



# Challenges to Press Freedom

## An Online Discussion

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As CPJ marks its 25th anniversary, our early board members and former directors look ahead to the emerging challenges facing the international press. Moderator John Carroll, former editor of the *Los Angeles Times*, leads the panel in a two-week discussion about Iraq, national security, Internet censorship, and the new threats to press freedom.

### **Iraq: A dangerous equation yields limited results**

Journalists in Iraq “face perils that did not exist when I began my foreign coverage in Southeast Asia in the mid-1950s,” **Peter Arnett** writes. Also **Dave Marash, Michael Massing, Anne Nelson, Franz Allina, and Ann Cooper**.

### **Stringers and fixers: News companies need to do more**

As U.S. media shrink their overseas press corps, “local staff and freelancers are making up the difference and, thus, must be given a new employment status,” **Josh Friedman** writes. Also **Ann Cooper, Anne Nelson, Jane Kramer, and Franz Allina**.

### **Lebanon-Israel conflict: Understanding public opinion crucial**

Understanding Lebanese public opinion and deploying journalists who speak Arabic are crucial to covering the newest Middle East crisis, writes **Anthony Lewis**. Also **Peter Arnett**.

### **U.S. press standards: White House seen as waging attacks on press**

In threatening to use the Espionage Act to prosecute journalists, the Bush administration has undertaken “a major step-up in executive branch efforts to deter journalists from prying into national security matters,” **Michael Massing** writes. Also **Anthony Lewis**.

### **Censored nations: Use unconventional methods**

News organizations should turn to nontraditional reporting in highly censored nations such as North Korea by using exiles, students, religious and human right organizations, **Anne Nelson** writes. Also **Peter Arnett, Ann Cooper, and Dave Marash**.

### **China and Internet censorship: Corporations need to resist**

Saying that “the Internet with its inherent freedoms is potentially a loaded gun in repressive societies,” **Peter Arnett** calls on U.S. corporations to do more to protect their users in China. Also **Anthony Lewis and Jane Kramer**.

### **Emerging threats: War on terror used as pretext to muzzle press**

The war against terrorism has been used by world leaders as a pretext to “muzzle reporting in the name of preserving national security,” **Ann Cooper** writes. Also **Michael Massing, Anne Nelson and Jane Kramer**.

## IRAQ

July 18, 2006

**From John Carroll:** I'm directing this first question to Peter Arnett, David Marash and Michael Massing. (We'll be doing this daily to be sure of getting at least three responses, but all panelists are invited to respond every day.)

Having killed 74 journalists and 27 support workers, Iraq is now the most lethal war for journalists in CPJ's 25-year history. Please give us your perspectives. Specifically, how does the current war compare with others within our memories? How severely has the danger limited the coverage? Is there anything further that we, the press, should be doing? Are U.S. government policies helping or harming our cause?

### **A more perilous world**

**From Peter Arnett:** The ever-rising toll of media casualties in Iraq is indeed disheartening, and a sad reaffirmation of the reasons why the Committee to Protect Journalists and other like-minded groups were formed in the first place.

I've seen the world change for the worse. So today and in the years since CPJ was created, journalists hoping for a career overseas face perils that did not exist when I began my foreign coverage in Southeast Asia in the mid-1950s. At that time the major international issue for the media was political repression against journalists in communist Eastern Europe. One victim was Endre Marton, an AP reporter in Hungary, who was eventually released from prison and allowed to immigrate to the United States. The rest of us traveled through the troubled post-colonial world wearing our press passes like body armor, and rarely faced an issue more dangerous than expulsion.

Of course the big wars were dangerous, as the media casualty tolls in Korea and Vietnam reveal. But even in those wars we could expect to benefit from practices that seem to have disappeared over the past 30 years.

Journalists captured by the Communist side in Vietnam—and there were many—invariably were released unharmed, no hostage-taking there. And even though many local Vietnamese worked for the media in Saigon and in the field, there were no cases of the “friendly fire” casualties that have been a dismaying phenomena in Iraq.

A sea-change occurred in Cambodia in 1970 and set the course for the rest of the century up to the present. The fanatical Khmer Rouge insurgents were indifferent to the international norms that had protected our profession. They murdered far more captured Western and local journalists than they released, seeing the media as political agents of their governments, an argument used by the insurgents in Beirut in the 1980s and their counterparts in Iraq today as they kidnap journalists and threaten their lives.

Bearing all this in mind, then, the coverage of important components of the Iraq war—the Sunni insurgency, Al-Qaeda in Iraq, and the Shiite militias—falls short of what would be desirable in this multimedia age. So did coverage of the Khmer Rouge in its heyday fall short, as did efforts to cover the Lebanese militias then and now, and the numerous activist militias in Africa that to this day threaten the well-being of shaky governments. There is a window, of course, into the thinking

of many of the current groups, courtesy of Internet Web sites and Al-Jazeera, but this is not enough for us to interpret their strengths and weaknesses.

I have made many visits to Baghdad during and after the 2003 war, the most recent on a magazine assignment in June this year. It seems to me that the full dimensions of the war's terrible impact on the Iraqi people is being well covered by the international media, as is the convulsive political story. And the past three years has seen the recruitment and training of a superb cadre of Iraqi journalists who have been hired to support the international coverage effort. Equally impressive is the improved performance of local print, television, and radio journalists who are working in uniquely dangerous conditions.

Can the press do more? From what I have seen on my visits, the media have been giving in blood and money as much to the Iraq story as could be hoped for.

Are U.S. government policies helping or harming our cause? At this point, the U.S. authorities in Baghdad are as cooperative and supportive to the media mission as necessary. Has it always been thus? Not entirely so. I would hope that at some later point in our discussions we can address that impact of the Defense Department regulatory requirements for the media in the field, which, speaking as an old Vietnam hand, I find very, very controlling.

### **Diminishing Opportunities**

**From Dave Marash:** I went to Iraq three times, for approximately one month each time, in June 2003, February and May-June 2004. The crucial changes—the revelations of prisoner abuse at Abu Ghraib, the first battle of Falluja—took place between my 2004 visits. By early June 2004, it was clear to me that it was no longer possible for me, an obvious Westerner, to be seen on the streets with a camera crew, and—most important—even more life-threatening for any Iraqi seen talking with me.

Thus for me, the only reporting options were “dialing for dollars,” by phone, or undertaking dangerous trips across town in an armored SUV to pre-arranged press conferences or appointments in the Green Zone or a couple of “international” hotels. While this, supplemented by constant de-briefings of our Iraqi staff on every aspect of “real life,” does yield some information, as a benefit, I decided, it did not repay the risk of getting from Baghdad International Airport to the ABC bureau, and the month-later return, much less the downside possibilities of daily life. So I opted out.

A sad and saddening choice, but one every newsperson has to make for him or her self. My previous exposures to war, or “faux-post-war,” in the Balkans, Sudan and Rwanda were nothing like Iraq.

Yes, battle lines were indefinite and frequently changing, and yes, many adversaries were less than glad to see an American media team appear on their turf, but, unlike Iraq, newspeople in Bosnia, or even Rwanda, were viewed as non-combatants and, except rarely, non-targets. In Iraq, journalists have become high-visibility, and therefore high-reward targets for terroristic (which is to say, political-theatrical) kidnappings and worse. And where, just 10 years ago, we were still regarded as important conduits for partisan arguments to the wider world, we are now devalued, far less necessary, since virtually comparable access to public audiences for revolutionary recruitment are readily available via the Internet.

The net result has been, too much of what Americans “know” about Iraq, has come to them from reporters whose movements are restricted, and whose points of view as well as bodies are “embedded” inside military units or “safe zones.” What is more and more missing is what probably counts the most in the long-term, both politically and militarily: How are Iraqi people living?

On the one hand, this means we often miss the small daily “victories” of American and coalition forces, and even more so, the daily defeats of civility and stability in Iraqi existence. Since the “net-net” of America's strategies in Iraq will, hopefully, be defined by the judgments of the Iraqi people, journalism's decreasing opportunities to measure them are crippling.

I guess a definitive irony here is that American government policies have no more control over reporting in Iraq than they do over life in Iraq, and presently, “control” is simply not an applicable word. One glaring exception: the several times reported willingness of American forces to take out their frustrations on the offices (and in one case the life) of my new colleagues at Al-Jazeera's Arabic news channel. The reports remain denied and hardly well-verified, but they are troubling nonetheless.

