a test of ethics, one that journalists, especially those in broadcast, should now ponder.

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*Tom Rhodes is CPJ's Africa program coordinator.*

On the whole, and given the intensity of the contest and the postelection crisis, the media held their ground to do a fairly professional job. The overall integrity of the media remains intact. The press has yet to acquit itself, however, for its failure to provide independent verification of the presidential vote when the verdict was in dispute.

**Journalists have reported getting threats by e-mail and text message. How widespread were these threats and who was targeted?**

Threats were issued anonymously by people believed to be linked to the unlawful Kikuyu, or Mungiki, militia against journalists perceived to be against President Kibaki. Some threats were traced to state security intelligence and seemed designed to suppress unfavorable reporting about the government and embarrassing scenes of violence. The threats were not limited to journalists: Moderate influential individuals from the Kikuyu community who were perceived as sellouts because they questioned the credibility of the election were also targeted. Maina Kiai, chairman of the National Commission on Human Rights, had to flee the country temporarily amid rising threats. These threats have ceased, however, after the signing of the

power-sharing deal between the major protagonists.

**The government imposed a ban on all live news coverage shortly after results of the December 27 election were announced. Tell us what you did and how it played out.**

The Institute mobilized the media and convened the Kenya Editors Guild to demand an immediate and unconditional retraction of the ban. We issued a 24-hour notice to the government to lift the ban. When it failed to do so, the Guild and the Media Institute filed a court case challenging the legality of the gag order. Sensing the embarrassment a loss would cause, the government lifted the ban on the eve of the court hearing—one month after the order came into force.

**After lifting the ban, the government announced it would set up a committee to review Kenyan media coverage of the crisis. What do you make of this?**

It's extremely suspect. The government is trying to regain control of the media, which it lost when legislation enacted last August created an independent council to mediate press issues. It dawned on the government during the election period and the crisis that followed that it could no longer control the broadcast media.

Some radio stations became mouth-pieces of the opposition, to the great annoyance of the government. The government wants an opportunity to “fix” them.

**A U.N. study claimed that radio stations spread “hate” messages that raised ethnic tensions during the postelection crisis. What’s your assessment?**

It is true that some vernacular stations broadcast on-air calls that “cheered on” or “challenged” audiences to defend their vote. Some of these messages can be judged to have incited or encouraged violence or inflamed tension. However, that was not widespread, and there has been a tendency to exaggerate the role of these stations. There is no evidence that any station issued

any outright call for people to attack others. Some have gone to the extreme of comparing the Kenyan situation with Rwanda’s “hate radio” of the 1990s. Nothing of the sort happened.

**What steps would help Kenyan journalists?**

The media require safeguards against intimidation by the state and private militias. Journalists face political and commercial pressures that result in self-censorship, and that’s a great disservice to the public. We recommend establishing strong journalism institutions such as the Editors Guild and the Union of Journalists to act as a bulwark against these pressures. Second, we suggest a fund or endowment for the defense of press freedom, to challenge unlawful curbs or administrative actions perilous to independent media. The Institute is already carrying out these measures on a small scale.

Self-censorship—as well as censorship by management—is a reality, but it should not be regarded as a crisis. The Kenyan press remains fairly robust and enterprising. ■



# Games and Guards in China

*A sportswriter covering Major League Baseball in Beijing finds troubling signs for the Olympics ahead.*

**By Kurt Streeter**

## LOS ANGELES

**A**fter covering the Los Angeles Dodgers' visit to Beijing this spring, I'm skeptical about how journalists will be treated during the coming Olympic Games.

I expect writers and photographers might be shadowed, their access limited. And as they push against the system, I won't be surprised to see reporters being detained, maybe even sent home, for talking to people the Chinese government doesn't want the world to hear from, or for nosing into places the government doesn't want the world to see.

My visit was short, a whirlwind four days in which I wrote about the first Major League Baseball games ever played in China, a pair of exhibitions pitting the Dodgers against the San Diego Padres. I saw plenty of the vibrant, pulsating growth we hear so much of—the bright, shiny side of China. I also saw cracks in the glossy veneer. As I wrote in my column for the *Los Angeles Times*, the Chinese government seems obsessed with presenting an unrealistic image of perfection to the outside world. It's this obsession that could end up making life uncomfortable this summer for reporters seeking to look beneath the surface.

I first began to think about this

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**Kurt Streeter** is a sports columnist for the *Los Angeles Times*.

while walking through the stands at Wukesong Stadium just before the Dodgers' first game. The stands and grounds teemed with Chinese police, soldiers, and security guards—so many that, an hour before the first pitch, it seemed there were more people in stiff, olive gray uniforms than people on hand to watch the game.

Accompanied by a *Times* interpreter, I approached scores of fans, noticing along the way that guards were constantly watching me, their faces full of curiosity and suspicion. When I began one interview, a stone-faced guard walked toward me, his coat brushing my back as he strode by. I kept on, sensing the nervousness of the man I was interviewing as the guard stood a few feet away, watching and listening to our conversation.

During both games, I tried my best to wander through the crowds and get people to open up. Some spoke candidly and comfortably. But others were tight-lipped, watchful of who was watching us. On a few occasions I brought up the unrest in Tibet, only to be met by silence.

The stern presence of authority was felt by the players as well. After the first game, about two dozen fans lined up in the parking lot, hoping for an autograph from Dodgers pitcher Chan Ho Park. Given the small size of the crowd, Park could have signed his name for everyone and gotten back on the bus in 10 minutes. Park tried just

that, only to find himself confronted by a phalanx of guards. For no reason that made sense to those of us watching, they surrounded the pitcher, keeping him from engaging with the crowd.

Park became insistent, arguing loudly and reaching for his fans, but the guards only dug in their heels. For a moment, it seemed we might see fists fly. Finally, along came new Dodgers manager Joe Torre, who'd been rushed to the scene. Torre put his hands on Park's shoulders and firmly told his pitcher this was a battle that simply could not be won.

Everyone on hand got a lesson: Here, you do what you are told, go where you are allowed. Defiance isn't well tolerated.

**T**he Dodgers and a pack of American reporters boarded the bus, shocked at what had just happened, and headed back to the hotel. Most of us were curious about what was happening in Tibet. The troubles there had started just before we'd left home, but nobody was quite sure what was going on now. In my hotel room, I turned on the TV, hoping to get some news. No luck. Chinese television ignored the issue. CNN was blacked out. I searched the Web and couldn't find much.

By the final day, the Chinese government's penchant for control played on my psyche. I felt paranoid, as did

other reporters who'd come along to cover the games. On a short trip to the Great Wall, one of them wasn't allowed to scale the steps with his shoulder-mounted video camera. Why? We weren't sure. In the press box, when we tried to send e-mail, our computers paused and hesitated. Many of us wondered if our e-mails were being read. We'll never find out.

I walked the Olympic grounds near the stadium, snapping pictures

of a construction site. Some dilapidated shanties on the site had caused me to go snooping. As I walked, I noticed a man with a black coat walking behind me. I slowed, he slowed. I stopped, he stopped. Was I being watched? I don't know.

I do know that by then I'd gotten a taste of what journalists descending on Beijing might face this summer. Of course, they will want to go about their jobs unfettered, seeking access, hoping

to show all sides of China. This may well cause friction: reporters watched, followed, or detained, maybe even expelled from the country. When an aggressive press runs up against authoritarianism, sparks tend to fly.

I hope my skepticism proves misplaced. ■

*Read Falling Short, CPJ's special report on press conditions in China, at [www.cpj.org](http://www.cpj.org).*



**A Beijing police officer keeps watch during the Dodgers-Padres game at Wukesong Stadium. Guards kept pitcher Chan Ho Park, right, from signing autographs for the fans.**



**U.S. Marines move toward the city of Ubaity at dawn on November 14, 2005.**

# The Biggest Story

*Five years into the conflict in Iraq, frustration and apprehension are part of the job for reporters and photographers. So are resilience and obligation. Three veterans of covering the war describe the story of their lives.*

## Interviews by Abi Wright

**C**overing the war in Iraq has posed security risks and logistical challenges like no other assignment in memory. In interviews with CPJ, three veteran journalists describe the extraordinary collaboration between Western and local reporters, the fear and frustration and guilt they experience, and their continuing commitment to get the story out. Their words, excerpted here from CPJ interviews, provide the backstory to the world's most dangerous assignment.

**Pay attention, America:** Aparisim “Bobby” Ghosh, *Time* magazine’s world editor, has reported from Iraq in several rotations since the beginning of the war. His *Time* cover stories have explored life in Baghdad and the Sunni-Shiite divide.

“Iraq is the biggest story of our generation. It is the biggest story in the world, even though parts of the world don’t seem interested in it. I don’t think we’ll be done telling the story for years. There’s a curiosity, having been there at the start, to know how it turns out. But truth be

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**Abi Wright** is CPJ’s communications director.

told, the real reason I’m going back is that I feel heavily invested in the lives of my friends and colleagues there. When I’m not there—and other journalists will tell you the same—I feel a sense of survival guilt. I fully expect to be writing about this for the rest of my working life.

By this point, I must have made 30, 35 flights. The first couple years, we couldn’t fly. There was no service, so we’d drive from Jordan to Baghdad, which is about a 12-hour drive. It’s gotten a little better again, but it is a bit hair-raising. You can’t come in for a conventional landing because of the fear that insurgents around the airport have SAM [surface-to-air] missiles. We don’t know if they really do, but we have to assume that they do. So what pilots will do is, they will fly at 25, 30,000 feet over Baghdad airport and then they do this sort of spiraling dive to the airstrip, and if you haven’t done that before, the first time is very scary. People throw up; people scream, cry; people get religion. It’s very harrowing.

In our [local] staff, we’ve been lucky. Without any planning, we have a nice mix of Shiites and Sunnis, people from different parts of Iraq, people from different parts of Baghdad. We also have the luxury of being a weekly magazine—we don’t have to do three or four stories a day. We’ve taken



Time/Franco Pagetti/Polaris

**Ghosh reports from Baghdad's Khadamiya neighborhood in 2005.**

advantage of that. We have a policy where I won't send a translator or local staffer to a neighborhood where it isn't safe for me to go.

Every day that I am in Baghdad I sit down with members of the staff and ask them: What's going on in your neighborhood? They just sit there and tell me what's happening on their street, their neighborhood, their marketplace, and that helps me learn a little bit about what's going on. Working for a news organization for a long time now, they know what to look out for. Just instinctively, they've all become reporters.

I don't think the American military or the Iraqi government is denying us information because they don't want us to get the whole story. They don't know the whole story. The American military sees more of the country than the Iraqi government, by the way. The military sees it from a certain perspective, and that's natural. The Iraqi government knows very little about what's going on in Iraq. Most

of the politicians, officials, and senior-level civil servants don't even leave the Green Zone.

There is no censorship in the conventional sense, but it is very hard to get information. As a result, you get a kaleidoscope of bits and shards of information. If you're lucky and if you've been in the country for a long time, you know how to interpret those signs. Or if you've got good Iraqi staff—and we've got that—they can help you interpret those signs.

I understand that people are fatigued, that they want to move on in their lives, but emotionally and viscerally, I feel like it's wrong. I feel like shaking people up and saying, Pay attention! This is still an important story! This is still the most important story! This is your war, this is America, 160,000 American soldiers. This is your war—pay attention, damn it! I have to check myself, because I can't get away with saying that to people. It bothers me that people aren't paying more attention.



Ashley Gilbertson

Glanz, left, accompanies members of the U.S. Navy's 5th Fleet over the Persian Gulf in July 2004.

**Travel agent from hell:** James Glanz, *New York Times* Baghdad bureau chief, began his career at the paper as a science reporter. He first went to Iraq in 2004 to cover the country's postwar reconstruction.

**“W**e always have people coming over for the first time to do reporting, and then we have some veterans. Now I have, by far, the longest tenure of anybody in the bureau. I don't know if that's good or that's bad. So I've seen a lot of people come and go, and what you often find in terms of expectations by the reporters as they come in, they're sort of expecting to be scared a lot of the time. You know, we all try to be brave, but we all get scared.

All of us live basically in walled compounds. It's easy for us to get out in the area of Baghdad: We just go out the door and there we are in the commercial district. Usually, though, we'll have missions planned the day before so we know what we're going to do, and we work it out with our

security to get out safely on the streets. It's a beehive [in the bureau]. At any time there can be between two and seven reporters and photographers, and then we have our guards and fixers and drivers.

It's an extremely collaborative nature in Baghdad because it has to be. You're dealing with all these different groups of people, different reporters and photographers, sometimes overlapping, sometimes collaborating, with many dual and triple bylines. And then there are the security folks and our Iraqi staff, who are constantly with us, sometimes doing the translating and sometimes doing some of the reporting.

You want people with local knowledge, and they have it. And that's probably the biggest advantage that they bring. You know, they can get you in the door, they can talk to people, whether it's a cousin or somebody they went to school with or from their neighborhood who's in the middle of the action that you're trying to report on.