Let me conclude with a major gripe: reporting on Iraq's "sectarian war." Unlike, say, Kosovo, where truly popular and communal hatreds can produce outbreaks of neighbor on neighbor violence—Nigeria would be another good example—in Iraq, where two generations of secular rule encouraged wide intermarriage among Sunni and Shiite people, the reciprocal murders are more like gang wars than communal strife. Among the consequences of the undersized, underarmed American military sent to do an overwhelming job in Iraq, has been the empowerment of nothing less than feudalism. Iraq today is a congeries of localities run by local armed forces, more defined by their particular loyalties to political parties or personalities—the Badr Brigades, Moqtada al Sadr's Mahdi Army, the former Ba'athists—or local crime mafias or clan or tribal organizations, than to a neat division of Sunni and Shiite.

Cleaning up this mess, whether it be done by American forces or Iraqi government units, requires both superiority of military materiel and morale, neither of which “the good guys” tend to have in any particular part of the country.

Also, a lesson we might have learned from the D.C. snipers: Random murder, unconstrained by any particular motivation but mayhem, is easy to do. That's especially so for insurgents playing on their home field against outsiders representing a still barely-subscribed-to national government, much less the latest iteration of “imperialist” forces from outside the culture and region.

### **Dangers and Limitations**

**From Michael Massing:** Having not been to Iraq since the invasion, I cannot comment with the authority that Dave Marash can, but I think it goes without saying that this is the most lethal war journalists have faced within our memories—and the reporters who continue to work there deserve tremendous credit.

It's equally clear, I think, that the dangers those reporters face have placed severe limitations on what they can cover. I've spoken with a number of reporters who've recently been in Iraq, and all lament their inability to get out into the field to see what's really going on. To cite just one example, they've been unable to visit Fallujah without the protection of the military, and as a result they (and we) have little real sense of what's going on that city, nor of what has been the long-term impact of the U.S. assault against it in November 2004. More generally, we have only a

very limited idea of what the U.S. military has been doing in the rest of the country. Throughout the war, I've been very frustrated at my inability to get any clear sense of the strategy that U.S. forces are pursuing in Iraq, and of the chances of success of that strategy. Of course, this may be because the U.S. military itself is not clear on what its strategy is, but that in itself would seem to be a story worth pursuing.

Because of the dangers journalists face, the only real way to see anything in the field—especially outside Baghdad—is to embed with US troops. The embedding process in my view has had mixed results. On the one hand, it has given journalists a remarkable opportunity to see the U.S. military in action, and they have used that opportunity to provide many excellent reports. On the other, I think that the reporting from an embed is inevitably skewed by the circumstances in which it takes place, including the natural sympathy reporters feel for those protecting them and the great difficulty reporters have of talking to local Iraqis and getting their side of the story. There's also the worry that if one writes too critically of the military, one will not be able to embed again; this, I think, has had an inhibiting effect on the coverage. In fact, from what I understand, the military has become much more selective in deciding whom it will allow to embed—part of a more general effort to control the flow of news. I do wish journalists would write more about such issues. Amid all of the talk in the news business about being more “transparent” about what we do, journalists in Iraq rarely write about the various factors—physical or otherwise—that shape and limit their reporting. I wish they would be more forthcoming on this point.

Finally, I am very concerned about the huge toll the war is taking on Iraqi journalists. Because of the extreme dangers Western reporters face in Iraq, most of the actual newsgathering has been left to Iraqis, and they have overwhelmingly suffered the brunt of the attacks on the press. In their continued willingness to endure such attacks, these journalists have shown heroic courage. And there seem few other ways to get the news at this point. But I do think we have to ask ourselves if the price for getting that news, in terms of the ever-mounting death toll of Iraqi journalists, is worth paying.

### **History's Incomplete Record**

**From Anne Nelson:** During the last "most lethal war" for journalists, the conflict in the former Yugoslavia, CPJ staff was constantly fielding press queries as to whether it was the most lethal in history.

We spent some time looking into it. The question turned out to be more subtle than it appeared. There were two issues to deal with: first, the phenomenon of the professional journalist is relatively recent, and second, until CPJ was founded in 1981, no individual or group took it upon themselves to record journalists apart from other casualties.

There was a handful of full-time journalists reporting on the Civil War, for example, but much of the coverage was written by military personnel—often, literally “correspondence” in the form of letters describing experience in the field. Philip Knightley begins his magisterial history of war correspondence, *The First Casualty*, with British journalist William Howard Russell in 1854.

I believe that most extensive of the large-scale killings of journalists must have been World War II, in Europe. I'm writing a book about a German resistance movement, and it's clear that German journalists were particular targets of Nazi terror.

When the Nazis invaded Poland and wiped out huge populations of Poles, including Jews, aristocracy, intelligentsia, Communists and Socialists, large but uncounted numbers of journalists were among them. Add in similar populations from various conquered lands, from Czechoslovakia to the Ukraine, and the number surely ran into the thousands.

In the case of my small German group alone, which was based in Berlin, several dozen were executed who would have qualified as journalists by CPJ standards (for largely "samizdat" activities). My belief is that the total numbers would far outstrip any of the later journalistic catastrophes that transpired.

(Recent reports have listed World War II journalist casualties as 69. This is embarrassing; my guess is that they were counting journalists killed in the field, omitting the vast numbers of non-U.S. journalists killed through political violence. I am not aware of anyone who has made a serious effort to pull together the various numbers of journalists killed by the Nazis throughout Europe and the USSR, but perhaps it should be done.)

The Soviet Union and Japan were certainly responsible for vast numbers of deaths, but Nazi-occupied Western Europe had a larger concentration of journalists to start with than the territories they savaged, and the Nazis had longer to go about it.

Looking at various figures, my best guess for second place was Argentina during the dirty wars of the late 1970s and early '80s, where some accounts listed some 90-100 journalists killed in the violence. I found this a credible figure, especially given how large and active the Argentine press corps was at the time. It would be worthwhile to track down harder figures for Argentina, too.

I certainly see the possibility that Iraq will outstrip Argentina for second place in this dolorous enterprise.

### **Why Journalists Take the Risk**

**From Ann Cooper:** Iraq is indeed the most lethal war since CPJ began 25 years ago, and correspondents who have covered most of the wars in that era and earlier (including Indochina in the 1960s and 70s) have told CPJ staff that they have never been anywhere as dangerous as Iraq. The dangers, which threaten everyone in Iraq, are pretty much everywhere, and can strike at pretty much any time. Journalists have written openly about how the violence restricts their ability to cover the news; with each new death or wounding of a high-profile Western journalist, the media once again report on the risks involved and the impact they have on coverage. To people outside the news business, the risk-benefit ratio must surely look crazy—why would anyone stay there trying to report when every day is potentially life-threatening, and the ability to report is pretty limited?

The answer is, journalists stay because the implications of this conflict are so huge, for Iraqis, for the United States, and for the rest of the world. To abandon this story, and rely on government or military accounts of what is happening in Iraq, is not regarded as an acceptable option by editors and reporters. Thus, while there is no question that Iraq is a hugely dangerous place, it is also true that journalists have chosen to continue taking risks there that they and their editors might not have agreed to take on other stories.

For example, for years foreign media have traveled infrequently to Chechnya, in part because of high danger levels that include kidnapping threats similar to those that face foreign journalists working in Iraq. Avoiding Chechnya is an easier decision for U.S. journalists than leaving Iraq

would be. No U.S. soldiers have been deployed there, U.S. taxpayers are not financing a war effort there, Chechnya is not a place of huge strategic interest to the United States.

Chechnya is, however, a huge story for Russia, which severely limits access for journalists and harasses the handful of brave Russian reporters who try to report independently on the Chechen conflict. The result is that the Kremlin now has pretty firm control over reporting about Chechnya, meaning there is little oversight of Kremlin conduct and very limited reporting about conditions in the rebellious region. Chechnya gives us a dramatic example of how ill-informed the public could be if the dangers in Iraq were deemed too severe for journalists to remain on the ground there, however restricted their reporting may be.

## **FOLLOW-UP:**

**Keep focus on checkpoints** [posted 11 a.m. July 18]

**From Franz Allina:** We know that reporters, like all noncombatants in Iraq, are at special risk when they approach coalition checkpoints. Italian journalist Giuliana Sgrena's bodyguard was killed by U.S. troops after he had rescued her from insurgent custody. When more reporters in Iraq were not embedded, CPJ staff developed a good bit of knowledge of typical hazards at checkpoints.

Now the risks of unembedded reporting will likely wax and wane, and when more reporters are again working on their own, some of the safety problems at checkpoints will resemble the earlier hazards and some will be different. (For one thing, checkpoints may be run by Iraqis instead of by coalition military.) But some of CPJ's checkpoint information will in any event remain valid.

If we can get the facts, periodic review and updates of our checkpoint information could make sense for reporters who are unembedded and if, as seems likely, we are again working to rationalize operation of checkpoints in Iraq.

## **STRINGERS and FIXERS**

July 19, 2006

**From John Carroll:** Good morning. In Iraq, Afghanistan and other dangerous spots, CPJ research shows international news organizations relying heavily on freelance reporters, fixers and other non-staff assistants. What ethical responsibilities do ethical news organizations bear for their well-being? Should they be treated the same as staffers? What is the actual practice?

### **A media climate that exploits**

**From Josh Friedman:** Traditionally, what separated freelancers, fixers, drivers and interpreters from big-footed full-time staffers were corporate benefits and extras. That was fine as long as the difference meant retirement pay or a higher salary, but that was the old days and things are different. Now corporate benefits like insurance and money to pay for bodyguards, hardened cars, and a safe place to stay overnight are often necessities. Employers, however, are dragging their feet in recognizing their new obligations.

Here is what is different:

- It used to be that rich big media enterprises had plenty of full-time people running around the world. Now, the number of full-time American journalists overseas is relatively small. Local staff and freelancers are making up the difference and, thus, must be given a new employment status.
- There are several reasons for the shrinking American journalistic presence overseas, most revolving around money. Broadcast networks have closed bureaus because cable is cutting into their profits. Big newspapers are closing bureaus because ad revenue and readership is dropping. A few media companies are gobbling up papers with bureaus and closing them. Tribune is a good example. I used to jet around the world business class for *Newsday* and run into friends and rivals from the *Baltimore Sun*, the *Los Angeles Times* and the *Chicago Tribune*. Tribune owns them all now and the Chicago bean counters have just decided the entire group of papers can cover important foreign stories with just one person.
- Digital technology like sat phones, Internet, and digital cameras makes it easier and cheaper for a young freelancer to cover stories and communicate with their clients in the states. When I was overseas and wanted to send back photos, I hired a photographer and we sent the pictures back via AP. Now anyone can snap a digital photo and e-mail it back from the most remote place with a sat phone. It's like Al Franken's one-man uplink character on "Saturday Night Live."
- So the jobs for freelancers are there and the means to do them are there. This is not lost on aspiring young journalists. Rather than work their way up doing local stories for a paper or broadcaster, it makes more sense for them to pack bags, buy digital still and video cameras, and head off to a trouble spot—the more remote and festering the better. This is something I see every year as students graduate from my International Reporting class at the Columbia J-School. Those are the people who need corporate protection and don't get it. Inexperienced, often traveling alone into strange territory, these young people are prime candidates for trouble.
- And one last thing. Employers of freelancers have to offer this protection openly. Merely asking a young freelancer if he or she wants and needs expensive protection in a place like Iraq is pretty manipulative. Anyone who demands this expense runs the risk of being dropped for someone who is cheaper.

### **Speak up for fixers, stringers**

**From Ann Cooper:** Freelancers, fixers, and support staff such as drivers and translators are crucial elements of getting the story in dangerous, remote parts of the globe. To understand their important role, think of The Killing Fields and Dith Pran, the translator/fixer who worked side by side with Sydney Schanberg of The New York Times, a 1976 Pulitzer Prize winner for his coverage of Cambodia.

The relationship between foreign correspondent and fixer can be very close, as they share danger and difficult conditions to cover war or other dramatic events. As a result, many correspondents in the field quite naturally feel the same responsibility for their non-staff assistants that they would for a full-fledged staff colleague. A colleague of mine from NPR once successfully prevented the abduction of his translator, a Rwandan refugee, by hugging him as hard as he could so that Rwandan border guards could not drag him away to what likely would have been a violent fate. It was no more, no less than what he might have done for a fellow radio reporter.

That same sense of responsibility has not always been evident back in the newsroom (some would consider this quite an understatement!). Freelancers and fixers have often worked without medical coverage or other protections enjoyed by staff correspondents. But attitudes have changed, and I believe that among U.S. news organizations there is a much greater sense of responsibility—particularly since the beginning of the Iraq conflict.

So what are the ethical responsibilities, and should these less-than-full-fledged-staffers be treated the same as staffers? CPJ's guidebook on journalist safety strongly urges media organizations to provide freelancers and fixers with safety equipment, to cover their medical needs if necessary, and to take the same responsibility for them that they would for staff correspondents. I don't think that means that a local driver or translator has to be on the company health plan, which may be impractical or impossible. But it does mean that if that driver or translator comes to harm while working for your news organization, you need to step up and take full responsibility for his or her well-being—including meeting medical needs and helping take care of family that may have lost its means of support.

By this standard, I think the actual practice today is pretty good. CPJ knows of a number of cases of Iraqis whose American news company employers have cared for them after violent attacks or arranged their evacuation from Iraq because of violent threats connected to their work. CPJ itself can often help with such cases.

One area where some companies are reticent is in standing up for Iraqi employees who are detained by U.S. forces. Over the past couple of years CPJ has documented a number of cases of such detentions, in which U.S. military forces have held Iraqi employees of Western media companies for weeks or months at a time, then released them without charge. CPJ's position has been: If the U.S. military has evidence to hold an Iraqi journalist working for Western media, it should bring charges against that journalist in a timely fashion. If it does not have evidence, due process demands a timely release.

Some Western news organizations have made this same argument publicly; others have chosen to keep the detentions quiet and work behind the scenes. The public approach does not always prompt a quick release. But it does ensure that the U.S. military is held accountable for this deplorable practice of detention without due process.

### **Complicated scenarios**

**From Anne Nelson:** Although it is clear that Western news organizations should take responsibility for stringers and freelancers in cases of injury and abuse, the real-life scenarios can be extremely complicated. In many cases, the families of stringers who live in the conflicted area can become targets for retaliation. News organizations often try to get stringers who have been threatened out of the country to safety (and CPJ has assisted with a number of these cases). But when that responsibility is extended to family members, the cost and logistics can be overwhelming.

Likewise, medical treatment has become more sophisticated—but more costly. A single medical airlift can cost more than a stringer earns for years of work. It will be interesting to see how these factors play out in the current conflict in Iraq. I'm pleased to see that some news organizations, such as *The New York Times*, have come a long way in giving stringers credit for their work.

Stringers and freelancers can only become more essential to U.S. news coverage given the paucity of U.S. staff reporters with the language skills and the willingness to do necessary field reporting, and the overall diminution of foreign reporting staff and bureaus.

## READER RESPONSE

### **A need to transcend rivalries, budgets**

From **Rodney Pinder**, director International News Safety Institute: Way back in 2000, the Freedom Forum in London organized a debate on journalist safety following the tragic deaths of Kurt Schork of Reuters and Miguel Gil Moreno of APTN in Sierra Leone. At the urging of Gil's family, practical action aimed at addressing equally the safety of staff and freelancers in conflict zones resulted from the heat generated by the audience of news professionals.

News executives who were present decided to meet among themselves to see if they could fashion a code of practice that would embrace a new commitment to provide the training and protection urged by the family and demanded by the new dangers facing conflict reporters around the world. A few weeks later, in Gil's native Spain at the News World international conference in Barcelona, a new code of practice supported by the BBC, CNN, Reuters, APTN, and ITN was made public. From the outset, staffers and freelancers, journalists and support workers such as fixers, drivers and translators, were addressed as equals when it came to safety.

Speaking on behalf of the group, Richard Sambrook of the BBC said: "This agreement represents unprecedented cooperation between competitors in the broadcast news industry to try to protect all journalists, staff and freelance, working in dangerous conditions. It's a starting point, not a final position. Our aim is to limit risk and to take responsibility for anyone working on our behalf in war zones or hostile environments."

The 8-point code included these clauses:

- All staff and freelancers asked to work in hostile environments must have access to appropriate safety training and retraining. Employers are urged to make this mandatory.
- Employers must provide efficient safety equipment to all staff and freelancers assigned to hazardous locations, including personal issue Kevlar vest jackets, protective headgear and properly protected vehicles if necessary.
- All staff and freelancers should be afforded personal insurance while working in hostile areas including cover against death and personal injury.
- Employers to provide and encourage the use of voluntary and confidential counseling for staff and freelancers returning from hostile areas after the coverage of distressing events

The BBC, ITN, CNN, Reuters and APTN were later joined by Channel 4, CBS, NBC, ABC, Sky, Fox and Al Jazeera in the London-based Broadcast News Security Group. These highly competitive news organizations uniquely agreed to set rivalry aside when it came to the safety of journalists and others in their newsgathering teams. All subscribe to the safety code.