## Information is elusive. It's hidden behind many barriers. People don't always tell you the truth, and you have to spend tremendous energy getting places.

The way you can get killed in Iraq is by kidding yourself. You can kid yourself because you can go out in the streets and you don't see anything happening. You don't see mortars flying, you don't see people shooting, and maybe you haven't heard a gunfight for two days. You can also lose your life simply because someone has identified you as working for a Western news organization and can find you on the street. We think we probably lost one of our reporters that way—Khalid Hassan.

But what surprises everybody who comes in is that the most difficult element is the frustration of trying to report, just the sheer logistical difficulty of it and trying to draw good information from a place that is thickly overlain with the fog of war and a lot of self-interest.

Information is elusive. It's hidden behind many barriers. As in any situation like this, with all the self-interest out there, people don't always tell you the truth, and so you have to spend a tremendous amount of energy getting places, getting good information, and then making sure it jibes with other information you're getting from other places.

It's become a much more complicated proposition, reporting in Baghdad, since 2004. You have to become sort of the travel agent from hell, because everywhere you want to go, you pretty much can get there. But you need to call every bit of resource that you have and all of your reporter's wiles and call in favors and try to figure out, you know, who might be driving there and who's got guns in the area, or what U.S. military operation is happening there and who to contact for all these things—and then set the whole thing up. It's an amazingly complicated way to engage in reporting.

**The need to be close: Jihad Nga, a freelance photographer, has worked in Darfur, Liberia, Libya, Congo, Somalia, and Iraq for several publications. Nga, some of whose photos accompany this story, has worked in Iraq at various times throughout the conflict.**

**“W**hen I first arrived in Baghdad, I could take a photo of anything. You could do a feature on anything and they were just gobbling it up. It was one big black spot, so people were kind of desperate to learn more. Gradually, that subsided, and that's natural. So there's that, and the safety has gone up and down. In the “good old days” it was easy: You wanted to go and do a story, you just went and did it. There wasn't a lot of red tape there. So it comes as a surprise to me sometimes: “What do you mean we can't do it?” Well, we need to get permission.

For someone who hasn't been there in a while—let's say

you had one visit in 2003 and came back now—it would be night and day. There is the safety issue, and you can't respond to the scene of an incident or a bomb with your camera blazing, like you could before, because there's a decree now that you cannot take pictures of bombing scenes—you cannot take pictures of dead Iraqis. So there have been numerous incidents of photographers having their cameras smashed, taken, or their being roughed up by the Iraqi army.

It's a common misconception that we are really monitored and censored as embeds. My experiences have always been quite the contrary. [The troops] have always been like, “You want to get someplace? We'll get you there.” As a photographer, I really push to be on the front line. ... We really need to be as close as possible to get decent pictures. It's been a positive experience over all, but it varies. There's so many soldiers there, so many units. It's a crapshoot.

I think back to the photographs of the contractors in Fallujah who were hanging from that bridge [in 2004]. Had it not been for an Iraqi photographer, there is no way those photographs would have been taken. And he just barely escaped with his life, so I can't stress enough, to myself and others, how important it is, the work that they are doing. It's a challenge. They don't have the resources that a lot of the Western journalists have. A lot of the Western journalists live like kings in Baghdad. They have enormous budgets, and the Iraqis, they don't. They don't have bodyguards, they don't have hard cars, they don't have the resources that, if something were to happen, they could get out of there.

Locals have always played an important role. From the very beginning, fixers and drivers were able to get us places. Without them, at least in my opinion, it would be a lost cause. The relationships you built with them were very strong if you wanted them to be. It's not like you could cut them loose and go rent a car at Alamo, you know.

Right now, in America, we are kind of bottlenecked because of the elections. I find it very frightening that there is this enormous blackout if you're watching American news networks. It's not to say there's nothing going on now; it's not to say that, in Iraq, everything is cool. I understand viewer demands and all that stuff, but there's a lot of information out there. There are a lot of Iraqi journalists—and not just journalists, but writers, people out there who are doing phenomenal work, and in many cases, digging. They may break through and go deeper than we can ever go, and we need to create some sort of gateway for them. To tap into that information more freely would be a great benefit. ■

*Watch video excerpts of CPJ's interviews with Ghosh, Glanz, and Nga at [www.cpj.org/datelineiraq](http://www.cpj.org/datelineiraq).*



In a blinding dust, U.S. Army troops transport detainees to Al-Qaim for questioning in November 2005.

# The Other Iraq

*Iraqi Kurdish political leaders have cultivated an image of freedom and tolerance, but that increasingly clashes with reality. As the independent press has grown more assertive, attacks and arrests have increased.*

**By Joel Campagna**

## **SULAYMANIA, Iraq**

**A slender frame and quiet demeanor** belie the fiery online presence of Nasseh Abdel Raheem Rashid, a 29-year-old biology student turned journalist. As a contributor to *Kurdistanpost*, a popular Kurdish-language news site that has incensed Iraqi Kurdish officials, Rashid has railed against the political order in Iraqi Kurdistan and the actions of unscrupulous political officials. In an article published last summer, he took aim at veteran Kurdish fighters, or *peshmerga*, who had once fought against Saddam Hussein, but who should now “be tried for looting the fortunes and properties of the people.”

It was only a matter of time before Rashid’s biting criticism would bring him unwelcome attention.

As he strolled through the central market of his hometown of Halabja in eastern Iraqi Kurdistan last October, four armed men wearing military uniforms forced him into a waiting Nissan pickup, bound his hands and legs, and covered his head with a sack. “I didn’t know where I was going.

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*Joel Campagna is senior program coordinator responsible for the Middle East and North Africa at the Committee to Protect Journalists.*

They drove around for a few hours and then went over what seemed like an unpaved road,” Rashid told the Committee to Protect Journalists during an interview in Sulaymania shortly after the incident. Rashid said he was pulled



Reuters/Azad Lashkari

**Reporters critical of Iraqi President Jalal Talabani have been targeted for harassment and attack.**



CPJ/Joel Campagna

**Rugged, khaki-colored mountains rise above Sulaymania, one of the major cities in Iraqi Kurdistan.**

from the truck, punched and kicked, and threatened at gunpoint to stop working or be killed. The assailants sped off, leaving Rashid bruised and shaken.

Iraqi Kurdistan, the mountainous region in the north of Iraq that is home to about 5 million people, has been recognized internationally for its tolerance of free expression. A small but combative independent press regularly challenges the region's main political parties—Masoud Barzani's Kurdistan Democratic Party (KDP) and Iraqi President Jalal Talabani's Patriotic Union of Kurdistan (PUK)—by publishing daring stories about government corruption, mismanagement, social ills, and human rights abuses. The work of these print and online outlets has come to overshadow that of the well-funded and once-dominant media outlets run by the parties themselves.

But the increasing assertiveness of the independent press has triggered a spike in repression over the last three years, with the most forceful attacks targeting those who have reported critically on Barzani, Talabani, and other high-level officials, a CPJ investigation has found. At least three journalists have been seized and assaulted by sus-

pected government agents or sympathizers, while a number of other reporters have been roughed up and harassed. To date, no one has been arrested for the attacks and officials of the Kurdistan Regional Government (KRG), the semi-autonomous governing authority, have yet to provide answers. Critical journalists who have spoken out against Kurdish leaders have been detained by security forces and prosecuted under Baath-era criminal laws that prescribe steep penalties. In the past year, the KRG parliament has pushed for harsh new legislation that would set heavy fines and allow the government to close newspapers.

In response, CPJ conducted a two-week fact-finding mission to Arbil and Sulaymania in October and November 2007, meeting with dozens of party-affiliated and independent journalists. In Arbil, seat of the KRG, officials and legislators said they were receptive to some of CPJ's concerns and stressed that they were committed to a free press. But these officials were unable to account for the violent attacks on reporters, minimized the legal restrictions on the press, and lashed out at many independent papers and online publications, calling them scandal sheets. In

**Critical writers and editors have been assaulted by suspected government agents and detained by security forces.**

## The government has hired an influential Washington lobbyist firm to promote the region's stability and respect for human rights.

addition, party leaders have barred their rank and file from speaking to the press without permission, and party-run newspapers regularly launch vitriolic attacks against independent journalists.

"When you face social and political problems you have two choices: You either make changes or you close the mouths of the journalists," Nawshirwan Mustafa, a media owner and former PUK leader, told CPJ during an interview in his vast hilltop headquarters in Sulaymania. Mustafa, a charismatic and well-financed figure who split with the PUK to launch his own newspaper and television station, said he fears hard-line party officials have decided to pursue the latter course.

When asked about restrictions on the press, party and government officials shifted much of the blame to journalists. "We don't claim we are perfect. ...When in transition [to democracy] you have to pass through many stages," Falah Bakir, head of the KRG's Foreign Relations Department, told CPJ during a meeting in Arbil. "I believe that in Iraqi Kurdistan we are making steps forward. We want to have a free press, we want journalists to be respected and the voices of the people heard, but [journalists] lack professional experience."



Reuters/Khalid Mohammed

**KRG President Masoud Barzani is a "man of courage," says U.S. President George W. Bush. The region's fortunes are tied closely to the United States.**

Kawa Mawlud, editor-in-chief of the official PUK daily, *Kurdistani Nuwe*, put it more bluntly: "One of the shortcomings we see is not the limits on journalists, but that there is *no limit*."

The Iraqi Kurdish press is not without its flaws. Independent papers, which operate on shoestring budgets and have staff with little formal training, have relatively weak standards of professionalism, and their coverage has a

heavy political bent. "After the uprisings, the Kurds didn't have journalists. We had poets and writers, and they became journalists," said Ako Mohamed, former editor of the Arbil-based weekly *Media*. "Newspapers ... had no news. They were all opinion articles, and there was an ideology."

After enduring years of political repression and a 1988 campaign of genocide at the hands of Saddam Hussein's government, Iraqi Kurds are regarded by many as the success story of Iraq. Benefiting from more than a decade and a half of de facto autonomy following the 1991 Gulf War, Iraqi Kurds boast a relatively stable government and an economy now in the midst of a development boom. Although the region has seen sporadic terrorist bombings—two targeting KRG and KDP offices in May 2007 claimed at least 45 lives—Iraqi Kurdistan has avoided the sustained violence of central and southern Iraq.

KRG officials have aggressively promoted the area as the "Other Iraq," hiring the powerful Washington lobbyist firm Barbour Griffith & Rogers, and stressing the region's stability, business-friendly environment, and respect for human rights. "What is happening in the Kurdistan region—democracy, freedom of speech, economic development—is exactly what the world hoped for with the removal of the dictator. We are creating a stable democracy in the Middle East," KRG Prime Minister Nechirvan Barzani declared in a glossy 2007 advertising supplement to the journal *Foreign Affairs*. "I do not understand why this is not acknowledged more often."

Certainly the KRG has a vested interest in willing the international community, especially the United States, to embrace the public image it has promoted. The KRG enjoys close relations with the U.S.; popular support for the United States and President George W. Bush runs uncommonly high thanks to the 2003 U.S. overthrow of Saddam Hussein, which the Kurds enthusiastically backed. During KRG President Barzani's 2005 visit to the White House, Bush called him "a man of courage ... who has stood up to a tyrant." The Kurdish region hosts a U.S. military presence, and some U.S. political figures such as Democratic presidential candidate Hillary Rodham Clinton have promoted the establishment of permanent U.S. bases here. The United States, which provided protection to the Kurds for more than a decade after the Gulf War, has invested hundreds of millions of dollars in humanitarian and development assistance. Now, the KRG has set out to attract new foreign investment and to develop international tourism and oil production.

But tensions between the ruling parties and the independent press are likely to remain high in the near future. Despite its relative economic success, the region still suffers from high inflation, poor public services, economic



**A merchant in Arbil's central market hawks honey. The region's economy has grown more consumer-oriented.**

disparities, and recurring allegations of government corruption—all fodder for a critical press corps. For all its shortcomings, the independent press has provided a crucial platform, giving voice to ordinary citizens and scrutinizing powerful politicians in an otherwise party-dominated media environment.

**T**he Kurds—whose homeland spans Turkey, Iran, Syria, and Iraq—make up one of the Middle East's largest ethnic groups, numbering around 25 million, and represent the largest ethnic group in the world without a state. Like their regional brethren, Iraqi Kurds have suffered political betrayal at the hands of the West and political persecution at home.

Shortly after the 1991 Gulf War, Saddam's army crushed an incipient revolt in Iraqi Kurdistan a month after it began. In April of that year, U.S. troops entered northern Iraq and established a safe haven over a large swath of the region in response to a humanitarian crisis triggered by the exodus of thousands of Kurds fleeing Saddam's army into the mountains. Iraqi aircraft were barred from operating in a "no-fly" zone patrolled by U.S. and British fighters. By Octo-

ber 1991, Saddam decided to withdraw his army and government administration from much of the Kurdish region, ushering in de facto autonomy for Iraqi Kurdistan, which came under the control of Masoud Barzani's KDP and Jalal Talabani's PUK. The parties established a power-sharing agreement, and parliamentary elections were held in 1992.