Two years later, a coalition of news organizations, journalist support groups such as the CPJ, IPI and IFJ and humanitarian organizations agreed to set up the International News Safety Institute (INSI) to focus on issues concerning the safety of journalists, local and international, staff and

freelance, working in hostile environments. INSI, fundamentally a safety network, drew up its own safety code based on that of the News Security Group (to which it belongs). It also urges no discrimination between staff and freelances, journalists or support workers on issues of safety and security.

More than 60 news organizations and support groups now subscribe to that code of practice through their membership of INSI. Of course, that is a relatively tiny number among thousands of news organizations, and it grows slowly, but it is what Sambrook called “a starting point, not a final position.”

It remains frustrating and perplexing that so many news organizations are reluctant to get to that final position and appear still to put the budget before the bravery of those who go into danger to provide their news.

## **FOLLOW-UP**

### **In fixer relationships, is too much unstated?**

From **Jane Kramer**: Back to the question about protecting field assistants, fixers, translators, stringers, etc. who might be in danger because of their connection to you, or because of the kind of work you have them do. It occurs to me now that this isn't a subject I've ever even talked to my own editor or publisher or house lawyer about. I wonder how many of us have. Perhaps it might be a good idea for all of us at CPJ to contribute to some kind of list of questions for journalists to ask their offices—a list that would help them clarify the extent of their papers' commitments—financially, physically, legally, and politically—and to understand the extent of their own responsibilities. I haven't been reporting from a war zone for several years, but I often work in places where the people I take on are in considerable danger of retaliation or harassment once I've left—most recently in North Africa late this spring. I don't know the policy in other papers and magazines, but at *The New Yorker* it's I (and not the magazine) who does this kind of short-term hiring directly, usually once I've arrived somewhere and can ask around among contacts I trust. The people work for me directly, not for the magazine. So the responsibility is technically mine. I've always assumed the magazine would go to bat for anyone working for me on a piece, but my point is I've never asked.

Back in the 1970s, a very gifted Arabic and Berber translator I'd used for a series from Morocco had to go into hiding after the next person he'd helped wrote something extremely critical of the regime and mentioned him by name, by way of a thank you. Thirty years later, he is still in hiding. One has to assume that in, say, covering the war in Iraq, people who work for foreign reporters know the risks they're taking, but in more ambiguous situations—you could say peaceful but forbidding situations—it's not clear that local helpers always understand what could happen to them. Or they need the money, they want the contact, they presume that you offer some sort of safety just by being foreign. Magazine journalists tend to disappear back into their own lives after a long and fairly intense stretch of research in the field. There is no local bureau to which a field assistant can appeal if he or she has problems once the reporter is gone.

Anyway, I do think that we could be very useful if we put together a check list of questions and guidelines that reporters could use to clarify where their publications stand, where they stand, and where the people they'd like to protect as much as possible stand.

## ISRAEL-LEBANON CONFLICT

July 20, 2006

**From John Carroll:** Earlier this week we talked about the severe limits on press coverage in Iraq. Now, as conflict arises in Israel and Lebanon, CPJ has found that news organizations are readily deploying journalists there. Why the greater access? Is it truly safer? What parts of the story are we not seeing? What does this tell us about the nature of this conflict and the role of the press in covering it?

### **An eye on Lebanon, underlying politics**

**From Anthony Lewis:** Is it safer to cover the Israeli-Lebanese conflict than the insurgency in Iraq? Immensely much safer, I should think. In Iraq, Western journalists have to take extreme precautions simply to emerge from their guarded places of work or residence. John Burns of *The New York Times* told the Nieman Fellows in a recent appearance that he only goes out in an armored car, accompanied by heavily-armed protectors. The nature of the Israeli bombing in Lebanon puts anyone, local citizen or foreign journalist, at risk of being in the wrong place at the wrong time—e.g., in a neighborhood that may conceal a Hezbollah rocket-launcher or that Israeli so suspects. But you don't have to worry about passersby kidnapping you or planting roadside explosive devices.

It hardly needs to be said that press access is part of life in Israel, always. I cannot imagine Israeli officials barring Steve Erlanger or Greg Myre of *NYT* from visiting far northern Israel to cover the war. (Ordering them not to publish a secret is another matter, or punishing them if they do so.) Lebanon is not as news-crazy a country as Israel, but access is pretty easy. My son was there last year and met Hezbollah figures in filming a TV documentary.

I do not have a sense of what the American press is doing generally. But the *NYT* has sent two Arabic-speaking reporters to Lebanon: Jad Mouawad, who usually works on business news in New York, and Hassan Fattah, a contract reporter who is usually in the Gulf. The ability to speak Arabic seems to me crucial. American audiences naturally relate to Israelis, who more often than not speak English and may even have emigrated from the United States. But the reaction of the Lebanese—various kinds of Lebanese—is at the heart of this conflict.

Which brings me to a final point. This conflict is about politics, more immediately and directly than most. Israel is betting that it can erase the Hezbollah threat physically and persuade other Lebanese to turn against it for the trouble it has caused. Will that succeed? Or will this affair turn out like past Israeli campaigns to smash Arab groups, perhaps quelling terrorism in the short run but increasing humiliation and resentment in the long run? That is the underlying big story, and the press should not lose sight of it in the present, necessary concentration on the horrors of katyushas and bombs.

### **Greater access but elements unseen**

**From Peter Arnett:** Once again the world watches as tens of thousands of desperate people flee a brutal battlefield—this time in Lebanon and Northern Israel—while the international media rushes to get in. I understand the siren call of war coverage: I responded to it enthusiastically for 40 years, and still harbor some longings for the action story. Which brings me to one of the questions of the day: Is covering this new outbreak of battle in the Middle East truly safe? The

answer is no. Every journalist who ventures to northern Israel and Lebanon today faces at least the same risks from bombing and rocket fire that has so far killed 230 Lebanese and 25 Israelis. And this seems to be just the beginning. Simply being present in a war environment reduces the chances of survival, which is why so many thousands of visitors are heading to the aircraft and rescue ships, and the Lebanese are heading to the hills. The ante for reporters is upped considerably by the competitive nature of our business, particularly in gathering TV video and still photos.

The appetite for information has become so huge in this multimedia world that the temptation exists for risk-taking that approaches the foolhardy. Come to think of it, I guess that aspect of war reporting hasn't changed much over the years. I would hope, though, that media managements and journalists themselves harbor no illusions about the real risks of a war zone and prepare for the worst. Having said all that, I would add that modern news organizations have assembled competent staffs honed particularly by the past three decades of competitive coverage in the many war zones around the world. There is a visible confidence in much of today's war reporting that belies the dangers in the field.

Why is there greater access for reporters on this battlefield? The main reason is that it has been a media focal point for years. The capitals of both countries—Tel Aviv and Beirut – are home to international news bureaus. The host governments are familiar with and generally supportive of the role the media plays. Visas are usually not a problem for visiting journalists, unlike other countries in the Middle East and in trouble spots elsewhere in the world. The media also knows the battlefield intimately from its coverage experiences of the past 30 years, which saw a civil war rake through Beirut, and an Israeli invasion and occupation of southern Lebanon. We should also remember that all sides in this conflict are extremely media aware, and in these initial days are anxious to promote their own points of view to an anxious world. Israel's opponents in this struggle— Hamas and Hezbollah—are both semi-states with a degree of political legitimacy they did not enjoy in previous conflicts, a development that has so far benefited reporters anxious to get both sides of the story.

What parts of the story are we not seeing? A lot of what we ARE seeing is the element of the conflict that cannot be concealed, such as the results of the artillery and aerial bombardments by the Israeli forces, and the rocket counterattacks by Hezbollah. The flow of refugees from the southern Lebanese villages and the exodus of foreigners from Beirut are also very visible, and all these aspects, including interviews with officials and victims, have made up the coverage so far. Reporters remain only at the edge of an important element, and that is what we are NOT seeing, the significant struggle on the ground in southern Lebanon between attacking Israeli Special Forces and the Hezbollah militia firing the rockets hitting Israel's northern cities. This southern region is the hottest part of the war zone and the most sensitive for both sides. If history is a guide, I would think that neither side would welcome reporters at this point. This does not mean that a private video doesn't show up somewhere with an inside look at what's going on. I would surmise that if the conflict deepens, both sides will start considering controls on the media, remembering that the Israelis introduced a form of censorship during its invasion of the early 1980s, and that Hezbollah itself and other Islamic groups took journalists and other foreigners hostage in an attempt to achieve their political goals.

What does this tell us about the nature of conflict and the role of the press in covering it? It tells us we should listen more to people who understand what is happening in the world. We are learning again that if left to its own devices, without the constant care and feeding of international diplomacy, the Middle East is a powder keg that can explode at any time. This is a message that media coverage has clearly spelled out over the years, in interviews with experts and from the

facts repeatedly gathered on the ground. The eruption of renewed conflict should come as no surprise to anyone who follows the news. But the media remains just the messenger, to be influential or ignored by those powerful enough to really change our world. In this modern era of conflicts, from Vietnam through to Iraq, the media has done its best to portray wars as they really are, and has paid a heavy price in blood and bullion to tell the stories, along with the slings and arrows from critics. And so it goes again, in northern Israel and Lebanon. I'm glad we still have the enthusiasm to do so.

## U.S. PRESS STANDARDS

July 24, 2006

**From John Carroll:** We tend to regard the First Amendment as a standard that other countries should emulate. Few do. Some restrict hate speech (as in Canada), official secrets (Britain), blasphemy (many Muslim countries), or criticism of the king (Thailand). Hence, two questions: In the post-9/11 climate, are we becoming more like them? Is pressure from the Bush administration and other Americans seriously eroding our press freedom? Are the administration's attacks on *The New York Times* causing real harm? And, if it's true that press freedom is eroding in the U.S., is the erosion likely to weaken press freedom in other countries?

### **Bush administration in a class by itself**

**From Michael Massing:** Two years ago, after an event at the Berkeley school of journalism, I joined a group of guests at Chez Panisse, the mecca of American nouvelle cuisine. At one point, a liberal activist looked up from his dinner of *linguine al funghi* to lament loudly how George Bush was turning America into a police state. I've always regarded such talk as laughable. Compared to even many of our western allies, freedom of speech in general and press freedom in particular remain alive and well in this country. Earlier this year, a British journalist, trying to impress on me just how severe the Official Secrets Act is, told me that David Kelly, the government scientist who was responsible for the famous leak about the Blair government's misrepresentations on Saddam's weapons of mass destruction (and who later took his own life), was the only official in the entire British government willing to talk to the press about the subject off the record. In this country, such officials were not exactly plentiful, but they were there for those determined to find them.

Yet it's hard to be very optimistic about developments here. Until recently, it was possible to argue that the Bush administration's various efforts to crack down on the press differed only in kind, not degree, from those undertaken by some of its predecessors, most notably the Nixon administration. But the White House's actions in recent months have clearly put it in a class by itself. In particular, the threat to use the Espionage Act to prosecute journalists at *The Washington Post* and *New York Times* for their articles about the secret detention centers in Europe and the national eavesdropping program represents a major step-up in executive branch efforts to deter journalists from prying into national security matters. Even more disturbing, in some respects, has been the campaign of venom and vitriol directed at *The New York Times* for its recent story about the secret monitoring of financial transactions.

Whatever one thinks about the appropriateness of the *Times'* decision to publish the story, the ferocity of the attacks on the paper shows the lengths to which the White House and its political allies in think tanks, the blogosphere, talk radio, and Fox News will go to try to cow the press into

silence. Some of the comments about Bill Keller have made Ann Coulter look like a moderate. These attacks have taken on added strength from the inhibiting effect that September 11 continues to have on political discussion in this country. That effect, I believe, is visible in the current coverage of the conflict between Israel and Hezbollah, especially on TV, where events have overwhelmingly been presented as a case of America and the civilized West being attacked by terrorists. It is not just hostile government actions that the U.S. press must battle, but a more insidious mindset that often operates on journalists (as on others) without their even being aware of it.

### **A political strategy to silence critical press**

**From Anthony Lewis:** For at least the last 70 years, since the Supreme Court began giving broadly protective interpretations to the speech and press clauses of the First Amendment, this country has had greater freedom of expression than any other. That is still true in legal doctrine. No one else protects hate speech as we do, or defamatory publications.

What is different today is political pressure to silence or punish probing, critical journalism about the national administration. There's nothing new in presidential resentment of press criticism. Franklin Roosevelt said a right-wing columnist should put on a dunce cap and sit in the corner. Nixon had an enemies' list, etc. But Bush has made attacks on the press a major, overt part of his political strategy.

Karl Rove & Co. have evidently decided that attacking newspapers that are (supposedly) liberal, in particular *The New York Times*, will play well to the base: conservative Republicans, the Christian right, blue-collar whites. Thus we heard for a long time that America was really winning in Iraq, only the liberal, lily-livered press was giving a false picture—a claim that looks increasingly absurd as the statistics of death in Iraq mount. Another example has been the attacks on papers that published the story of Bush's wiretapping in violation of law, especially the *Times*. Or again the *Times* story about efforts to track terrorist money flows—efforts that were actually boasted about by the Administration in the past.

Rove & Co. have been able to summon up choruses of right-wing denunciators like Sen. Jim Bunning and Rep. Peter King to call the press stories "treason." How effective is such talk? At a minimum it has caused editors to adopt a somewhat defensive posture, explaining and defending the role of the press as they did not use to do.

The real question, I think, is one not of law but of courage. Will the press stand firm on not just its right but its duty to report wrongdoing by the government? The omens are mixed on that. The *Times* and *The Washington Post* apologized for excessive timidity in covering the run-up to the Iraq war. Since then the established press has done better. But I still wonder whether it is prepared to take the measure of official lawlessness. Think about the torture and mistreatment of detainees. The people who made that possible—John Yoo, Alberto Gonzales, Dick Cheney, David Addington, Donald Rumsfeld, Paul Wolfowitz—all still enjoy respectable lives.

The threats and pressure by the administration are noticed elsewhere in the world, particularly in Britain. But I doubt that directly influences press freedom there. Each country has its own tensions. In Britain, for example, Prime Minister Tony Blair is as antagonistic to press freedom as George W. Bush—and is doing his best to prosecute leakers and bring in harsh new legislation.

## REPORTING IN CENSORED COUNTRIES

July 25, 2006

**From John Carroll:** When North Korea—which CPJ named the world’s most censored nation—launched test missiles this month, it again reminded us how little we know about this reclusive state. What should journalists do to shed light on North Korea and other states that limit access, such as Cuba? As a matter of principle, are there things that journalists should refrain from doing? What are the risks posed by failing to gain a foothold?

### Use nontraditional reporting

**From Anne Nelson:** As we move into this new and treacherous chapter of history, we have suffered somewhat from limiting a lot of our news coverage to countries willing to play by "our rules." Obviously it is desirable, whenever possible, for journalists to go into a country fully identified and conduct their work as transparently as possible.

There have been at least three crucial countries where that approach has been impossible for the last few decades: North Korea, Cuba, and Saudi Arabia. Because there has been little reportage, gatekeepers have chosen to publish little news. (Much of the recent coverage of Cuba has actually been more coverage of the Cuban exile community.)

We have paid a heavy price for acquiescing to the news blackouts from North Korea and Saudi Arabia. Western readers were largely unaware of the devastating famine that struck North Korea in the 1990s, largely as a result of Kim Jong-Il's criminally misguided policies, which cost up to a million lives. Accordingly, the West also missed a possibility for humanitarian response. We are now going through a cultural self-flagellation for our failure to help save the lives of a million Rwandans. When is the last time we heard about the fate of a million North Koreans? Accordingly, it is little wonder that our policy-makers should be "ambushed" by the North Korean missile crisis. Our news culture—and our policy culture—increasingly turns its attention to a region only after the crisis has fully developed.

By the same token, anyone who paid attention to Saudi Arabia over the past few decades knew that the repressive Saudi regime was working in concert with extremist fundamentalists to underwrite an expansion of radical Islam. The web of missionaries and violence has been traced through communities Western Europe and Africa for years—but there was a general unwillingness by editors to connect the dots until the problem arrived on their doorstep. We also missed the story of our Saudi “allies”’ severe repression of their own populations.

News organizations need to be more proactive in finding the story and not waiting until a Washington agenda spells it out for them. (The metaphor might be "spotting the smoke before the fire has to be put out.") Certainly news organizations have become more willing to draw on reporting from human rights groups, including Human Rights Watch, Amnesty International, and CPJ, much of which is gathered in a manner that would not pass muster from a traditional news organization and depends on the imprimatur of the organization.