A traditionally agricultural society that was underdeveloped under Saddam, Iraqi Kurdistan has since seen its population become more urban and its economy more reliant on construction, commerce, and government. Younger generations of Iraqi Kurds speak almost entirely Kurdish, eschewing the Arabic their fathers and mothers learned in Iraqi schools. Sentiment for Kurds to run their own affairs and to be separate from Iraq runs high.

The Kurds' newfound autonomy also transformed the media landscape. The KDP and PUK launched a new stable of media that included newspapers, radio, and television in Arabic and Kurdish. They offered fresh discourse opposing the Baathist regime and reflecting Kurdish aspirations. For most of a decade, the news media remained under the control of the ruling Kurdish political parties, reflecting party interests and avoiding criticism of party policies.

In 2000, after a period that saw a bloody war between the PUK and KDP followed by a truce, the region's first independent newspaper, *Hawlati* (Citizen), was founded by a group of intellectuals from the PUK-dominated city of Sulaymania. Motivated by the absence of media that could hold the parties accountable, they launched the paper with a handful of staffers and a \$3,000 investment. *Hawlati* quickly became the region's most popular newspaper by casting for the first time in the local press a critical eye on the governing practices of the ruling parties. With a distinctly populist tone, its news and opinion pieces challenged the political domination of the parties, government nepotism, and the lack of public services. Today, the twice-weekly *Hawlati* is considered the most widely read newspaper in Iraqi Kurdistan with an estimated circulation of about 20,000.

Since *Hawlati's* launch, a handful of other independent and semi-independent papers have followed, most of them based in the comparatively liberal PUK enclave of eastern Iraqi Kurdistan. *Awene*, the region's other leading independent paper with a circulation of about 15,000, publishes critical stories spotlighting corruption—such as an October investigation that accused a Kurdish businessman of pocketing \$38 million in government money earmarked for army vehicle purchases. Other papers include the newly launched *Rozhnama*, a critical daily founded by Mustafa. New Radio is the region's first non-party radio station; although it has received some KRG and U.S. aid, the station has aired critical programming. The most strident political criticism, however, is published in online magazines, among them the Sweden-based *Kurdistanpost*, which fea-

tures opinion pieces and political satire from local writers and intellectuals in the Kurdish diaspora.

Internationally, Iraqi Kurdistan's press freedom record came into sharp focus for the first time in 2005, when authorities in Arbil detained Austrian-Kurdish writer Kamal Sayed Qadir and, after a summary trial, sentenced him to 30 years in prison for articles he wrote for *Kurdistanpost*. Qadir was certainly impolitic in his writing: Along with accusing Masoud Barzani and his family of corruption, Qadir claimed the family had ties to the Russian spy service the KGB, and that Barzani's son, Masrour, head of KDP intelligence, was a "pimp." Qadir was released five months later on a presidential pardon, but in the eyes of many journalists the excessive prosecution signaled an escalation in government press tactics. Since then, at least seven journalists have been detained by officials, three sentenced to jail terms, and several subjected to violent attacks, according to CPJ research.

**N**abaz Goren, 29, a contributor to several newspapers including *Hawlati* and *Awene*, was abducted and assaulted in a manner strikingly similar to the October 2007 attack on *Kurdistanpost's* Rashid. Five Kalashnikov-wielding men wearing military uniforms forced Goren into a pickup truck as he left the Writers Union Club in downtown Arbil in April 2007. "They pulled a gun to my head and told me to get in," Goren told CPJ at an Arbil café. Goren was blindfolded and driven for a half-hour before being dumped in a remote area, where he was beaten with a metal rod and rifle butts. As in the Rashid case, he was warned to stop working. "We are here to wise you up not to write," one



CPJ/Joel Campagna

**A traditionally rural society, Iraqi Kurdistan has become more urban in the past 17 years. Seen here is the relatively untouched area around Lake Dokan.**

## The prime minister says he takes attacks on the press seriously. As yet, the government's investigations have not produced any arrests.

of the men said. "If you continue, we will continue." Goren suffered a broken ankle, cracked teeth, and heavy bruising.

Goren said he is unsure what triggered the assault but noted that he had published critical articles about several officials, including an article that mocked Prime Minister Nechirvan Barzani's official motorcades. "When the prime minister leaves his home, life stops!" he wrote. "Neither a citizen, nor a car, nor a bird, nor a breath can move so that His Highness ... can pass." In another article he accused President Masoud Barzani of being such a poor administrator that he "could not tie his own shoelaces." Goren said he



CPJ/Joel Campagna

**Tariq Fatih, publisher of *Hawlati*, has changed his routine after being assaulted in downtown Sulaymania.**

also argued with and wrote a critical article about a KDP media officer in the days leading up to the attack.

Many journalists see an official hand behind the assaults. Aso Jamal Mukhtar, a 41-year-old cameraman, said he believes government retaliation was at work when assailants targeted him near Sulaymania's Azadi Park in May 2007. Mukhtar, who works for Mustafa's soon-to-be-launched Chaw TV and whose brother Kamal runs *Kurdistanpost* from Sweden, was assaulted by three men as he left the office of his former employer, the government-run Education TV. "It was dark and I found a car blocking my way," Mukhtar said at a Sulaymania pizza parlor not far from the scene of the attack. "Three people with masks got out of the car quickly. Two had sticks in their hands and the third a pistol. They attacked the car and pulled me out." He escaped with cuts and bruises. Mukhtar said PUK officials had complained to him on numerous occasions about *Kurdistanpost*, accusing him of writing for the site and insisting his brother stop critiquing Kurdish officials.

Officials who spoke with CPJ denied responsibility for the attacks, saying, for example, that the military uniforms

worn by the assailants are publicly available. In a written response to CPJ's concerns in February, KRG foreign relations head Bakir said the attacks were under investigation. "Prime Minister Nechirvan Barzani and all relevant authorities in the Kurdish region take these attacks seriously," the letter said. "The protection of the right to free speech is a priority of this government." He added: "It is my hope that the investigations will run their course and the perpetrators brought to justice."

To an extent, the attacks and intimidation have accomplished their goal, leading some journalists to alter their work schedules to avoid being out at night. Tariq Fatih, 37, the publisher of *Hawlati*, said he began limiting his nighttime activities after being assaulted by several unknown men in a downtown Sulaymania restaurant. Twana Osman, former editor of *Hawlati* and now an adviser, said officials have passed along "friendly" advice to the paper, warning staffers to avoid going to clubs at night and to vary their travel routines.

Amid recent tensions between Turkey and the Iraqi Kurdistan-based Kurdistan Workers' Party (PKK), security authorities have systematically barred journalists from the rebel stronghold in the Qandil Mountain area. Border skirmishes and Turkish shelling have been reported since late 2007, with Turkey launching an eight-day incursion into Iraqi Kurdistan in February. Some journalists attempting to cover the story were reportedly assaulted by these security forces.

More routinely, police and security forces known as *asayish* have arbitrarily detained journalists or jailed them on court orders issued in connection with criminal defamation complaints. In other cases, security forces have harassed journalists covering public protests and confiscated their equipment, as was the case during 2006 antigovernment protests in the town of Halabja.

Ahmed Mira, the youthful, clean-shaven editor of the investigative monthly *Livin*, runs his magazine from a small office on the top floor of a commercial building near Sulaymania's bustling central market. Mira, a former school teacher, had his own run-in with *asayish* after his magazine ran a cover story speculating about President Jalal Talabani's health and possible power struggles within the PUK over his succession. Headlined "Legacy of a Sick Man," the article said Talabani's purportedly declining health had caused political tensions "because there are many in the PUK waiting for zero hour in order to succeed Talabani." The reaction was swift.

*Asayish* in Sulaymania summoned Mira for questioning on April 16, 2007, the day the magazine hit newsstands. "I was told the article disturbs national security," he told CPJ





Authorities have tried to bar journalists from the Qandil Mountain region, where the Kurdistan Workers' Party has set up camps such as this.

during an interview in *Living*'s bare office. Mira was told to write down personal information, including his driver's license number, employment, and background about his family. But it wasn't the end of his problem. "The next day a group of security people came to my house in civilian clothes and without warrant took me to the security office," he said, describing how the men seized him unexpectedly on the street. "They handcuffed me and put me in a room alone." Mira was held overnight, questioned, and reprimanded for insulting Talabani.

Other prominent detentions include *Hawlati* writer Hawez Hawezi, who was arrested by security forces twice in 2006, the first time in March after he wrote an article referring to Barzani and Talabani as pharaohs who should leave the country if they cannot reform it. Two months later, he was detained again and held for several days after he wrote a piece describing his ordeal at the hands of security forces. His colleagues at *Hawlati* said he has since fled to Syria because of safety concerns. In November 2007, *asayish* agents detained Mosul-based reporter Faisal Ghazaleh of the

PUK's KurdSat TV. Ghazaleh said he was severely beaten with batons while interrogators made vague allegations that he had cooperated with terrorists by filming their attacks. A court ordered his release the following month after investigators failed to produce evidence of a crime, he said.

"All those arrested were done so by laws that exist," PUK media representative Azad Jundiyan, a harsh critic of the independent press, told CPJ. "We need to change the law and we will not have the problem of arresting journalists."

The laws cited by Jundiyan date back to the Baath era and enable government officials to harass, prosecute, and silence inconvenient independent journalists.

After gaining de facto autonomy in 1991, Iraqi Kurds began repealing or replacing Iraqi laws deemed "incompatible with the welfare of the people," but left intact the 1969 Penal Code and Code of Criminal Procedure. The penal code—which allows for pretrial detention and prison time for a wide range of expression-related "offenses"—has been used repeatedly by officials seeking to crack down on

## Baath-era laws enable government officials to harass, prosecute, and silence independent journalists. It could get worse.

critical members of the press. Article 433, which criminalizes defamation and allows fines and imprisonment for offenders, is one of the most commonly used statutes. (Printing an offending comment in a newspaper is considered an aggravating circumstance.) Other articles of the penal code stipulate penalties for vague offenses such as publishing false information or insulting public servants, “the Arab community,” or a foreign country.

KRG courts are packed with loyalist judges who have predictably handed down harsh verdicts against journalists, according to CPJ’s analysis. “Judges are appointed by the parties,” said Asos Hardi, a former *Hawlati* editor who now heads the weekly *Awene*. “So you can imagine it is very hard for them to make an independent decision when one of the parties is involved.” The December 2005 court proceedings against the online writer Qadir were notoriously unfair; he was convicted and sentenced in a hearing that lasted less than an hour.

Since then, a rash of other criminal cases has targeted independent newspapers, particularly *Hawlati*. Just months after Qadir’s conviction, a criminal court in Sulaymania sentenced Twana Osman and Asos Hardi, the paper’s former editors, to six-month suspended jail terms for publishing an article alleging that KRG Deputy Prime Minister Omar Fatah ordered the dismissal of two telephone company employees after they cut his phone line for failing to pay a bill. Earlier, Hardi had been sentenced to a one-year suspended term for humiliating an aide to Prime Minister Nechirvan Barzani by publishing an open letter from an artist who said the prime minister’s office never paid for artwork it took.

*Hawlati* says that at least 50 criminal complaints have been brought against it by government officials and citizens since its launch. Another case was added to the docket in January when Jalal Talabani launched a criminal lawsuit against the paper after it translated and reprinted excerpts from an article by U.S. scholar Michael Rubin of the conservative think tank American Enterprise Institute. The article was highly critical of Talabani and Barzani, concluding that “the unreliability of [Iraqi Kurdistan] leadership makes any long-term U.S.-Kurdish alliance unwise.” What appears to have set off Talabani was Rubin’s assertion that the two leaders had amassed fortunes while in power.

Concerns about the severity of the existing Baath-era media laws appeared, at least initially, to spur the KRG to craft more liberal legislation in 2007. In an eye-opening move, however, the KRG parliament in December significantly stiffened restrictions in the draft that had been under discussion for much of the year.

The bill, which was published in the daily *Rozhnama* on January 6, stipulated fines between 3 million Iraqi dinars (US\$2,450) and 10 million Iraqi dinars (US\$8,200), and six-month newspaper suspensions for vague offenses such as disturbing security, “spreading fear,” or “encouraging terror-

ism.” Given the tenuous financial situation of independent papers—several operate at losses or barely break even—the elastic language of the bill could allow pro-party judges to put critical newspapers out of business. Similar fines were in order for those who “insult religious beliefs,” “tarnish common customs or morals,” or publish anything “related to the private life of an individual—even if it is true—if this insults him.”

Parliament’s approval of the press bill triggered a storm of criticism from Iraqi Kurdish journalists and CPJ, leading President Barzani to veto the measure and send it back to parliament for revisions.