But there are also other extraordinary sources for information about countries like the three that were mentioned, that are underutilized. These include:

- Recent exiles. When Human Rights Watch was banned from openly conducting a mission to Cuba in the 1980s, it commissioned a first-person report from recently freed Cuban political prisoner Jorge Valls. The resulting work, "Twenty Years and Forty Days," became a valuable source of information on Cuban human rights conditions.
- Academics. Columbia professor Charles K. Armstrong has traveled to North Korea repeatedly and possesses a wealth of knowledge about the country.
- Religious groups. American Christian organizations have been sending American college students to work in the North Korean countryside for years. Some of them are even journalism students. They offer a mine of on-the-ground information that hasn't been tapped.
- Students from the countries in question. American graduate schools—including schools of journalism and international affairs—have students representing almost every country in the world. Sophisticated organizations like *The Wall Street Journal* and the BBC have been hiring them for their unique perspective on their countries and regions. Yes, there is a question of bias toward their country. But these news organizations have rigorous editorial processes and are aware that bias can come from many different directions, and can be dealt with—if one has good reporting to start with.
- Cold calling and Internet reporting. Radio Marti hosts make cold calls to people in Cuba for interviews, many of which are broadcast. An approach that works for a propaganda station also offers possibilities for vox pop reporting. Active chatrooms in countries ranging from China to Syria offer valuable perspectives on what's going on behind the curtain of censorship. Obviously Western news organizations are still groping for proper procedures to use new technologies and to protect the in-country participants. My impression is that the industry has devoted more discussion to online news distribution than to online reporting ethics—an important area of inquiry.

None of these categories substitute for good professional newsgathering, conducted "by the rules." But untraditional reporting is better than no reporting.

Every time non-traditional sources of information are utilized, the story should include a reference to the lack of freedom that makes traditional reporting impossible -- stressing local conditions for the local media, which suffer the worst consequences. But in dangerous times, getting the news we need in cogent packages presented with transparency, is more important than limiting news to the formats we're familiar with. The darkest countries are likely to present the greatest threat, and we shouldn't be too concerned as to whether we arm ourselves with a candle or a flashlight -- as long as it casts an accurate light.

#### **'More information about those we fear'**

**From Peter Arnett:** I don't believe that a mainstream news organization should compromise anything that it values to cover the most important stories of our times. But then, I don't believe that dispatching a reporter to North Korea or Cuba or Iraq in the Saddam Hussein era constitutes a compromise. I say this not just because I have reported from all three. That those nations were in conflict to some degree with the United States seemed to me a worthy enough reason to at least visit or to even set up permanent bureaus, as CNN did in both Havana and Baghdad in the 1990s. More information about those we fear surely trumps less. Of course critics will ask why consort

with the enemy, particularly when censorship is in force. I would admit that such coverage provides just a part of the story, but it is an important part, giving a unique sense of presence—and an access to officials—denied those reporting from outside. Even with a news organization's presence in these countries, much of the story comes from outside sources, particularly exile organizations and politically active groups. So, much of the truth eventually emerges. The most important basic news organizations in the world, the wire services, offer no apologies for covering countries lacking in political freedoms.

Just how much should journalists compromise to gain a footing in a police state, and are there things that journalists should refrain from doing? The stories of major news organizations are closely watched for adherence to sometimes strict and sometimes loosely applied guidelines. What I have found is that host governments carefully control the news environment, the most suspicious such as North Korea and Saddam's Iraq providing ever-present "minders." Reporters should routinely remind their audiences of these limitations. I have found it beneficial to avoid much in the way of personal relationships with local officials, trying to maintain my own integrity. There comes a time, however, when even the most tolerant news organization has to cry foul. In Iraq it came for me at the end of the first Gulf War when a civil war erupted in the Shia south and Kurdish north. The presiding media minder in Baghdad demanded that I not mention the story and that CNN's anchors in Atlanta not even bring up the subject. That evening our team left town in protest.

How important is it for a news organization to gain a foothold in a potentially threatening repressive state and what risks can come from losing out on the story? If success in the news business is based on audience attention and ratings then the rewards of covering "the other side of the story" are huge. Just look at the history of CNN, the young TV news company that won the confidence of the Iraqi authorities in 1991, bartering its then-unique capability of live coverage and dissemination of news to cover the first Gulf War from Baghdad and gain worldwide recognition and eventual vast profits. Covering the story fully and well is the goal of all mainstream news organizations, but covering it pretty much exclusively is also a goal—still attainable in those repressive places in the world where few reporters can tread.

### **History offers guidance**

**From Ann Cooper:** You ask: "As a matter of principle, are there things that journalists should refrain from doing" in order to report on reclusive or highly restrictive states such as North Korea or Cuba?

The answer is yes: Journalists should refrain from accepting access to a story if the price is having to compromise in telling the truth. Failure to honor that principle misinforms the public and ultimately erodes public faith in the media's reporting.

CNN took a hit from some viewers in 2003 when then-CNN executive Eason Jordan revealed that the news organization's Baghdad bureau had not reported certain stories, including accounts of torture of Iraqi employees of news organizations. Jordan made his revelations in a *New York Times* op-ed after the fall of Saddam Hussein, where he justified the suppression out of concern that Saddam's ruthless regime would have retaliated against CNN's sources.

Fair enough to worry about the lives of innocents, wrote one letter writer to the *Times*. "But it is quite another thing for CNN to have remained in Iraq and to have continued reporting on other matters, thereby communicating to the world a somewhat false impression about the nature of life in Iraq. CNN has betrayed its viewers, the people of Iraq and its own fundamental reason for existing," according to *Times* letter writer Richard Joffe.

Perhaps American journalism's most shameful example of trading away the truth for access was

Walter Duranty, *New York Times* Moscow correspondent whose tainted coverage of the Soviet Union in the 1920s and 1930s is described in a 1990 biography, “Stalin’s Apologist.”

Duranty didn’t “cover” the Kremlin-engineered Ukrainian famine of the early 1930s; he covered it up. While American and British colleagues risked arrest or expulsion from the Soviet Union to document the Kremlin’s systematic starvation of millions of its citizens, Duranty dismissed the famine as “mostly bunk” and attacked those who reported otherwise. His stature and that of his newspaper meant his coverup reports were widely believed and quoted; meanwhile, in Moscow, he enjoyed a cushy life and exclusive interviews with Soviet dictator Josef Stalin. Perhaps Duranty considered that just reward for his role in helping Stalin conceal one of the greatest atrocities of the 20th century.

Of course Duranty is an extreme case, but he illustrates the pitfalls of confusing access—permission to enter and travel in a restricted country, for example—with freedom to report honestly. If you’re a reporter on the scene when Stalin is crushing the peasantry, Hitler is rounding up Jews, or Milosevic is ethnically cleansing Bosnia—and if censors are preventing you from getting the story out to the world, it’s time to leave and file your explosive news from someplace beyond the dictator’s reach.

Your story may fall on indifferent ears; recent history is full of examples of international failure to intervene to stop conflicts, dictatorial abuses, and humanitarian crises. But if you don’t tell it at all, you’re not fulfilling your most fundamental role as a journalist, to inform the public.

### **Get access, disclose limits**

**From Dave Marash:** I would propose two painfully obvious maxims:

- 1) Access is the lifeblood of reporting.
- 2) Something is better than nothing.

Therefore it is not inappropriate, craven or dishonest to accept limitations on access in order to be able to present some good (if incomplete) information about totalitarian states. Furthermore, these kinds of deals are regularly made by newsmen covering not just “devil” states.

For example, when reporters grant (say, White House) sources “off-the-record” or “background status,” they enact both these principles. Our responsibility is to make sure our readers know what imposed or self-imposed limits on disclosure we have accepted (and as much as possible, the reasons why such conditions were imposed) in order to gather and transmit what we can.

The same rules apply to reporting the “ground rules” imposed by states. Thus, when reporting from places like North Korea or Saddam’s Iraq, we must say that we are only allowed limited access, and that all quotes have been tainted by having been given under the limitations implicit in the constant presence of government “minders,” and therefore can have only limited credibility.

In some ways, this meta-story offers the best insight into the troubled reality partially revealed by “the story itself,” and is therefore often worth the trouble and danger involved in getting even such a limited picture. The alternative is nothing, no information, which, as I noted above, is infinitely worse than even a cramped something.

## **CHINA AND INTERNET CENSORSHIP**

July 26, 2006

**From John Carroll:** More than half of the 32 journalists jailed in China in 2006 were Internet-based, and at least two were arrested with the cooperation of U.S. Internet companies. Do U.S. Internet companies have a moral obligation to resist Chinese government censorship? Should our government forbid U.S. corporations from enabling press repression abroad?

**From Peter Arnett:** I notice that the Google search engine has as of today 9,390,000 entries on “Chinese Internet censorship,” and those I scrolled through were all critical. So unlike most of the issues we have been discussing these past several days, this subject is front and center across the world and goes far beyond the aspect that most interests us: the victimization of Internet journalists. CPJ has the special skills to handle repression in the traditional international media and continues to use them effectively. Maybe in grappling with the predicaments of our “new media” colleagues CPJ needs to reach out more than in the past to human rights organizations and political groups that seek freedoms not only of speech but of assembly and religion.

To some degree, the question raised about the moral obligations of U.S. technology companies in China echoes those concerning American business relations with South Africa in the early days of the apartheid regime. The response then was for our government to impose strict sanctions on business activities, leading, many observers believe, to the hastening of the end of apartheid. Regime change is not the issue this time around and sanctions are unfeasible. But one would hope that the volume of outrage expressed in the very vehicles in which they do business will encourage major Internet companies to be more responsive, and more active in resisting Chinese government censorship. Declaring, as Google has, that it “respects the fact that people and organizations, including Amnesty International, oppose our decision to launch a search service in China,” is not enough. Google said it believes its services “will provide significant benefits to Chinese Internet users and that our engagement in China meaningfully expands access to information there.” But the Internet with its inherent freedoms is potentially a loaded gun in repressive societies. The American companies that provide these services in China surely should do more to protect local users who are encouraged to blog and banter online as do their brothers and sisters around the world. That half of all journalists arrested in China this year were Internet-based surely shows that the Internet companies are not doing enough.

Should our government forbid corporations from enabling press repression abroad? Our government should do more, but I would substitute the word “pressure” for forbid at least until the issue clarifies. The European Parliament has recently called for a code of conduct governing the online censorship of dissidents that seems to be a workable model adequate for the time being. It wants the biggest communication companies to pledge not to help governments censor their citizens, asserting that “the Chinese government has successfully persuaded companies such as Yahoo!, Google and Microsoft to facilitate the censorship of their services in the Chinese internet market.” The European Parliament document, while not legally enforceable, does draw attention to the most blatant violations, strongly condemning restrictions on Internet content and the harassment and imprisonment of journalists on the Web, and demanding unrestricted Internet access by all peoples. There also seems an emerging opportunity for a United Nations role in this issue. And clearly, an important role for CPJ.

**From Anthony Lewis:** The question of how U.S. internet companies should deal with Chinese censorship is a hard one for me. On the one hand, my stomach turned when one of the companies cooperated in the arrest of a critic. On the other, I think even a censored version of Google and other U.S. material does expand Chinese awareness of the outside world and its values.

I supported sanctions against the apartheid regime in South Africa: the withdrawal of financial facilities and the sports boycott. But China seems to me very different. Pretoria was acutely sensitive to those pressures. Keeping cricket teams out focused South African minds on what the world thought of their racism. Citibank's refusal to roll over loans pinched badly. De Klerk gave up and freed Mandela because he saw that the country was at the end of the financial road.

Those conditions do not apply in China. No one can believe that China is vulnerable to financial sanctions or that the United States or any other country would seriously undertake them. So it is in good part a matter of self-respect for us. No self-respecting Internet company should help Beijing jail a dissenter. But agree to use a somewhat edited Chinese version of Google? I think that's sad but OK.

As for the idea of an American law forbidding cooperation with press repression abroad, that's dreaming. Members of Congress these days seem delighted at the idea of repressing press "traitors."

Which leads to a final point. We have enough moles in our eye these days to worry about before we try to apply the First Amendment in other countries.

## **FOLLOW-UP**

**From Jane Kramer:** I think we're talking about two different problems. The first involves corporate policy: Do internet companies have an obligation not to develop markets, access, and services in countries like China, where dissident internet journalists are censored and, increasingly, imprisoned? And the second involves a provider's obligation not to cooperate in the repression—thus making those journalists at least marginally less vulnerable than they are now. Accountability would be lovely, but realistically, it's not going to happen—if for no reason than that the present American government has no interest in attaching human-rights provisos to American activity in the global market. (That would pretty much mean an end not just to Internet business but to most of the business we conduct with —this has to be my favorite euphemism— "favored nations.")

The second problem is different, perhaps because the government has already sliced that pie to its own interests. We've seen huge invasions of electronic privacy and freedom of information at home since 9/11, and not just involving colleagues; think of the SWIFT banking scandal. This kind of surveillance has become equated in the public mind with the war on terror. I doubt if anyone in this discussion group is free from some sort of Internet intercept. And what's worse, the public (read voters) accepts it. The argument that everybody loses when the First Amendment loses has so far been notably absent from this year's congressional campaigns. And I think that as long as our own government can get away with claiming national interest, national security—and expecting (and occasionally getting) blanket cooperation from providers at home—it's naive to expect that those same providers will (or can) be asked to stop the kind of cooperation they're giving to governments abroad as the price of doing business.

Especially when it comes to China. Too much money is involved. Too much investment, too much debt. Of course, U.S. Internet companies have a moral obligation to resist censorship. Of course, our government should take a stand. But China is simply too lucrative for its investors for us to expect much of them in the way of noble stands. Google in China is not the Body Shop. (Plus, financial blackmail involving civil rights issues is no surprise in the business world. Remember what happened to Warren Buffet's matching-donations-to-charities program for BH

investors when a couple of big right-wing shareholders complained about those charities dispensing family-planning information? The program disappeared. )

So what can be done (as opposed to what should be done)? Whatever happens in November, we have two and a half years left of a presidency demonstrably unconcerned with, if not hostile to, press-freedom issues. We have governments in most of the industrialized world that, whatever their rhetoric about censorship, are desperate to be competitive in world markets. And we have Internet giants whose "moral obligations" go by the board in the kind of market China represents. I have a family friend in prison in China now (though he wasn't put there with the collusion of an American company), so the question of how and what any of us can do for our Chinese colleagues is of real personal concern. We have tended to assume that whatever we mean by "globalism" was going to spread respect for a public sphere—or at least an acknowledgment that free speech and the market have some connection—but it seems to have spread mainly the protection of financial and political interests, at least as they are perceived.

Thinking back on the topics raised in the past week, I have to say that this one, which seemed at first like the simplest, and certainly the mildest, is the most elusive. We can figure out ways to help protect the stringers and field assistants and translators and fixers we use, or at least to pressure the people we work for to assume more responsibility than they like to take on now. We can figure out how to cover North Korea. But I honestly don't know what we can even begin to do about this one—beyond writing about it, broadcasting about it as much as possible. If it's hard to shame the Chinese government, it may be equally hard to shame the Internet providers we have come to depend on—and are not likely to abandon. But we should give it a shot. This should be ongoing news. That's our responsibility—to keep up the pressure against this sort of collusion. But the reality may be that the majority of China's Internet journalists would rather risk trouble with their government than lose the access that foreign providers give them to news, to their colleagues, to the rest of the world—including the world of some moral support.

## **EMERGING THREATS TO PRESS FREEDOM**

### **From John Carroll:**

It's now time for our final question. I want to thank all members of the panel for their contributions. It's been a privilege serving as moderator of such an accomplished group. Having dealt with many of these issues myself, starting as a young reporter in Vietnam and later as an editor of foreign correspondents, I thought I'd pretty much seen it all. Now, I realize I hadn't. The comments you've posted have been filled with fresh facts and insights. Your depth of experience and reflection has been evident throughout. Also evident has been your generosity in helping others who face these issues now and in the future.

Looking ahead, what are the emerging threats to press freedom and the underlying political forces? What can journalists and their organizations do to meet these challenges? What role will the Internet play? And can we make creative use of the Internet to advance our cause

### **Internet, war open new chapters**

**From Ann Cooper:** Some of the emerging threats to press freedom are clear, but keep in mind that any list drafted today will surely prove incomplete in a few years. A look at CPJ's own history—and the rapid changes in global politics and journalistic technology—tells us why.

Twenty-five years ago, when CPJ was founded, no one could foresee that the Internet would revolutionize both journalism and press freedom advocacy. For CPJ, Internet communications make research swifter and more thorough, and news about press freedom abuses is now

disseminated faster and far more widely. All of that strengthens advocacy. For journalists, the Internet became an innovative route around government restrictions in such disparate locales as Ukraine, Malaysia, and China. And that strengthens independent journalism.

So from a press freedom perspective, the Internet just a few years ago looked like a powerful, positive new force. In fact, it was, and is. At the same time, governments are growing more adept at controlling the information flow on the Internet, just as they traditionally have curbed print and broadcast media. It's particularly dismaying to see U.S. technology companies cooperating with those restrictive efforts in China, the world's most obsessed regime when it comes to curbing Internet expression.

There's merit to Tony Lewis' point in yesterday's discussion, that "even a censored version of Google and other U.S. material does expand Chinese awareness of the outside world and its values." But if freedom of expression advocates accept a little Internet censorship in China, we open a door that repressive leaders around the world are eager to barge through. If China succeeds in taming and permanently censoring this marvelously democratic conduit for information, you can bet that others will follow its lead, and CPJ will document more and more cases of restricted expression on the Internet. This is a story that deserves greater attention from media all over the world, and it needs full attention from CPJ, including staffing of a new program that would focus exclusively on Internet abuses throughout the world.