**F**reed from the shackles of Saddam Hussein for 17 years, Iraqi Kurds have made enormous strides from the authoritarian control of the Baath era and have developed a dynamic news media. Those gains are being undermined, however, at the very moment Iraqi Kurdistan is trying to polish its global image.



CPJ/Joel Campagna

**Asos Hardi, who heads the weekly *Awene*, says the courts are stacked against the news media.**

“There is more pressure on us now,” said *Rozhnama* Editor Ednan Osman, citing not only the number of attacks but the aggressive tenor of government officials. “The political situation is complicated and the security situation is dangerous. These parties only want to hear their own opinions.”

Iraqi Kurdish officials have argued that building a democratic society takes time and that missteps are inevitable. Yet the current trend appears to be toward a growing suppression of the press, which conflicts with the KRG’s lofty rhetoric of being the “Other Iraq” where stability and freedom abound. If Kurdish officials are serious about their public support for democracy and the rule of law, they should take a decisive stand against violent attacks on the press, put an end to spurious criminal prosecutions and the arrests of reporters, and do away with restrictive laws used to clamp down on the press. Parliament’s debate on the new press bill will be a good barometer of the government’s intentions. ■



The Damas de Blanco, or Ladies in White, march each Sunday to call for the release of loved ones imprisoned by the Cuban government.

AP/Jorge Rey

# Cuba's Long Black Spring

*Five years after the Castro government cracked down on the independent press, more than 20 journalists remain behind bars for the “crime” of free expression.*

**By Carlos Lauría, Monica Campbell, and María Salazar**

## HAVANA

**I**n her kitchen overlooking Havana’s crumbling skyline, Julia Núñez Pacheco recalls the day five years ago when plainclothes state security agents, pistols on hips, stormed into her home. They accused Adolfo Fernández Saínz, her husband of three decades and an independent

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journalist with the small news agency Patria, of committing acts aimed at “subverting the internal order of the nation.” Over the course of eight long hours, agents ransacked the apartment, confiscating items considered proof of Fernández Saínz’s crimes: a typewriter, stacks of the Communist Party daily *Granma* with Fidel Castro’s remarks underlined, and outlawed books such as George Orwell’s *Animal Farm* and *1984*. As Fernández Saínz was hauled away, Núñez Pacheco remembers one of the agents turning to her and saying, “You know, we’ve been told you are decent, quiet people. No fighting, no yelling. It’s a shame you’ve chosen this path.”

Today, the 60-year-old Núñez Pacheco lives alone in this same Central Havana apartment. A blown-up photograph of her husband and autobiographies of Nelson Mandela and Malcolm X rest on a bookshelf. Núñez Pacheco survives on family remittances from overseas, occasional donations from international human rights groups, and her government-issued ration card, which allots for basic provisions. Like most prisoners' relatives, she is blacklisted and unable to work in any official capacity, as the state is Cuba's sole employer. She sees her husband infrequently because of the prison's distance from her home and rules that allow family visits just once every two months. Fernández Saínez, who is serving a 15-year sentence, is being held in central Ciego de Ávila province, more than 400 miles (650 kilometers) from Havana.

During a three-day span in March 2003, as the world focused on the U.S.-led invasion of Iraq, the Cuban government ordered the abrupt arrest of 75 dissidents—29 of



**Imprisoned journalist Fabio Prieto Llorente at the Kilo 8 Prison in Camagüey on March 11, 2005.**

them independent journalists. All of the reporters and editors were convicted in one-day trials and handed sentences that could leave some in prison for the rest of their lives. They were accused of acting against the “integrity and sovereignty of the state” or of collaborating with foreign media for the purpose of “destabilizing the country.” Under Cuban law, that meant any journalist who published abroad, particularly in the United States, had no defense.

Five years later, 20 of these journalists remain behind bars, along with two others jailed since the crackdown. Like Fernández Saínez, most are being held in prisons hundreds of miles from their homes under inhumane conditions that have taken a toll on their health, according to an investigation by the Committee to Protect Journalists. At home, their families, unable to work, scrape for basic necessities while being regularly watched and often harassed by state authorities, CPJ found.

Cuba has dismissed international criticism, particularly from the United States, as the work of political adversaries out to weaken its government. But the imprisonment of these journalists in reprisal for their independent reporting violates the most basic norms of international law, including Article 19 of the International Covenant on Civil and Political Rights, which guarantees everyone the right to “seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.” Cuba signed the 1966 accord on February 28 of this year, although it said it would place unspecified interpretations and reservations on certain provisions.

These unjust imprisonments have also drawn protests from writers and intellectuals worldwide, including several who are philosophical allies of the Communist regime. “As someone who has always celebrated the achievements of the Cuban Revolution, and particularly its health care and educational systems, I am saddened and outraged each time that freedom of expression is suppressed in Cuba,” the Chilean novelist, playwright, essayist, and human rights activist Ariel Dorfman told CPJ. As much as Dorfman denounces U.S. policies toward Cuba—such as its long-standing embargo, or “blockade,” as it is called in some political corners—he says the Cuban government is unjustified in continuing to hold these journalists.

“Even while condemning the blockade against Cuba and the constant attempts to overthrow its government, I stand firmly on the side of all Cuban journalists, who have every right to inform and criticize without fear of persecution,” Dorfman said. “Liberty is indivisible.”

Over the past five years, Cuba has freed a small number of journalists and dissidents in exchange for international

**The imprisonments violate the International Covenant on Civil and Political Rights. Cuba signed the accord but said it would make exceptions.**

political concessions. Spain, which has sought to reestablish influence with Cuba, has taken the lead in negotiations that have led to the release of some prisoners. Spain deserves credit for helping win the release of these journalists and dissidents, but the Cuban government is obliged by international human rights standards to release all of those who are unjustly jailed. Despite the periodic releases, Cuba remains the world's second-leading jailer of journalists, behind only China.

Fidel Castro, who stepped down as president in February after 49 years in power, allowed his nation to pay a significant international price for these unjust imprisonments—drawing rebukes from allies as well as foes, and intensifying his country's isolation in the world. His successor, brother Raúl Castro, could restore bridges to the international community by releasing all of these prisoners. By doing so, immediately and without condition, he could help usher in a new era for Cuba's international relations.

**K**nown in Cuba as the “Black Spring,” the crackdown showed that Castro's government was determined to crush grassroots dissent and tolerate prolonged international protest. Journalists arrested in the crackdown were key members of a movement that began in the mid-1990s, when Raúl Rivero created the independent news agency Cuba Press and Rafael Solano founded the counterpart Havana Press. The aim was to test freedom of speech by filing to overseas outlets critical dispatches and analyses about life on the tightly controlled island. The birth of these news agencies coincided with the growth of the Internet, which enabled the spread of their coverage.

Composed of opposition activists with a political bent and others who took a more straightforward journalistic approach, the nascent independent press contributed to foreign outlets such as *CubaNet*, a U.S.-based online outlet,



AP/José Goitia

**Raúl Rivero, founder of the independent news agency Cuba Press, was swept up in the crackdown and spent 20 months in prison. He lives in Spain since his 2004 release.**

and Spanish-language publications and Internet sites in Europe, such as the Spanish magazine *Encuentro de la Cultura Cubana*. Journalists provided radio reports to U.S. government-funded Radio Martí, which can be heard in Cuba, and to other Florida-based stations. The media outlets paid small fees per story. The stories drew not-so-small notice. Even before March 2003, the journalists were subjected to harassment and sporadic short-term imprisonments.

“International attention on these journalists was reaching a fever pitch,” said Andy Gomez, senior fellow at the University of Miami's Institute for Cuban and Cuban-American Studies. Cuban officials, he said, feared they might lose their grip over the population by letting people vent their frustrations. “The government decided enough was enough.”

## The Imprisoned

### **JAILED in the crackdown of March 18-19, 2003:**

#### **Pedro Argüelles Morán**

Cooperativa Avileña de Periodistas Independientes

#### **Víctor Rolando Arroyo Carmona**

Unión de Periodistas y Escritores Cubanos Independientes

#### **Miguel Galván Gutiérrez**

Havana Press

#### **Julio César Gálvez Rodríguez**

Freelance

#### **José Luis García Paneque**

Libertad

#### **Ricardo González Alfonso**

Freelance

#### **Léster Luis González Pentón**

Freelance

#### **Iván Hernández Carrillo**

Patria

#### **Alfredo Pulido López**

El Mayor

#### **Omar Rodríguez Saludes**

Nueva Prensa Cubana

#### **Mijaíl Barzaga Lugo**

Agencia Noticiosa Cubana

#### **Adolfo Fernández Saínz**

Patria

The crackdown was swift. Detentions began on March 18, 2003, and continued for another two days. Police raided the homes of political dissidents and journalists and accused them of being “counterrevolutionaries” or “mercenaries” at the service of the United States. During the hours-long raids, state security agents confiscated tape recorders, cameras, typewriters, computers, and fax machines, as well as books, newspapers, notepads, and research materials. The journalists were handcuffed, hustled from their houses, and taken to the headquarters of the State Security Department (known by its Spanish acronym, DSE), home of Cuba’s political police.

At the DSE, they were tossed into small cells with prisoners charged with violent crimes. Their families waited outside for days, trying to assess the situation. One-day trials against them were held behind closed doors on April 3 and 4. In many cases, the families later said, the journalists were unable to meet with their lawyers prior to the hearings, and their defense was given only hours to prepare. On April 7, local courts across Cuba announced their verdicts: The 29 journalists had been handed sentences ranging from 14 to 27 years in prison.

Most have been transferred from prison to prison several times since then, often as punishment for protesting the conditions of their incarceration, CPJ research shows. Many are held far from their families. Given Cuba’s deteriorating transportation system and high travel costs, such distances are extreme burdens. Families, who are allowed short visits every four to eight weeks, bring the journalists nutritious meals, hygiene supplies, medicine, and clean clothes—staples not always provided by the prisons.

Cuban Minister of Foreign Relations Felipe Pérez Roque and Dagoberto Rodríguez Barrera, head of the Cuban Interests Section in Washington, did not respond to letters, e-mails, and faxes sent by CPJ seeking comment for this

report. The office of President Raúl Castro did not respond to faxes seeking comment.

All of the journalists are suffering from medical problems that have emerged or worsened during their five-year incarcerations, according to CPJ interviews with family members and friends. It is a litany of individual misery and governmental inhumanity: José Luis García Paneque, 42, has suffered malnutrition, chronic pneumonia, and a kidney tumor. José Ubaldo Izquierdo Hernández, 42, suffers from emphysema, a hernia, and circulatory problems. Ricardo González Alfonso, 58, has hypertension, arthritis, severe allergies, and a number of digestive and circulatory diseases. Omar Ruiz Hernández, 60, who suffers from high blood pressure and circulatory problems, recently learned that one of his retinas has become detached. In these and other cases, CPJ research shows, the government has failed to provide adequate medical care.

Prison conditions are appalling, according to these interviews, which have been conducted by CPJ over several years and documented in detail in annual editions of its book on international press conditions, *Attacks on the Press*. Prison authorities not only harass the journalists but also encourage other inmates to bully and assault the political prisoners. The journalists are warehoused in massive barracks or cubbyholed in undersized cells that lack ventilation. Drinking water is contaminated with fecal matter, the food with worms. Protests against these unsanitary conditions often land the journalists in isolation cells.

Their families struggle as well. Ileana Marrero Joa, 39, lives in a rundown Havana suburb with her three children. Her husband, independent journalist Omar Rodríguez Saludes, was imprisoned in 2003. Rodríguez Saludes was considered one of Cuba’s most dogged street journalists, riding a bicycle throughout the city to catch press conferences and call in stories to Nueva Prensa Cubana, a small

**Alfredo Felipe Fuentes**

Freelance

**Normando Hernández González**

Colegio de Periodistas Independientes de Camagüey

**Juan Carlos Herrera Acosta**

Agencia de Prensa Libre Oriental

**José Ubaldo Izquierdo Hernández**

Grupo de Trabajo Decoro

**Héctor Maseda Gutiérrez**

Grupo de Trabajo Decoro

**Pablo Pacheco Ávila**

Cooperativa Avileña de Periodistas Independientes

**Fabio Prieto Llorente**

Freelance

**Omar Ruiz Hernández**

Grupo de Trabajo Decoro

**JAILED since the 2003 crackdown:**

**Guillermo Espinosa Rodríguez**

Agencia de Prensa Libre Oriental  
Imprisoned October 26, 2006

**Oscar Sánchez Madan**

Freelance  
Imprisoned April 13, 2007



CPI/Monica Campbell

**Ileana Marrero Joa, 39, and her three children. Her eldest son, Osmany, lost his job because his father is jailed.**

Miami-based agency. Today, Marrero Joa and her children visit the 42-year-old Rodríguez Saludes for two hours once every two months, time spent eating a home-cooked meal and updating Rodríguez on efforts to win release of the political prisoners.

Rodríguez Saludes' 19-year-old son, Osmany, is impressed by his father's strength. "He says he's staying strong for us, so that when he's let out he won't be a broken man," the younger Rodríguez told CPJ. But once separated from his father, the lanky teen returns to his own bleak reality. He, too, is blacklisted. Last November, after months of working off the books hauling bread on and off trucks, he asked his boss if he could become an official employee. After being given a series of evasive answers, the younger Rodríguez was told his "criminal past" was a problem. "Having a dad in prison is my crime," the son says, leafing through a book of his father's street photography. "I might as well be in there with him. It's four walls for all of us."

With the aftermath of the 2003 arrests consuming their

lives, families of the imprisoned dissidents have created a tight bond. Two weeks after the crackdown, the Damas de Blanco (Ladies in White) group was formed, gathering on Sundays at Havana's Santa Rita de Casia Catholic Church. After Mass, they walk 10 blocks to a nearby park. In the spirit of Argentina's Mothers of the Plaza de Mayo, who call attention to relatives who disappeared during that country's military dictatorship, the Cuban group dons white, with each woman carrying a pink gladiolus flower and wearing a button with her loved one's picture that says "prisoner of conscience." They demand the prisoners' release and, at least, an improvement in conditions.

Pro-Castro groups attempt to thwart the Ladies in White. Hecklers call the women counterrevolutionaries on the U.S. dole. Photographs taken by a local journalist show a man striking Laura Pollán Toledo, a group leader and wife of jailed journalist Héctor Maseda Gutiérrez, in the back of the head during a protest. "As long as we're out in public demanding change, freedom, and human rights, we can

**All of the journalists suffer from medical problems that have emerged or worsened during their years behind bars.**

## Families of the jailed reporters are blacklisted. Said one reporter's son: "It's four walls for all of us."

expect acts of aggression," says Pollán Toledo, who lost her job as a high school Spanish teacher after the crackdown.

On a recent afternoon at her home in Central Havana, while a friend put her long blond hair in curlers (she would visit her husband the next day), Pollán Toledo pointed to a corner in her living room where she said she recently found a hidden microphone. Pollán Toledo's home, a popular gathering place for dissidents and relatives of jailed dissidents, is under constant watch. Pollán Toledo realizes that international recognition can provide a layer of security, but she adds that "immunity from punishment by the Cuban government is not guaranteed."

**Y**et, for the most part, a small corps of independent journalists continues to operate in Cuba in much the same manner as it did in 2003. There are close to 100 independent reporters working in Cuba today, most of them in Havana, although some provincial reporters are also active. Independent journalists told CPJ they do most of their reporting in the evenings, when they can be more inconspicuous. Though owning a computer in Cuba is unlawful without government permission, some have antiquated lap-

tops; others use even older typewriters. Many just use a pad and a pencil. They usually file their stories by public phones during prearranged conversations with foreign media outlets. Others file by fax, and in some rare cases, through e-mail. Although the vast majority of their work goes to foreign Web sites or publications, Havana-based reporters occasionally use the computer facilities of foreign embassies to print an assortment of news pieces.

"On top of being harassed and not being part of the official press corps in Cuba, independent journalists in Cuba go without some of the most basic reporting tools, from having a cell phone or even a regular phone to steady Internet access," says Hugo Landa, director of *CubaNet*. "I think that's why a lot of independent journalists publish opinion pieces and short, firsthand accounts of things they witness on the ground, more than any type of investigative piece. What they are able to publish reflects the realities they run up against. I always feel that they are doing an admirable job, considering the difficult circumstances under which they work."

They cover what Cuba's official press largely ignores. The Cuban constitution allows the Communist Party to control the news and filter it through its propaganda-minded Department of Revolutionary Orientation. Press rights are granted only "in accordance with the goals of the socialist society."

The independent press coverage reflects basic ideas and information protected under international agreements, including the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights. CPJ reviewed 40 articles written from January to March 2003 by journalists who were imprisoned during the crackdown, and several dozen articles written by independent journalists, including former political prisoners, between 2006 and 2007. All were published on foreign news Web sites and media outlets in the United States and Spain.

Coverage largely focused on social issues, including food shortages, empty pharmacy shelves, housing problems, unemployment, and poorly equipped schools. Reporters also covered Cuba's dissident community, from the opening of independent home libraries and trade union movements to the harassment of human rights activists. They wrote about police harassment and human rights violations, ranging from the arrest of street vendors to violence against political prisoners. Criticism of the government and its leaders—mainly Fidel Castro—was common but not inflammatory. For example, in a January 2003 story on lengthy lines at a train station, now-imprisoned reporter José Ubaldo Izquierdo Hernández wrote: "How long will we have to wait to wake up from this nightmare that has lasted now 44 years?"



Reuters/Enrique De La Osa

**Raúl Castro addresses the National Assembly after being named president on February 24.**



Five years after the crackdown, despite international pressure, Cuba has freed only nine imprisoned journalists. Among the released: Jorge Olivera Castillo, a 46-year-old who served his country as a soldier in Angola and as an editor at the state-run television station Instituto Cubano de Radio y Televisión.

In December 2004, Olivera Castillo was freed from a Guantánamo prison on medical parole after suffering from colon problems. Yet his freedom is conditional. He and his family have U.S.-issued visas, but Cuba denies them permission to exit. In fact, he cannot leave Havana and is barred



CPI/Monica Campbell

**A photo of Oscar Manuel Espinosa Chepe being taken to court in 2003 now hangs in the journalist's Havana apartment.**

from attending any public gatherings. His phone is tapped, his mail searched, and, without warning, state security agents pay him visits. They ask about his work and his family, and offer subtle reminders that his freedom is tenuous.

Despite these risks, Olivera Castillo continues to write. Sitting at his kitchen table in his cramped apartment in Old Havana, he taps away at a donated Dell laptop. Along with short stories, he writes political analysis for *CubaNet*. "There was a time when I believed in the revolution, but I then realized that as hard as I worked, I never had savings. I soon realized that a better life for myself and my family was not possible," said Olivera Castillo, who once tried to leave Cuba on a makeshift raft bound for Florida. He eventually began working with independent news agencies such as Havana Press.

Olivera Castillo's professional experience is rare among the independent press. Many are teachers, physicians, office workers, and engineers turned writers. Others hail from the dissident movement, either activists in independent unions or members of opposition political parties.

Contributing to mainstream foreign news outlets such as *The Miami Herald* and Spain's *El País* are former high-ranking government officials. One of them, economist Oscar Manuel Espinosa Chepe, was part of an elite group of advi-

sors to Fidel Castro in the 1960s and helped craft Cuba's economic cooperation with Eastern Europe. Influenced by glasnost and perestroika in the 1980s, Espinosa Chepe began touting more liberal economic policies, such as loosening limits on land or business ownership. Steadily demoted as Castro rejected such reforms, he was eventually assigned work as a clerk at a small bank near his home.

Espinosa Chepe's wife, Miriam Leiva, remained a member of the Communist Party and held a high-level post in the Ministry of Foreign Relations. When Espinosa Chepe decided to quit his clerking job and write for foreign outlets, Leiva faced pressure at work to either denounce him as a counterrevolutionary or lose her job. "They thought they were giving me a choice between remaining a somebody or becoming a nobody," said Leiva, 60. Refusing to cooperate, Leiva was fired and the couple began contributing full-time to foreign media from their tiny Havana apartment. Leiva wrote about social ills such as prostitution and the disparities between consumer goods available to tourists and those for citizens. Espinosa Chepe produced sharp economic analyses that were circulated underground, and he hosted a weekly Radio Martí show called "Charlando con Chepe" (Chatting with Chepe). He spoke about increasing food imports, rising inflation, and falling investment. "I didn't get a cent from Radio Martí," says Espinosa Chepe, 67. "My main concern was getting the word out. We'd always find a way to get by."

That has been extraordinarily difficult at times. Espinosa Chepe was swept up in the 2003 crackdown and languished in prison for more than a year. During his imprisonment, Leiva helped organize relatives of imprisoned journalists to protest, and she published commentaries in U.S. and European newspapers. By the time Espinosa Chepe was freed on medical parole in November 2004, he had lost more than 20 pounds and was suffering from gastrointestinal bleeding, liver problems, and high blood pressure.

Today, Leiva and Espinosa Chepe continue to work from a tiny apartment stuffed with books, many banned by the government. When asked if they fear another crackdown, Leiva said, "I refuse to be quiet and lose my dignity." Espinosa Chepe, relaxing in a rocking chair after a home-cooked meal, nods in agreement. "We go on normally with our abnormal lives," he says.

Remarkably, several imprisoned reporters have continued working behind bars. In prison, Olivera Castillo managed to pass outsiders 37 of his poems, which were eventually published in Spain. Journalists such as Maseda Gutiérrez, González Alfonso, and Normando Hernández González have smuggled out entire memoirs, a few sheets of paper at a time. Others have reported on human rights violations in Cuban prisons. In a recent essay published on *CubaNet*, for instance, Fernández Saínz denounced the treatment of an imprisoned human rights activist.

Since 2003, Cuba has used imprisoned journalists and dissidents as political leverage, sporadically releasing a few in exchange for international concessions. “Cuba has effectively used political prisoners as an element of political negotiation, as bargaining chips,” says Elizardo Sánchez Santa Cruz, president of the Cuban Commission for Human Rights and National Reconciliation, a domestic human rights group that operates despite being officially banned by the government.

Since taking office in April 2004, the left-leaning government of Spanish President José Luis Rodríguez Zapatero has acted as a mediator between the European Union and the Castro government. Relations between Brussels and Havana—already strained by the EU’s 1996 Common Position on Cuba, which demanded improvement in human rights and political liberties in the island—were further damaged after the 2003 crackdown and ensuing EU diplomatic sanctions.

Spain’s strategy of engagement with the Cuban government, which differs from U.S. policies aimed at isolating Cuba through economic sanctions and travel restrictions, has gained support from EU members such as Britain while meeting opposition from northern and eastern members led by the Czech Republic. Nonetheless, in January 2005, the European Parliament voted to lift the 2003 diplomatic sanctions after the Cuban government transferred more than a dozen ailing dissidents from jail cells to prison hospitals and granted medical paroles to a number of others, including the writers Rivero and Manuel Vázquez Portal.

This February—just months after Spain announced the resumption of some cooperation programs between the two countries—Cuba freed four more prisoners, including independent journalists José Gabriel Ramón Castillo and Alejandro González Raga. Prominent dissident Oswaldo Payá, leader of the Christian Liberation Movement, says the dialogue between the two governments has been important, “but it can also be used as a smoke screen to hide the fact that there has been no real progress on human rights.”

These are not ordinary times in Cuba, however, as Payá and others point out. The ailing 81-year-old Fidel Castro, who handed over day-to-day power to brother Raúl in July 2006, announced on February 19 that he was officially

resigning as president, ending nearly a half century of rule. The National Assembly named Raúl Castro, 76, as president five days later.

Raúl Castro has pursued some changes, such as lifting bans on the ownership of cell phones and electronic devices. His government’s decision to sign the four-decade-old International Covenant on Civil and Political Rights, while a potentially encouraging move, was clouded by the vague caveats it immediately placed on the document. “Signing this agreement is a positive thing,” Payá says, “but in order for the decision to be coherent, the government must release the political prisoners who are jailed for peacefully practicing and promoting these rights.”

Some change is coming from the ground up, as a new generation of tech-savvy bloggers emerges. On a recent afternoon, Yoani Sánchez, a slim 32-year-old wearing baggy surfer shorts and a T-shirt, sits at a small, wooden table in her living room and sips a strong Cuban espresso. Here is



CPJ/Monica Campbell

**Blogger Yoani Sánchez, 32, in her Havana apartment.**

where she writes entries for her blog *Generación Y*, created last April. The blog chronicles her everyday observations of Cuba, from the abundance of José Martí statues to bored youth and the workings of Cuba’s black market. In a January 8 entry, Sánchez writes how she cannot “conceive a day without immersing myself in the black market in order to buy eggs, cooking oil, or tomato paste.”

She heads to one of Havana’s Internet cafés once a week, a practice that is extremely expensive. (One hour at an Internet café in Havana typically costs 160 pesos [US\$6],

## **Cuba has used imprisoned journalists as bargaining chips, sporadically releasing a few in exchange for international concessions.**



Reuters/Claudia Daut

Combinado del Este outside Havana has housed some of Cuba's imprisoned journalists.

## Joining in CPJ's Call for Freedom

By María Salazar and Carlos Lauría

Cuba has dismissed criticism from Europe and the United States as efforts by ideological adversaries to undermine its government. In truth, many intellectuals from all parts of the political spectrum—including those on the left who have supported Castro and denounced U.S. policy toward the island—have also expressed indignation at the imprisonment and treatment of Cuban journalists.

“Freedom of expression is an irreplaceable support for freedom of conscience, on which is founded modern political democracy as well as any other regime that hopes for international respect,” said Spanish philosopher, writer, and activist **Fernando Savater**. “The jailing of dissident journalists holds hostage not only their liberties but also the liberty of the entire Cuban people, who deserve to know the political alternatives to the dictatorial regime under which they suffer today.”