You need look no further than today's headlines to spot another growing threat: the spread of conflicts ignited by the "war on terror" and the international community's failure to solve decades-old crises such as the Middle East. The threat goes well beyond the obvious danger of war correspondents dodging bullets. Today, combatants now almost routinely target news broadcast facilities to shut off information, and war correspondents on the ground feel a dramatic erosion of their traditional status as neutral observers. Increasingly, they are vulnerable to kidnapping, violence, and detention by warring factions. CPJ's protests can have an impact, but news organizations also need to put aside competitive rivalries and band together to ensure greater safety for all journalists in conflict zones.

Politically, I see two trends that will continue to have a huge impact on global media and global press freedom.

First, the growth of media assistance programs, which took off after the collapse of communism, has fostered new media outlets and new journalists throughout eastern Europe, the former Soviet Union, and many parts of Asia and Africa. The Western governments that fund these programs see them as essential components of democracy building, from Russia, to Afghanistan, to Iraq. They have trained thousands of journalists and supported thousands of news outlets. But they have also angered leaders in many transitional states, who attack the outside trainers as plotters seeking to impose foreign values about news and press freedoms. Crackdowns in some states have shut virtually all the media built up by assistance efforts. But the efforts have not slowed. Global annual spending on media assistance is estimated at \$1 billion, so the world is likely to see an increasing number of independent news organizations, a growing number of professionally trained journalists—and a rising number of press freedom abuses from the governments who oppose such efforts.

Finally, the vague, ongoing "war on terror" continues to take a sorry toll on press freedom. Leaders around the world have seized on terrorism as an excuse to muzzle reporting, in the name of preserving national security. They have succeeded in creating a chilly new climate for journalism, where public officials and the public itself engage in rhetorical attacks and legal

threats to intimidate or punish media who dare report on sensitive topics such as human rights abuses and the erosion of civil liberties. Journalists must understand this threat is a global one and unite as never before to protect independent reporting

### **New strategies, alliances**

**From Anne Nelson:** I come to this question with the advantage and the disadvantage of some distance on this subject. Recently my colleagues at the Columbia School of International and Public Affairs launched a course called "Rethinking Human Rights," reviewing policies and practices to bring them up to date with a changing world. I think it's high time to do the same with press freedom. For the past few decades, we have been working with a fairly ethnocentric, Post-War and Post-Cold War model (that has served us well enough). But it is not necessarily sufficient for the new geo-political paradigms ahead.

In Western societies, we face a double-edged threat. First, the "war on terror" is providing a smokescreen for a broad-based attack on freedom of expression, privacy, and civil liberties in every area of life—and the concept of government accountability has greatly weakened. It will take decades to reverse the damage. Second, some trends in the Western news media themselves weaken the arguments for their privilege. These trends include:

- the erosion of quality and seriousness in many traditional news vehicles;
- a convergence between news and entertainment;
- the heightened commercialism and drive for profit in news organizations;
- the increasing prevalence of new sources of news (such as Internet home pages) that cannot be evaluated by traditional standards.

The public trust in the press is low, and many believe that the news media represent just one more business, and not a highly regarded one. Making the First Amendment argument in the U.S. and other Western societies is becoming more difficult, and more crucial.

Outside the Americas and Western Europe, many feel that Americans are short-sighted in trying to universalize First Amendment prescriptions. The West is learning the hard way that "democratization" requires more than voters showing up at ballot boxes. By the same token, journalists in the former Soviet Union are frustrated by new webs of restrictive laws and regulation that limit information, without a visible "abuse" ever taking place. In Asia, punitive libel suits serve the same purpose. They point to the concentration of ownership of the media in the U.S. that has eliminated countless independent and local voices from the American scene as a form of the creeping restriction that never manages to directly involve the state—and therefore is not redressed by First Amendment principles.

The greatest menace on the scene is the process now underway to capture the Internet for commercial use. International telecoms are rapidly moving into the regulatory arena. Through their long-term strategies and lobbying efforts, they are threatening to colonize the Web in the same way that U.S. commercial broadcasters seized control of the bandwidth a few generations ago, stunting American public and independent broadcasting in their cradles. The press freedom community has become adept at addressing individual incidents. The next challenge is to develop visionary international communications theory and strategies that addresses the interests of future generations.

At this point, the press freedom community needs to open the doors and create new alliances with citizens' groups. A broad alliance and lobbying effort—informed by advanced research—will be

needed to protect our information landscape of the future, in the same way that other organizations have joined forces to defend the environment.

## **FOLLOW UP**

### **Greater focus on United States?**

**From Michael Massing:** I'd like to add a final thought about an interesting thread that has emerged in this week's postings in our online conversation—the ongoing and deepening threats to press freedom in the United States under the cover of the war on terror. There seems to be a consensus that the assaults on that freedom in this country are becoming ever more severe, and that this requires a more concerted defense by the press and groups dedicated to press freedom. Does that include CPJ? Since the committee's founding, we have had a continuing and vibrant debate about how active we should be in taking on cases in this country. We most recently revisited the issue in connection with the jailing of Judy Miller—a development that, in spite of our traditional reluctance to take on cases in this country, we felt we could not ignore. Still, our involvement on press freedom issues in the US remains episodic. And there are compelling reasons for this, most notably our determination to devote our limited resources to cases in the rest of the world, where there is often no one else to advocate on behalf of journalists. But in the face of the mounting attacks on press freedom here, including most recently the threats to prosecute journalists for publishing classified information, I think we need to continue revisiting this subject and assessing the extent to which our traditional wall separating cases in the United States from those in the rest of the world remains viable. I'm not ready to argue that that wall should be dismantled, but I would like to see the discussion resumed at its usual vigorous level.

### **Greater focus on United States?**

**From Anne Nelson:** I agree with Michael. I resisted doing U.S. cases in the past, on the grounds that the Reporters Committee for Freedom of the Press mounted an appropriate response to the cases that arose.

We're now seeing some new situations—such as new U.S. military and intelligence policies towards U.S. and non-U.S. journalists, U.S. military detentions of non-U.S. stringers working for US news organizations, etc etc etc.

These cases all seem to relate more closely to CPJ's body of experience and expertise than to the U.S.-oriented organizations. (Their traditional tactics of fighting for First Amendment rights in U.S. civil courts are not relevant to many of these new cases.)

Unfortunately, we are not able to credibly point to the US legal system as a model to the rest of the world at this moment in history.

**From Ann Cooper:** This has to be a topic of ongoing debate for the CPJ board. It's not sufficient to say that the organization was formed a quarter of a century ago to help journalists outside the U.S., and that should remain its mandate. Times change and conditions change, as Michael and Anne both note, and the organization needs to remain open to adapting its work to face those changes.

## **THE PANEL**

**John Carroll** (moderator) is the first Knight Visiting Lecturer at Harvard's Shorenstein Center on the Press, Politics, and Public Policy. He is the former editor of the *Los Angeles Times* and Vietnam War correspondent.

**Franz Allina** was counsel to the office of the appellate defender in 2003 and 2004. As a board member of CPJ, he has gone on missions to Malaysia, Haiti, and Indonesia.

**Peter Arnett** has been a war correspondent for more than 40 years. He won a Pulitzer Prize for international reporting in 1966 for his Vietnam coverage.

**Ann Cooper**, a former NPR foreign correspondent, is director of the broadcast program at the Columbia University Graduate School of Journalism. She was CPJ executive director from 1999 to 2006.

**Josh Friedman** is director of international programs at the Columbia University Graduate School of Journalism. In 1985, he was awarded the Pulitzer Prize for international reporting for his coverage of the famine in Ethiopia. He is a CPJ board member.

**Jane Kramer** is the European correspondent for *The New Yorker* and writes the "Letter from Europe" for the magazine. She is the author of nine books. She is a CPJ board member.

**Anthony Lewis** was a columnist for *The New York Times* from 1969 through 2001, and is a two-time winner of the Pulitzer Prize. In 2001, he was awarded the Presidential Citizens Medal. He is a CPJ board member.

**Dave Marash** has been named Washington anchor of the soon-to-be-launched Al-Jazeera International. Marash reported for ABC News "Nightline" from 1989 to 2005. He is a member of CPJ's board.

**Michael Massing** is the author of *Now They Tell Us* (2004), a collection of articles published in the *New York Review of Books* about press coverage of the war in Iraq. One of CPJ's founders, he is a current board member.

**Anne Nelson** is a playwright and adjunct associate professor at the Columbia School of International and Public Affairs. A former foreign correspondent, she was CPJ executive director from 1988 to 1992.