Three other European writers—the Spanish authors **Antonio Muñoz Molina** and **Juan Goytisolo** and the Polish journalist **Adam Michnik**—also voiced support for the liberation of the jailed Cuban journalists when contacted by CPJ.

Throughout the Americas, writers, journalists, lawyers, and activists condemned the situation as well. In the United States, linguist **Noam Chomsky** said he supported CPJ's call for the release of those imprisoned—as did Nicaraguan lawyer, journalist, and writer **Sergio Ramírez** and one of Argentina's most prominent writers and journalists, **Tomás Eloy Martínez**.

CPJ contacted these writers as part of its ongoing effort to draw international attention to the plight of Cuba's independent press. In 2005, more than 100 writers and editors joined with CPJ in an open letter to Fidel Castro that sought the release of those unjustly jailed. **Carlos Monsiváis**, one

## Raúl Castro has pursued some reforms, but Cuba's emerging generation of bloggers could provide the greatest spark to free expression.

about one-third an average monthly salary on the island.) But Sánchez works fast, quickly uploading her files from a flash memory drive and downloading readers' comments and e-mail. For cash, Sánchez approaches tourists and offers to give them walking tours of the city. "My friends think I'm taking a huge risk with my blog," says Sánchez, who posts her real name and a photo of herself on her blog. "But I think it's my way of pushing back against the system, if only a little bit."

Other newcomers include *Sin EVAsión*, a blog run by the pseudonymous Eva González, who describes herself as part of the "generation that came of age in 1980," when Fidel Castro gave permission to any person who wanted to leave Cuba to do so from the port of Mariel, which he declared "open." As a result, some 125,000 Cuban refugees left the island during what became known as the Mariel boat lift. It's a generation, she says, that struggles "between disillusion and hope." Another new blog is *Retazos*, run by the colorfully pen-named El Guajiro Azul, who lives in Cuba "while he has no other option." Blog entries range from essays on Cuban censorship to the manual work that elderly Cubans turn to in order to supplement their meager pensions.

Most reader comments thank the bloggers for publishing critical views. Others take the bloggers to task. The popularity of Sánchez's blog—she said thousands have visited—has generated a wave of pro-regime comments from readers who have added pro-government links and slogans such as "Viva Cuba! Viva Fidel!" It is, in its own limited way, a forum for opposing views.

Five years after the crackdown, the independent press movement is far from being deterred. On a recent weekday morning, independent reporter Olivera Castillo makes his way along one of Havana's main avenues to a pay phone, where he'll call a contact for a story he's reporting. On the sidewalks, elderly men play dominoes as a line of people snakes down the block awaiting a crowded bus. Olivera Castillo keeps walking. He has work to do, although he knows that what he writes today could be the tipping point for his arrest and return to prison. But he pays no mind. "I refuse," he says, "to live in fear for expressing my ideas." ■

Watch video interviews with two freed Cuban journalists at [www.cpj.org/blackspring/video](http://www.cpj.org/blackspring/video).



AFP/Pedro Armestre

**Spanish writer and activist Fernando Savater says all Cubans are held hostage by the jailing of reporters.**

of Mexico's best-known contemporary writers, was one of those who signed the 2005 letter. He reiterated his stance in comments to CPJ this year.

"Just as we don't accept the monstrosity of the [U.S.] blockade and embargo against Cuba, it is not possible to allow the shutting of freedom of expression under an

authoritarian ideal," Monsiváis told CPJ. "If we demand freedom for those journalists who are jailed, it is because we also defend Cuba's right to live without the pressures of American imperialism." Two other Mexican writers—**Elena Poniatowska** and **Laura Esquivel**—also expressed their fervent support for the release of the 22 jailed reporters. Colombian novelist **Laura Restrepo** and South African author **J.M. Coetzee** said they, too, supported CPJ's call for the journalists' release.

Several said political considerations should be set aside in freeing those in jail.

"As someone who has always celebrated the achievements of the Cuban Revolution, and particularly its health care and educational systems, I am saddened and outraged each time that freedom of expression is suppressed in Cuba," said Chilean novelist, playwright, essayist, and human rights activist **Ariel Dorfman**. ■

# Firewall Fighters

*Burma's military junta imposed tighter Internet restrictions after the Saffron Revolution. But news continues to flow thanks to the exile-run media and their resourceful undercover reporters.*

**By Shawn W. Crispin**

**RANGOON, Burma**

**W**hen Burmese troops opened fire on unarmed demonstrators here last September, marking the violent culmination of weeks of pro-democracy protests, the Norway-based Democratic Voice of Burma (DVB) had 30 undercover reporters on the streets. Despite the military government's strict coverage bans, the journalists used the Internet to transmit news reports and images to DVB, which disseminated the information globally.

The reporting, some of which was rebroadcast by major international media outlets such as CNN and Al-Jazeera, provided the world with disturbing and iconic images of the unrest, which came to be known as the Saffron Revolution. Burmese authorities, seeing these uncensored pictures leak through their tightly controlled borders, shut down the Internet altogether at the height of their brutal crackdown, which resulted in the detentions of nearly 3,000 people and the deaths of at least 31 others.

Since then, Burma's military junta has applied additional pressure and imposed new restrictions to prevent news reports from being transmitted via the Internet. Five DVB reporters are still jailed and another five cannot be accounted for, according to Moe Aye, news editor for the satellite television and radio broadcaster. "We don't know many of their fates," Moe Aye said from DVB's regional office in Chiang Mai, Thailand. "We fear they are paying the price for their courage."

Yet exile-run news organizations and their in-country, undercover reporters have proved surprisingly resilient, a

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*Shawn W. Crispin is CPJ's Bangkok-based Asia program consultant.*



CPJ/Shawn W. Crispin

**Aung Zaw, editor of the *Irrawaddy*, says in-country journalists are able to transmit reports daily—and the quality of their work is better than ever.**

CPJ investigation has found. Savvy undercover journalists have continued to find ways around government-administered firewalls through the use of proxy servers and other tactics, CPJ found after observing conditions here and interviewing editors in the exile news media. Editors say their news organizations are reporting stories from inside the country as quickly as ever. And a review of recent coverage shows that the quantity and depth of in-country reporting has remained consistent or improved since the crackdown.

**T**ake Mizzima, a New Delhi-based, exile-run news agency that saw its unique daily readership more than double, to 15,000, since last year's crisis. Mizzima lost contact with several reporters after the crackdown, but Editor-in-Chief Soe Myint said the agency emerged stronger from the expe-

rience because it forced editors to better coordinate and systematize news gathering. Some in-country reporters, for example, have received training in Internet safety and encryption techniques, Soe Myint told CPJ in a telephone interview.

“The new Internet restrictions haven’t so far had much effect on our daily work,” he said, adding that editors and reporters have established a system to convey news even if the government should unplug the Internet again. Soe Myint declined to discuss details but is confident that “we are prepared for the worst-case scenario.” With renewed international interest in Burma-related news, he said, Mizzima has expanded its in-country reporting network since the Saffron Revolution.

Mizzima’s assessment is shared by other exile media outlets. Aung Zaw, editor and founder of the *Irrawaddy* news Web site and newsmagazine, said that his reporters continue to send news from Internet cafés every day. In late February, for instance, undercover reporters transmitted video footage of a massive fire in the central Burmese city of Mandalay, which editors were able to post on the *Irrawaddy* Web site just hours after the blaze began. In March, its monthly magazine published a detailed cover story that highlighted—and even mocked—the government’s attempts to censor the Internet.

In recent weeks, *Irrawaddy’s* online edition has broken a number of stories about new government restrictions, including heightened surveillance of student groups in the run-up to the national referendum on a new constitution in May.

“The information we are receiving now is arguably better than ever before,” said Aung Zaw. “Despite the culture of fear and intimidation, we are receiving more and more applications from lots of twentysomethings who say they want to do something useful and are willing to take the risks to become our reporters.”

Many found inspiration in the street protests that began in August 2007 after a government policy shift caused fuel prices to spike. As the antigovernment movement gained momentum, Buddhist monks came to lead tens of thou-



CPJ/Shawn W. Crispin

**Signs for Internet cafés are common on the streets of Rangoon.**

sands into the streets to call more broadly for democratic change. State censors banned local media from reporting on the demonstrations—but striking images of aggrieved robe-wearing monks, transmitted out of the country by undercover journalists, captivated global news audiences.

On the afternoon of September 27, Burma’s military government struck back, closing all connections to the Internet (a shutdown that lasted four days), blocking journalists’ mobile telephone signals, and ordering soldiers to open fire on demonstrators. Japanese news photographer Kenji Nagai, shot at point-blank range by a Burmese soldier, was among the victims. Despite the government’s censorship efforts, the shocking murder was captured on video and disseminated worldwide.

The same day, *Irrawaddy’s* Web site was hit by a debilitating virus that caused the site to crash for four days. The news organization later found that the virus was written in Russian script and sent via an Internet protocol address based in Panama. Aung Zaw told CPJ that while “it was not 100

percent clear” that the Burmese government had launched the viral attack, the timing seemed “more than coincidental.” To guard against future cyberattacks, he has changed *Irrawaddy’s* Web host and established a new backup site in case of emergencies.

**M**ost exile-run news outlets have their roots in political opposition groups. While some have maintained those ties, others have professionalized their operations with the help of public and private donors such as the Swedish International Development Cooperation Agency, the Canada Fund, and the Open Society Institute.

These news organizations fill the critical news gap left by Burma’s tightly controlled domestic media. Well before last year’s crackdown, CPJ had designated Burma as one of the world’s most censored countries. Local newspapers are heavily censored by state authorities before publication, while the broadcast media is wholly monopolized and manipulated by the military. Journalists who have tested the regime’s near-zero tolerance for media criticism have

**The Mizzima news agency emerged stronger from the 2007 crackdown because editors do more to train and coordinate reporters.**

often ended up in prison. Burma is a perennial leader in jailing journalists, according to CPJ's annual surveys.

That censorship regime includes government-administered blocks on accessing the World Wide Web and popular internationally hosted e-mail services such as Yahoo and Google's Gmail. OpenNet Initiative, a research project on Internet censorship conducted jointly by Harvard University and the universities of Toronto, Oxford, and Cambridge, found Burma's Internet controls among the "most extensive" in the world in 2005.

OpenNet said that Burma's government, through its influence and control over the country's two Internet service providers, "maintains the capability to conduct surveillance of communication methods such as e-mail, and to block users from viewing Web sites of political opposition groups [and] organizations working for democratic change in Burma." Blocks continue to be maintained on the most prominent exile-run media outlets, including DVB, Mizzima, and *Irrawaddy*.

Even so, there are large technological holes in the junta's firewall. Because of the exorbitant costs and restrictions on direct home access, nearly all Burmese citizens access the Internet in privately run cybercafés, which in recent years have proliferated in Rangoon and a handful of other major cities.

Those cafés were the main conduit for the news and information that was sent out to exile media groups during the Saffron Revolution. The government has since tried to tighten the screws on café owners, mostly through intimidation and heightened surveillance. The effort also includes new requirements that Internet cafés post signs warning their customers that accessing restricted materials is a crime punishable by imprisonment.

One Internet café administrator who spoke to CPJ on condition of anonymity said police officials told him that he would be held personally responsible for what his customers viewed. Editors for exile media say that certain cafés now check the contents of patrons' memory sticks before allowing them to plug into computers.

DVB's Moe Aye said police recently pressured an Internet café administrator in Rangoon to provide assistance in tracking and identifying a customer—one of DVB's undercover reporters—who sent messages and video clips over the Internet to Oslo, Norway, where DVB's main news office is based.

"Some cafés that wouldn't cooperate [with authorities] have been closed down," said Moe Aye, citing information



**Inside an Internet café, a sign warns patrons not to view government-restricted material.**

CPJ/Shawn W. Crispin

from his reporters. The Burmese government is known to be particularly sensitive to DVB's often critical broadcasts, which are beamed by satellite from London around the world and into Burma. As many as 1 million Burmese have satellite dishes, according to news reports.

CPJ research conducted several months before the 2007 unrest found that Internet café administrators often

helped patrons bypass government firewalls to connect to the World Wide Web, usually through proxy servers hosted in foreign countries. One popular proxy server at the time was gLite, which allowed surfers to circumvent government blocks on Gmail. Certain versions of gLite were shut down at the height of the Saffron Revolution, according to the site's India-based administrator, who spoke on condition of anonymity to protect his activities.

Yet the government pressure has not stopped users from getting around the firewall. All nine current versions of gLite were accessible across a wide cross-section of Rangoon's cybercafés when CPJ conducted its latest research trip in March. The site's administrator said gLite attracts more than 100 new users every day. And his site is just one of a wide array of proxy servers in use in Rangoon's cafés, CPJ found. "Users are just as creative as ever in circumventing government firewalls," the gLite administrator said.

Burma's cybercafés are still filled with young users who regularly bypass the state-censored print media and access global news sources online, CPJ found in March. This researcher saw dozens of Internet café patrons visit forbidden news sources such as the BBC and Al-Jazeera. Just as popular were critical blogs, which publish in the Burmese language and post foreign news stories critical of the government.

One prominent blogger, the pseudonymous Niknyan, posted a story on Blogspot urging Burmese citizens to vote against the proposed constitution, while Myochitmyanmar, another blogger, posted a wire service report about the military junta's recruitment of children to fight in the ongoing conflict with ethnic insurgent groups.

In all but one of the 15 cafés visited, CPJ was able to access numerous sites that the government had officially blocked, including DVB, Mizzima, *Irrawaddy*, and video-sharing sites such as YouTube and Metacafe. One café posted a list of its most visited Web sites, which included five internationally hosted proxy sites, the banned e-mail service providers Yahoo and Gmail, and the forbidden online chat forum GTalk.

**In cybercafés across Rangoon, CPJ was able to access numerous Web sites that the government had officially blocked.**

The list was posted next to the government's warning against accessing restricted materials.

That doesn't mean that dissident surfing is safe, of course, particularly for in-country bloggers. Nay Phone Latt, a blogger who posted material critical of the junta on his Web site, was detained on January 29 while patronizing an Internet café. He was being held at Insein Prison in spring.

**W**hy Burma's reclusive regime continues to allow Internet users and undercover reporters to defy its restrictions is unclear. Bertil Lintner, a well-known author of books on Burmese politics who recently researched a critical survey of Burma's media, contends that the junta still lacks the technological competence to effectively and efficiently police the Internet.

Lintner notes that other authoritarian countries devote considerably more resources to enforce Internet restrictions. In China, cybercafé owners are required to install network monitoring equipment and turn over to the authorities any patrons who access restricted materials. In Vietnam, cafés are equipped with video cameras and monitored by secret police.

To effectively censor the Internet, Lintner said, Burmese officials "have to use more technology like China or more manpower like Vietnam. From what we've seen so far, it seems they're incapable of doing either and can only resort to threats and intimidation." At the same time, Lintner argues, the authorities cannot shut down the Internet altogether because the politically influential business commu-

nity has become reliant on cybercafés for cheap overseas communication.

*Irrawaddy's* Aung Zaw believes that the junta's surveillance capabilities were diminished by an October 2004 purge of military intelligence officials, many of whom had been trained in monitoring techniques in Russia.

These openings offer promise, but they also present risk. While relatively few Burmese citizens regularly see news from exile media, politically active university-age citizens are actively surfing the Internet and encountering these reports. Aung Zaw and his colleagues are wary of being overconfident. Aung Zaw said some in-country reporters fear that the current climate is all a ruse—that authorities have created a false sense of security so they can identify and eventually apprehend undercover journalists.

Those fears are driving Burma's undercover reporters to become more innovative. DVB's Moe Aye said his in-country reporters now check in with editors by pay phone at predetermined times to mitigate the risk of communicating on lines that may be tapped by authorities.

In-country journalists have their own clandestine procedures. One undercover DVB reporter secretly reported on the trial of a popular political prisoner by using his mobile telephone to record the detainee entering the courthouse. Later that day, he used the Internet to transmit the footage in time to meet DVB's production deadline.

"They say, 'Don't ask me how, just wait and it will be there.'" Moe Aye said. "I don't ask, so I can't tell you how they do it. They have their own ways." ■



Reuters/Adrees Latif

**This Pulitzer Prize-winning photo shows journalist Kenji Nagai lying on a Rangoon street after being shot by a Burmese soldier on September 27, 2007. Nagai died of his injuries.**



# Mr. Kim and Me

*Traveling to Pyongyang with the New York Philharmonic, a reporter finds that it isn't easy to peer behind North Korea's tightly drawn curtain.*

By Daniel J. Wakin

The concert was about to begin. My colleague Jimmy Wang, a multimedia producer for *The New York Times* based in Beijing, was waving me over to an open seat next to him near the side aisle. I slipped in, and then Mr. Kim materialized, as he often did during those 48 hours in North Korea's capital, Pyongyang.

Mr. Kim, one of three minders assigned to the *Times* crew covering the New York Philharmonic's historic trip to Pyongyang in late February, whispered a few words to the North Korean woman on my right. With a sour expression she rose quickly and left. Mr. Kim, with a smile, settled into the seat and into his role as buffer between unruly American journalists and North Korea's tightly controlled society.

Covering the Philharmonic's stay in Pyongyang was a sometimes frustrating and occasionally surreal experience. We were kept on a short tether, yet at the same time we were allowed to witness what for North Korea was a unique event. The government set out lavish banquets in a country with a history of famine and malnutrition, poured on the heat in the hotel despite desperate fuel shortages, and allowed in an unprecedented number of reporters while keeping them carefully segregated from the local population. As we listened to one of the world's great orchestras play Wagner, Dvořák, and Gershwin—music that affirms the virtues of humanism—hundreds of thousands of people, according to human rights groups, languished in labor camps.

North Korea rarely admits outsiders, much less journalists. The number of *Times* reporters allowed into the country in recent years can be counted on one hand, and some have only gotten to see southern cities near the border. In fact, Chang W. Lee, the photographer with me on this trip, was the first *Times* staff photographer to visit there in recent memory.

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**Daniel J. Wakin** is a culture reporter for *The New York Times*.

And yet, here were nearly 80 reporters, photographers, camera operators, and technicians allowed in for the Philharmonic's visit—the largest gathering of Western journalists by far in the country's recent history. The orchestra had told the government that a condition of its accepting an invitation was the right to bring in journalists. It was not only the principled thing to do but a guarantee of unparalleled attention for the orchestra in an age when classical music is increasingly marginalized. The North Koreans agreed, although with conditions of their own. We, along with the rest of the delegation, had to surrender our cell phones upon landing at the Pyongyang airport. And we were assigned "guides" and "interpreters" for the duration of our stay. They effectively functioned as minders, like Mr. Kim in the auditorium.

The minders were there on the tarmac when the orchestra's chartered Asiana Airlines plane landed at Sunan International Airport in Pyongyang. The press contingent left the plane first, so the descent of Music Director Lorin Maazel and the orchestra's players could be witnessed, videotaped, and photographed. In the confusion, minders searched for their charges. "Do you know the AP representative?" one asked. Another asked me to confirm that I was with the *Times*, seemingly already aware that I was.

This particular minder, who also introduced himself as Mr. Kim, said that he had been assigned to me, Chang, Jimmy, and the NBC crew—although it quickly became apparent that news organizations can't be kept together. So the two Mr. Kims, one replaced on the last day by yet another minder, spent all their time with the three of us. Or at least they tried. "Mr. Daniel, Mr. Daniel, where is Mr. Jimmy? Where is Mr. Chang?" I was constantly asked. At one point during the visit, when a minder seemed particularly frantic to keep track of us, I explained the phrase "herding cats." He was quite tickled.

All of the minders seemed fairly well prepared for our arrival. The Kim on the tarmac, whom I'll call Mr. Kim 2, was officially an interpreter, yet he knew I covered classi-



Reuters/David Gray

**Lorin Maazel, the New York Philharmonic's music director, talks with reporters after arriving in Pyongyang.**

cal music. They had envelopes with our names on them containing invitations for the various events. They made sure we got on and off our reserved bus, and stuck with us during tours of sites like the Grand People's Study House. They handed us our blue press armbands and made sure we returned them at the end of the trip. They took the 30 euro "commission" for our press credentials and the 2 euros for entry tickets to the monuments. When we left the hotel for our departure to Seoul, they handed back our passports, which a Philharmonic representative had collected en route to Pyongyang. They made sure to ask for my hotel room card key back, and even the small paper envelope it came in.

**T**here was little opportunity to roam freely. We were housed in the Yanggakdo International Hotel, one of the two hotels in Pyongyang reserved for foreigners. The Yanggakdo is located on an island in the Taedong River, overlooking a nine-hole golf course that was cleared of snow at one point during our stay. A Philharmonic clarinetist took advantage and played

a round. Minders stationed themselves in the hotel lobby, on the lookout for any reporter who might want to take a walk. A packed schedule of events during the brief visit, and the demands of filing reports on deadline, made it impossible to go for a wander.

On our last morning in Pyongyang, there were two possibilities: a performance of songs and dance by schoolchildren, or a chamber concert in which members of the Philharmonic and the State Symphony of the Democratic People's Republic of Korea would perform together—Maazel was to conduct. I chose the latter, as a chance to see the American and North Korean musicians interact. But there was little of that. The Philharmonic players barely met their State Symphony counterparts before coming on stage, and the North Koreans quickly left when the concert ended. One point of contact did strike me, though. As they performed, bowing furiously during vibrant passages of Mendelssohn's Octet for Strings, the North Korean players swayed and bobbed to the music just as much as their colleagues from New York did. ■

**When a minder seemed frantic to keep track of my fellow reporters, I explained the phrase "herding cats." He was quite tickled.**

# Face to Face, Again

*For an exiled Colombian reporter, the face in a news photo recalls images of a 2001 murder.*

**By Karen Phillips**

Looking through the online edition of a Colombian newspaper at his home in Canada last August, reporter Omar García Garzón came across a startling photo. Alongside an article about a Colombian government roundup of wanted members of the leftist Revolutionary Armed Forces of Colombia (FARC), García said, was the face of the gunman who killed his colleague José Duviel Vázquez Arias. The 2001 slaying was unsolved and stone cold.

"I couldn't believe it when I saw his face," said García, who fled his native Colombia five years ago. "I had to do something, because in Colombia, crimes like this tend to go unpunished."

Violence against the press is stubbornly embedded in Colombia, and, not coincidentally, the government has a long record of futility in bringing these assailants to justice. According to CPJ research, Colombia has the world's fourth-highest rate of unsolved journalist murders. Since 1998, a new CPJ analysis shows, convictions have been obtained in just three of 23 journalist murders. These cold facts have led reporters—who, like García, have faced attacks and threats—to go into hiding or exile.

But this is one case where a stroke of fortune, an individual's courage, and the cooperation of press and government institutions might yield a different ending.

When Vázquez was hired as news director of Voz de la Selva (Voice of the Jungle) in March 2001, the station had lost two staff members in the previous four months. Vázquez's predecessor, Alfredo Abad López, was killed by right-wing paramilitaries in December 2000 after he reported on a government plan to cede territory to the FARC. Reporter Guillermo León Agudelo was fatally stabbed the same year under unclear circumstances.

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**Karen Phillips** is CPJ's journalist assistance program associate. This story is part of "Justice Project," a Dangerous Assignments series focusing on unsolved journalist slayings, governmental responses, and continuing efforts to seek justice.

Voz de la Selva, a local affiliate of the national Caracol radio network, was long known for its critical coverage of the civil conflict in Colombia's southern Caquetá province. Vázquez and García, a station veteran, continued that tradition by reporting on the alleged use of government funds to hire FARC members as official security guards.

Early on the morning of July 6, 2001, Vázquez and García were returning home from work when they came upon a motorcycle and two men blocking the road. Before they could assess the situation, one of the men approached the car and started shooting. García was grazed, suffering a superficial wound, but Vázquez was shot twice in the head. The car alarm saved García's life, he believes, by causing the hit man and his accomplice to speed off.

García gave police a detailed description of the killer—and began receiving threatening phone calls the next day. No words were spoken; gunshots echoed on the other end of the line. Within three days, he received a warning that he would be killed if he did not leave his home city of Florencia. The local press freedom group Fundación para la Libertad de Prensa (FLIP) helped arrange for García's evacuation to Bogotá.

"If the case is not too severe, a journalist forced to leave his region can usually find safety in Bogotá," FLIP Executive Director Carlos Cortés said. "But García's case was very dangerous because he was witness to an assassination and most likely a target himself."

Two weeks after his arrival in the capital, García began receiving threats anew. After an armed man followed him onto a city bus, García decided it was time to accept offers from FLIP and another regional press group, Instituto Prensa y Sociedad (IPYS), to relocate to Peru while he sought asylum in Canada. In December 2002, after being granted asylum, García and his family moved to Canada. (He asked that his new hometown not be disclosed for safety reasons.) From exile, García stayed abreast of news in Colombia by reading the local papers online—an activity that led him to identify Vázquez's assassin.

Tiberio Hernán Bocanegra Urueña, 35, was one of six FARC members captured last August in the western province of Huila in connection with the failed 2006 assassination of a local government official. According to reports in *Diario La Nación*, the Neiva-based regional news daily in which García learned of Bocanegra's arrest, the six guerrilla fighters formed part of a special forces unit. The suspects are being held without bail on charges of aggravated extortion, attempted homicide, illegal arms possession, and rebellion.

After stumbling upon the news of Bocanegra's arrest, García contacted the state prosecutor for human rights, and with the help of CPJ and local press freedom groups, flew back to Colombia to identify the suspect and update his original statement. The murder case is in an initial evidentiary stage, and the suspect has not been formally charged. Bocanegra would face between 25 and 40 years in prison if convicted of murder. The prosecutor's office said it could not provide the name of Bocanegra's defense attorney. Local press reports do not identify a lawyer either.

"This was the first time that we were able to bring a journalist to Colombia to testify in the case of another journalist's killing," Cortés said. García's firsthand identification of the suspect, he said, was a crucial step in building a case. Still, the government's poor record of solving crimes against the press gives rise to skepticism.

Humberto Coronel, the IPYS legal representative who accompanied García during his visit, pointed out that "very little progress is made in investigations of crimes against journalists." He noted that the culture of impunity dates back decades, and includes the unsolved 1986 assassination of prominent newspaper editor Guillermo Cano.

On October 29, 2007, García said, he found himself facing Bocanegra for the second time in his life, although this time the suspect was in the high-security wing of Picalaña Prison in the city of Ibagué. From behind a metal door, García identified Bocanegra—a muscular man with a penetrating gaze—in two separate seven-man lineups.

"All my old fears came boiling up again," he recalled. "Thankfully, I was in an area where I couldn't be seen."

Gustavo Adolfo Reyes Leyva, the state prosecutor who is leading the investigation into Vázquez's murder, said fear is a key factor in deterring witnesses to guerrilla or right-wing paramilitary abuses from coming forward. "Often-times people who have witnessed these deeds are too afraid to come forward and testify," Reyes told CPJ, noting that the case against Bocanegra is exceptional because of García's eyewitness account and his willingness to testify. Because García lives outside the country, his participation is seen as less risky than in most such cases. Even so, representatives of FLIP and IPYS said they were very happy to see him safely on a plane back to Canada.

There, García said, he struggles with the unfamiliar language and the fact that he is no longer a practicing journalist. "They may not have killed me physically, but they killed me professionally and morally," said García, who drives a delivery truck as he works on a book about the Vázquez murder. A conviction could offer some comfort. "It would be a huge relief," he said, "to know that for once in Colombia justice prevailed." ■

*Read about CPJ's Global Campaign Against Impunity at [www.cpj.org/impunity](http://www.cpj.org/impunity).*



**Omar García Garzón, inset, identified the man suspected of killing his colleague after spotting the photo at left. Suspect Tiberio Hernán Bocanegra Urueña is second from right.**



Omar García Garzón

# One Night in February

*As turmoil engulfed Belgrade, the broadcaster B92 faced a growing threat. Then Veran Matic made a well-placed phone call.*

**By Nina Ognianova**

On a clear Thursday evening in February, about 200 angry young Serbs in hooded sweatshirts gathered outside the headquarters of radio-television broadcaster B92 on Zoran Djindjic Boulevard in Belgrade. “Traitors!” “Burn in hell!” “Kosovo is Serbia!” they shouted, punctuating the chants with obscenities. Some of them, wielding flares, tried to set the building on fire.

It was February 21, the fourth day since the province of Kosovo had unilaterally declared independence from Serbia. The historic leap by the primarily ethnic Albanian region had revived bitter splits in Serbian society and resurrected the use of labels such as “patriots” and “betrayers.” The crowds that took to the streets within hours of the declaration had grown larger and more enraged in succeeding days. Tens of thousands had gathered in downtown Belgrade, with some setting fires in the U.S. Embassy compound and some splintering off toward B92.

Veran Matic, the station’s 46-year-old founder and editor-in-chief, reached for the phone at about 6:30 p.m. to ask that more police officers be dispatched to the streets outside B92’s headquarters. In the newsrooms and studios inside, Matic tried to maintain a sense of normalcy for the 60 reporters, producers, technicians, and camera operators who were broadcasting live feeds from the Kosovar celebrations in Pristina and the mass protests in Belgrade. The air was charged with tension. A series of e-mail and video threats had targeted the station throughout the week, and, that afternoon, its offices were evacuated after a bomb threat was received. Now, as the clock ticked and the crowd grew, Matic made several more calls to the police.

So where were they?

For Matic, February 2008 recalled the challenges of March 1999. Back then, most regional media chose sides as NATO forces launched their first air raids on Belgrade fol-

lowing Serbian atrocities in Kosovo. B92 pursued a balanced, straightforward approach at the time—a position that left the station isolated, at least by Matic’s account. “All our friends had left us. On the one hand, our friends from Western countries hadn’t understood our arguments against the air raids, while on the other hand, within the country, we were perceived as traitors.”

Now, the official Serbian reaction had set the tone for renewed divisions. The state’s moderate president, Boris Tadic, condemned the acts of violence unequivocally and appealed for calm. But Serbia’s nationalist prime minister,



Reuters/Oleg Popov

*Nina Ognianova is CPJ's Europe and Central Asia program coordinator.*

Vojislav Kostunica, and his fellow party member, populist Infrastructure Minister Velimir Ilic, made public statements that justified vandalism as an act of patriotism.

Kosovo's secession reawakened old resentments against B92. Since the disintegration of Yugoslavia in the early 1990s, various radical groups have been active in Serbia, tolerated by political parties with nationalist agendas. Those factions, in turn, have been able to recruit a certain portion of Serbia's citizenry—often young, unemployed men. "It is easy to raise their temperature and pump them ready for violence," said Sasa Mirkovic, B92's external relations director.

In the days after the Kosovo declaration, vulgar threats poured into Matic's inbox. "I've found out where you live and I'll kill you soon," one e-mailer told Matic. Another declared: "You'll get a bullet in your head if you continue to degrade the Serbian state." Said a third: "Burn in hell if you don't get incinerated in your television station when it's set on fire."

A graphic video also appeared on YouTube, showing the mock execution of two prime-time B92 anchors. The video opened with dramatic music and an image of a stormy sky. A message ran across the screen: "Dark clouds are over Serbia! There is only one cause to it." A sniper's crosshairs focused on the station's logo and then its anchors. The sound of gunshots echoed, and blood splattered across the screen. (YouTube removed the video after receiving complaints.)

By the evening of February 21, the crowds had ransacked a McDonald's restaurant, looted retail shops, and attacked the Croatian Embassy. While Matic's field reporters (who had removed the station's logos from their equipment so they could work safely) covered the violence in the streets, staffers at B92 headquarters cast a wary eye at the crowd gathering outside their own building. Despite Matic's several calls, police reinforcements had not arrived.

Around 7 p.m., Matic took a different tack. He called Defense Minister Dragan Sutanovac and asked him to "come to B92's building and share the destiny of all the journalists and station employees inside." The minister arrived with his personal security guards within a few minutes. He would remain in the building until 10 p.m.

"When I headed out toward B92 my chief of security told me that police reported that the B92 building was not secure and that it would be better not to go there," Sutanovac said in an e-mail to CPJ. "I told him that's *why* we're going there—and he reported that to the police."

Calling Sutanovac proved to be a shrewd move. "His gesture was of great support to the staff," Matic said, but more practically, it prodded police to dispatch additional officers to the scene. "After all," he said, "it would have been outrageous for the minister of defense to be endangered in any way."

In little more than an hour and a half—by about 9 p.m.—the beefed-up Belgrade police contingent had dispersed most of the crowd. By midnight, weary staff members could safely leave the building. Throughout, the broadcaster maintained its coverage.

"Honestly, there are a lot of people who work at B92 who are not my friends but they are dear to me because they have the same value system as I do and are fighting for a more beautiful and better Serbia," said Sutanovac, who is aligned with President Tadic. "It was simply inconceivable for me to stay home in a situation where something bad might happen to them."

B92 continues to receive threats. At least five police officers, and sometimes as many as 20, guard the station around the clock; the broadcaster has hired a private security firm as well. The circumstances are disturbingly familiar to Matic and his staff. Since its inception in 1989, authorities have forced B92 off the air four times; Matic has been arrested without charge and held incommunicado in an attempt to disrupt the station's work; and its journalists have endured mob attacks, bomb threats, the actual planting of bombs, beatings, and intimidation.

"The worst thing is that we've gotten used to it," Matic said, "as if it is normal to work surrounded by police cordons." Neutral reporting is risky, he said, when there are high levels of nationalism. "Being independent means that everybody hates you." ■



A protester waves a Serbian flag during the massive rallies on February 21. Defense Minister Dragan Sutanovac, top right, responded to a call from Matic, bottom.

# The Partners

*A crusading private lawyer and a mild-mannered government prosecutor are breaking through the culture of impunity in the Philippines. How can their success be replicated?*

**By Joel Simon**

## MANILA, Philippines

**N**ena Santos is brash, bold, and larger than life. As a private attorney representing the family of slain journalist Marlene Garcia-Esperat, she helped win the convictions of three gunmen in the 2005 killing. Now, Santos has her sights set on the alleged masterminds. Two agricultural officials face indictments this summer on charges of ordering the slaying in retaliation for Garcia-Esperat's reporting on corruption within the agency.

While Santos happily claims the spotlight, a diligent, low-key government prosecutor named Leo Dacera works behind the scenes, partnering with her in the landmark case. Speaking side by side at an unprecedented conference on "Impunity and Press Freedom" in Manila in February, they made an unlikely pair. Their contrasting styles were apparent, but so were their deep affection and respect for each other. Their chemistry has produced success.

The conference was sparked by a troubling reality in the Philippines. Not only is the nation one of the most murderous for journalists, it has one of the highest rates of impunity in the world. Since 1998, a new CPJ analysis shows, convictions have been obtained in just two of 26 journalist murders.

"It is the culture of impunity that encourages attacks on journalists," Philippine Chief Justice Reynato S. Puno said in his opening remarks. "Unless and until we do something to submerge this pernicious culture, these attacks will continue to litter our collective consciousness with corpses of people who are bearers of truth."

Press groups are now coming to terms with the most effective countermeasures. When should national police be enlisted to investigate a local slaying? What types of investigative reporting and advocacy campaigns can groups such as CPJ undertake? When should advocates seek to move a murder trial from a corrupt local court? Would independent monitors help guarantee a fair trial? Which cases should be

brought to international bodies? Representatives of the Inter American Press Association, which has waged a successful campaign against impunity in Latin America, talked about many of these tactics over the course of the conference.

**W**hat generated the most excitement among attendees, however, was the possibility of achieving justice. "My heart bleeds for justice," proclaimed Santos, whose words underscored her image as a crusading counselor-at-law. She also praised the "unrelenting dedication of the prosecution team."

Dacera, who spoke in an uninflected tone, deadpanned that one of the lessons he has learned is "never volunteer to investigate high-profile cases." He also returned Santos' compliment, noting that "private prosecutors are greatly appreciated" because they can double the state's limited resources and help ensure that sufficient time is devoted to a case.

Santos and Dacera are a legal odd couple, a product of the unique attributes of the Philippine criminal justice system. As with many aspects of Philippine culture, from language to cuisine, the legal system fuses elements of the country's Spanish and American colonial past. As in the United States, court proceedings feature an adversarial system, oral arguments, and cross-examination of witnesses. But in a holdover from the Spanish system of justice, state prosecutors may be assisted by private attorneys representing the victims.

Santos was a close friend of Garcia-Esperat, a newspaper columnist on the troubled southern island of Mindanao who was gunned down in front of her family in March 2005. Working together with Dacera, Santos achieved a milestone victory when the assassins were convicted and sentenced to life imprisonment in 2006. A former intelligence officer who turned state's witness implicated two local agricultural officials, Osmeña Montañer and Estrella Sabay, as the masterminds.

Yet initial charges against the two were dropped by the

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AFP/Jay Directo Inset photos: Center for Media Freedom and Responsibility



Three of the defendants in the Garcia-Esperat case, above, were convicted due to the efforts of Santos, near right, and Dacera, far right. The fourth defendant, Rowie Barua, above at right, was acquitted after testifying for the state.



local court in Tacurong City before the prosecution even had a chance to present its evidence. This year, Santos succeeded in getting the charges reinstated, and she is now fighting to have the trial moved to the provincial capital, Cebu City. A change of venue was critical to the successful prosecution of the gunmen in the case.

CPJ last went to the Philippines in July 2007, to investigate the Garcia-Esperat case and to lay the groundwork for our new Global Campaign Against Impunity. We returned in February to assist Philippine press groups in their efforts to mobilize public support, to rally the international community, and to ensure strong partnerships between private

attorneys and state prosecutors—tactics that proved effective in the Garcia-Esperat case.

Although there may never be another partnership like that of Santos and Dacera, that does not mean there cannot be more legal victories.

“What do we need to achieve justice?” Santos asked, before ticking off some of the answers: “media support and assistance,” “a fair and impartial system of justice”—and, of course, “a dedicated prosecution team.” ■

*Read about the Garcia-Esperat case at [www.cpj.org/roadtojustice](http://www.cpj.org/roadtojustice). Details about CPJ's Global Campaign Against Impunity are available at [www.cpj.org/impunity](http://www.cpj.org/impunity).*

**The Santos-Dacera team is a product of a justice system in which attorneys representing crime victims may assist state prosecutors.**



## Drawing the Line

